


# Autism and education—The role of Europeanisation in South-Eastern Europe: Policy mapping in Bulgaria, Romania and Croatia

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## Abstract

South-Eastern Europe only recently was required to adapt their domestic law to adhere to European Union legislations and standards. As such, it forms an excellent case study on how and to what extent the ‘Europeanisation’ process is interacting with the development of special education needs (SEN) policy, particularly focusing on autistic children. This scoping review mapped autism and special education policies of Bulgaria, Romania, and Croatia and investigated how Europeanisation interacted with autism and educational policy through a path dependence analysis. Our research shows that education for children with special needs started with segregation during communist time. EU accession since then has influenced disability policies and contributed to establishing inclusive education for all students. One particular Romanian policy resulted in children with special needs not having to compete with typical children for school submission. Ultimately, the majority of policies addressed special education needs in general. Only

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Romania adopted specific autism policy. Inclusive education is being developed in all countries.

### KEYWORDS

autism, education, Europeanisation, inclusion, special education needs

## INTRODUCTION

Autism is characterised by early onset difficulties in social interactions and communication skills, repetitive patterns of behaviour, and restricted interest that continue throughout life (American Psychiatric Association, 2013; Lord et al., 2022). Approximately 45% of autistic children have a co-occurring intellectual disability and 28%–44% have attention-deficit hyperactivity disorder, which impact their quality of life and presents with complex educational challenges (Lai et al., 2014). In recent years, a global autism prevalence was estimated around 1%–2% with a male-to-female ratio between 3 and 5 (Lai et al., 2014; Roman-Urrestarazu et al., 2021; Zeidan et al., 2022). People on the autism spectrum are at increased risk of physical morbidities (Weir et al., 2020) and negative life experiences that can affect their mental health and well-being—especially in children (Griffiths et al., 2019). Autism is further associated with an adverse impact on the person's educational, social attainment, and employment outcomes and often require special education needs (SEN) services to be able to participate in education and society (Hsiao & Sorensen Petersen, 2019).

Internationally, human rights of minorities are protected under the Universal Declaration of Human Rights (United Nations, 1948) and the Convention of the Rights of Persons with Disabilities (United Nations, 2006). While the UDHR emphasises that 'education shall be directed to the full development of the human personality', the CRPD particularly strengthens the rights of people living with disabilities and, like the Salamanca statement before, proclaims the right to inclusive education (United Nations, 2006; UNESCO, 1994; United Nations, 1948). Additionally, inclusive education is crucial to implement the right to education for children with SEN and can benefit both students with and without disabilities (Hehir et al., 2016). Respect for human rights and protection of minorities are among the fundamental values of the European Union (EU) and a core condition to EU membership as set out in the Copenhagen criteria (European Council, 1993). Further, the rights of people living with disabilities are incorporated in EU policy as they still face discriminations and barriers preventing them from fully participating in society (Priestley, 2007). However, the competence to regulate health and (special) education policy in the EU lies with the individual Member States. Previous research highlights large differences in policy approaches to special education provision between long-standing EU Member States (Roleska et al., 2018; van Kessel, Hrzic, et al., 2020; van Kessel, Roman-Urrestarazu, et al., 2019; van Kessel, Siepmann, et al., 2021; van Kessel, Steinhoff, et al., 2020; van Kessel, Walsh, et al., 2019), while also showing that education policies across the EU have been slowly shifting to better allow autistic children to participate in inclusive education.

In contrast, South-Eastern European countries only recently were required to adapt their domestic law to adhere to EU legislations and standards (Schimmelfennig & Sedelmeier, 2019). In the Baltic States (van Kessel, Dijkstra, et al., 2020), policy developments showed a clear shift from the former Soviet Union to the current (Western-European). This is important to consider since Bulgaria, Romania, and Croatia (as part of Yugoslavia) were also under communist regimes after the second world war. However, their accession to the EU was later than the Baltic States with Bulgaria and Romania

joining in 2007 and Croatia in 2013, meaning the process in which these countries aligned their national policies with EU values is still relatively recent history. As such, they form an excellent case study on how and to what extent the 'Europeanisation' process is interacting with the development of SEN policy, particularly focusing on autistic children. Europeanisation, in this context, refers to 'a process of construction, diffusion and institutionalization of EU rules and in which shared beliefs and norms are first defined on the EU level before being incorporated into national laws' (Radaelli, 2004).

This study aims to map the development of the education policy environment in Romania, Bulgaria, and Croatia to assess how autistic children are enabled to access and participate in education and to what extent this education is considered inclusive. In following these developments, we can determine how the accession process to the EU (i.e. the Europeanisation process) interacted with the development of national education policies in the countries under study. We recognise that these countries already have partially been mapped (European Parliament, 2013a; European Parliament, 2013b; European Parliament, 2013c). The key difference is that these mappings do not give an overview of how the education system was formed over time using a value-based approach, which is the approach we will adopt in this article using EU values.

## METHODS

This article uses path dependence analysis underpinned by a scoping review for data collection (Roleska et al., 2018; van Kessel et al., 2022; van Kessel, Hrzic, et al., 2020; van Kessel, Roman-Urrestarazu, et al., 2019; van Kessel, Siepmann, et al., 2021; van Kessel, Steinhoff, et al., 2020; van Kessel, Walsh, et al., 2019). A PRISMA flowchart was used to report the data collection process and findings of the study (Moher et al., 2009).

### Eligibility criteria

The scope of autism and SEN policies was limited to policies or legislations that relate to the national education system, the right to education, SEN and disability laws. Only policy documents published by governments post 1948, addressing children with autism (up to 18 years old) were included. No language restrictions were set.

### Data collection and search strategy

The data collection was based on a qualitative modular approach and followed an electronic search between April and June 2020. First, relevant data from governmental policies and legislations that address the right to education for people with autism was extracted directly from original governmental sources on international (UN human rights), European (Eur-lex), and national levels (N-lex, Bulgaria State Gazette, Romania Portal Legislative and Croatia Central Catalogue; see eTable 1 in Supplementary Methods). In the case that national policies or programs specific to autism are absent, general disability and education policies were investigated. The keywords used for the policy repositories were as follows: autism, disability, special education needs, education, special needs, special education, inclusive education. These databases were searched using the translations of separate key terms into Bulgarian, Romanian, and Croatian respectively. Translations were done using machine translation services. The Bulgarian database only included policies after 2003, the Romanian database

provided limited access to documents pre-1989, and the Croatian repository mainly includes documents from 2007 onward when the online database was established. To obtain policies prior to these dates, accessible documents were checked for amendments or related policies and represent some of the additional sources identified through grey literature or references lists.

Secondly, a multi-faceted search strategy for identifying academic literature (eTable 2 in Supplementary Methods) was developed and executed by a single researcher in PubMed and Google Scholar (first 200 records) (Gusenbauer & Haddaway, 2020; Haddaway et al., 2015). Thirdly, policy documents and academic literature were merged given the eligibility criteria. Fourthly, reference lists of relevant articles were searched to identify additional sources and ensure that the search was thorough as possible. The final data set was stored in a data repository and was checked for completeness.

## Data analysis

The path dependence analysis was guided by the self-reinforcing principles on human rights starting in 1948, when the right to education was established by the UDHR. It was examined to which extent the values of international and EU policies are integrated in domestic policies, primarily the right to education and the development of an inclusive education system as laid down in the CRPD and Salamanca statement. A summary of the core values obtained from international and EU human right documents is displayed in File S1. Another critical juncture of the study was the beginning of the Europeanisation process triggered by the respective applications for EU membership and the opening of accession negotiations. Romania and Bulgaria applied for EU membership in 1995, Croatia followed in 2003 committed to prepare for EU accession (Crespo-Cuaresman et al., 2005; Smith, 2012). Here the analysis particularly focused on how the pathway of SEN and autism policies developed after 1995 and 2003 respectively.

## RESULTS

In total, 4558 records were identified through PubMed, 200 through Google Scholar, and 11383 records (8303 Bulgaria, 180 Romania, 2900 Croatia) through governmental databases. The final number of studies included in this review are 51 sources (45 policy documents, 6 scientific sources). A PRISMA flowchart illustrates this process in Figure 1. File S2 provides a detailed summary of all included policies, as well as specific measures that are established in individual policies. File S3 includes the references to all policies provided in File S2.

## Bulgaria

The right to free and compulsory education has been a constitutional right since the Dimitrov Constitution (National Assembly of the Republic of Bulgaria, 1947) and has been reaffirmed in the current constitution (National Assembly of the Republic of Bulgaria, 1991). While students with SEN were originally educated in special schools, policies from 2002 onwards aimed to integrate special education in regular kindergartens and schools (Phillips, 2012). The goal was to provide appropriate education for all children according to their health and mental conditions (National Assembly of the Republic of Bulgaria, 2003a, 2004, 2008; Bulgarian Ministry of Education and Science, 2002; Tsokova & Becirevic, 2009), though children who opt for education in special environment should

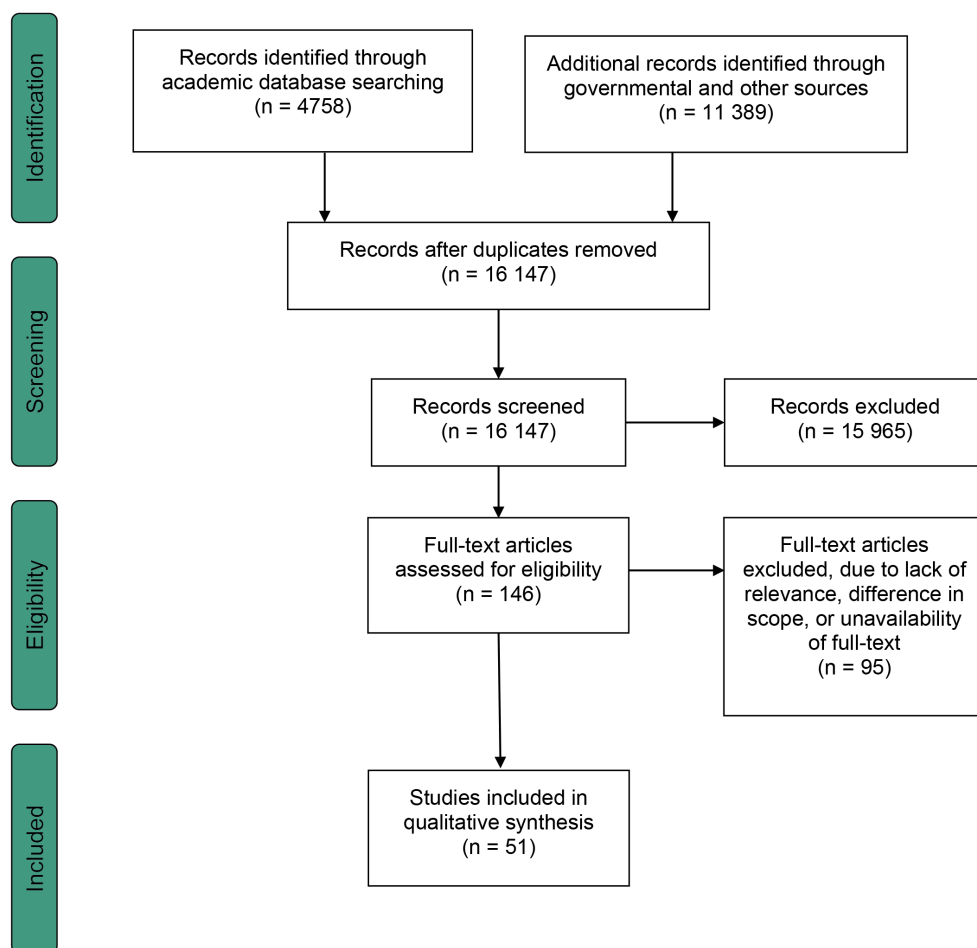


FIGURE 1 PRISMA flowchart of the data collection process

only do so after all options in the regular education system have been exhausted or at explicit request of the parents (National Assembly of the Republic of Bulgaria, 2003b; Bulgarian Ministry of Education and Science, 2002). Regional inspectorates and resource centres were established to support the organisation of integrative education and reorientation of children with SEN by carrying out consultative, educational, and coordinating functions (Bulgarian Ministry of Education and Science, 2006; National Assembly of the Republic of Bulgaria, 2006).

The Law on Preschool and School Education introduced inclusive education in 2015, meaning inclusive education was officially recognised as an inalienable part of the right to education and the division into classes of students with SEN as part of the integrated education was prohibited. Instead, schools were obliged to accept children with SEN and to regulate the number of students with SEN in a mainstream class (National Assembly of the Republic of Bulgaria, 2015). The shift from integration to inclusive education was further strengthened in the following years by measures such as early assessment of the developmental needs of children, additional support (Council of Ministers of the Republic of Bulgaria, 2016; 2017) and the introduction of a combined form of education, in which children with disabilities can follow the curriculum in regular classes and on an individual base for defined subjects (National Assembly of the Republic of Bulgaria, 2018; Bulgarian Ministry

of Education and Science, 2015). Further, the National Strategy for the Child (2008–2018) aimed to establish measures to refer children with SEN to the general education system and to promote inclusive education among stakeholders (National Strategy for the Child 2008–2018, 2008).

Bulgaria has undergone improvements in SEN policies and social inclusion, particularly for students with disabilities as laid down in the CRPD – ratified by Bulgaria in 2012 (Bulgarian Ministry of Labor and Social Policy, 2012). However, a recent policy stresses the need to continue efforts in the field as only about half of children with disabilities are actually included into the general education system and many students with disabilities still do not attend school (Bulgarian Ministry of Labor and Social Policy, 2018). To date, Bulgaria has no specific autism strategy, but children with autism are explicitly addressed under SEN and educational policies.

## Romania

Special education provision in Romania developed as part of the national education system. While detaching from communism ideologies, where special education was separated from mainstream schools, the educational system gradually moved towards alignment with international agreements and western European countries from 1995 onwards (Ives & Cheney, 2007; Government of Romania, 2000; Walker, 2010). The integration of children with SEN in special education units in regular schools was supported by adjusting curriculum, teaching methods and material to the type and degree of disability. Additionally, children were entitled to be educated in special schools or home-school if they could not attend regular schools (Parliament of Romania, 1995).

Inclusive education was first introduced by the Decision on some Measures to Improve the Situation for Students with SEN (Government of Romania, 2005). Even though the concept of inclusive education was covered under the framework of specially integrated education, it was not specifically explained. Instead, it referred to various settings and forms of education for students based on their SEN (Government of Romania, 2005). School centres for inclusive education were implemented to safeguard the education provision for children with SEN and carry out various teaching and evaluation activities (Framework Regulation on Schools for Inclusive Education, 2005). Significant changes in educational structures and special education were further introduced and comprise supportive services such as teacher assistance and sheltered workshops to aid with qualifications and integration for students with SEN (Framework Regulation on Schools for Inclusive Education, 2011; Parliament of Romania, 2011). Additionally, a framework for all actions in the field of disability was established and aimed to ensure the implementation of the CRPD, while emphasising equal participation for students with disabilities (Government of Romania, 2016). Finally, the Romania passed a policy that requires all secondary education facilities to offer a designated number of places to children with SEN.

Autism-specific policies aimed to improve the quality of life and social functioning of people with autism and reiterated the right to free education for all children with autism. Objectives of the strategies included (1) early and active detection of autism for children, (2) appropriate treatment and early specialised interventions and (3) psychological counselling of parents, all executed by a multidisciplinary team (Parliament of Romania, 2010; Parliament of Romania, 2013; Romanian Ministry of Health, Romanian Ministry of National Education and Scientific Research, Romanian National Health Insurance House, Romanian Ministry of Labor, Family SP and the E, 2016). However, they neither regulate the establishment and use of services nor the compilation of the multidisciplinary teams (Onițiu & Raiu, 2018). The latest document on autism regulates the establishment of a committee to elaborate the National Autism Plan for 2020–2022 with the aim to improve the living conditions for people with autism (Romanian Prime Minister, 2018).



## Croatia

A wide range of regulations and national strategies have shaped the educational framework for children with SEN in Croatia. The majority of identified policies focuses on one level of the Croatian educational system for children up to 18 years (either preschool, elementary or secondary school level). During the communist era of Croatia, the right to education in regular schools for children with disabilities was legally endorsed and education became compulsory for all children until 16 years, although the primary goal of education was the 'formation of a comprehensively developed socialist' (Croatian Ministry of Education and Sport, 1989; Ljubešić & Šimleša, 2016).

With Croatia's independence, the new Constitution (1990) laid down the fundamental principles of education including free and compulsory primary education and equal access to secondary education. In the following years, policies aimed to establish an integrative educational system and to meet the educational needs of children with SEN (House of Representatives of the Parliament of the Republic of Croatia, 1997; Croatian Ministry of Education and Culture, 1991; Croatian Ministry of Culture and Education, 1992). SEN were more generally classified into mild and greater development difficulties (Croatian Ministry of Education and Sport, 1999).

From 2003 onwards, some SEN education and disability policies specifically referred to international and EU policies. In particular, the National Strategy for Persons with Disabilities (2003–2006) (Croatian Government, 2003) recognised that, besides the legal endorsement of the right to education and equal access for all children, the process of educational integration was rather unsatisfied up until then. With the aim to improve the legislative framework of educational integration, milestones for the upcoming years were set such as adopting the curricula for students with disabilities and establishing a program for effective educational integration (Croatian Government, 2007; Croatian Government, 2017). While Croatia was among the first countries to sign and ratify the CRPD (Ljubešić & Šimleša, 2016), the Parliament already passed a Declaration on the Rights of Persons with Disabilities in 2005, promising to adapt the education system to the needs of persons with disabilities (Croatian Parliament, 2005).

Significant changes in inclusive education were enabled from 2008 onwards. First, a more inclusive preschool setting was established. To provide quality education for all students, the number of children with mild and severe disabilities, who can be integrated in a regular class were regulated (Croatian Parliament, 2008). Secondly, changes in primary and secondary education for students with disabilities followed and stipulated that education can take place in a regular class, a special class, partly in both or an educational class (Croatian Ministry of Science E and S, 2015). Additionally, students with SEN can apply for additional support during regular secondary education (Ministry of Croatian Defenders, 2019). Inclusive education is further supported by the Croatian Parliament (2014), which is also in line with EU strategies like Horizon 2020 or youth on the move. One main goal of the strategy is to make quality education available for all and therefore aims to establish a network for support of inclusive education (Croatian Parliament, 2014).

## DISCUSSION

This study aimed to map the educational policies that create the SEN framework in Romania, Bulgaria and Croatia. Core values of international human right documents relating to education have been implemented into national legislations of the countries under study. In Bulgaria, children with SEN were already entitled to receive education prior to the adoption of the UDHR. Particularly, the values of equality and non-discrimination are a foundational element in national education policies. Besides

the basic right to education, all countries under study have incorporated the right to education for children with disabilities according to their SEN in domestic laws. All countries have also signed and ratified the CRPD. To ensure its implementation, Romania and Croatia have adopted additional national plans aiming to improve the rights of people with disabilities and thus supporting equal access to education. With three consecutive national strategies on equal opportunities for persons with SEN, Croatia seems to have the most elaborated action in the field.

Romania was the only country that has adopted an autism-specific policy next to generic SEN policies, while Bulgaria and Croatia adopted solely generic SEN policies. This finding is consistent with all other mapped EU Member States in which generalised SEN policy made up for the vast majority of the autism-related legislation (Roleska et al., 2018; van Kessel, Dijkstra, et al., 2020; van Kessel, Hrzic, et al., 2020; van Kessel, Roman-Urrestarazu, et al., 2019; van Kessel, Steinhoff, et al., 2020; van Kessel, Walsh, et al., 2019). Even though these policies address autism, their overarching approach lacks specificity for the complex and diverse needs that children on the autism spectrum can experience (Carroll et al., 2017; Lai et al., 2014, 2019, 2020). One finding to highlight from the mapped policies is the development in Romania of 2020. Up until this year, children with SEN had the theoretical right to study in mainstream schools following an adjusted curriculum, but the state exams that allowed students to be admitted to and graduate secondary education were not adjusted in terms of content. The Order ratified in 2020 requires all Romanian secondary education facilities to preserve designated places for children with SEN in mainstream classrooms. In other words, they no longer need to compete to be admitted in secondary education with typical students, thus improving their access to (inclusive) education facilities.

The development of autism and SEN policies in the three countries under study has been influenced by the Europeanisation process. While the right to education for all citizens has been legally established in Bulgaria and Romania years before their application to EU membership in 1995, the communist system did not address the educational needs of children with SEN and special education was provided in separate institutions (similar to van Kessel, Dijkstra, et al., 2020). A step towards more accessible education for children with SEN occurred after both countries applied for EU membership and the start of accession negotiations. Croatia endorsed integrative education in the 1990s—long before their application for EU membership. Following the official application in 2003, a strategy on the rights for people with disabilities was drafted, which specifically referred to the EU accession process and the subsequent need to adhere to human rights standards. As a result, further emphasis was put on educational provision for children with SEN in the following years. Similar to Bulgaria and Romania, the improvement of inclusive education developed further after Croatia's EU entry in 2013. Hence, these developments imply an interaction between the Europeanisation process and new education policies for children with SEN. While some legislations directly referred to the EU framework, the respective application to EU membership marked a turning point in all countries under regarding SEN and disability policy.

When analysing the influence of the EU framework on national policies, it becomes apparent that the right to education for all people derived from acknowledging basic human rights, which were further supported through disability and anti-discrimination policies. As the competences of health and education remain within the Member States, they were not decisive for changes in SEN policy as part of the Europeanisation process. However, the integration of children with SEN and improvements towards inclusive education in all three countries under study can be partially attributed to aligning national policies with international and EU human rights standards. Notably, numerous regulations, decisions and national plans have been adopted by the countries under study since the early 2000s. Additionally, the well-established integration of children with SEN by law is only the precursor for actual implementation.



Inclusion is stipulated as an integral approach to education by law in all countries under study, although the concept of inclusion slightly differs across countries. Romania follows a community-based approach of inclusive education, where inclusion is part of specially integrated education. Bulgaria defines inclusive education as an inalienable part of education and can be provided in a combined form. Similarly, the Croatian education system offers full or partial integration. While Bulgaria and Romania do not make an explicit distinction between special education provision at different educational stages, Croatian policy addresses preschool, primary and secondary education separately. Hence, this approach allows to consider the different educational needs of various age groups and to provide support accordingly. Despite efforts in all countries to integrate children with SEN in the general education system accompanied by additional teaching or pedagogical support, diagnostic services and counselling, segregation is permitted by law in case children are not able to follow mainstream education. Further, inclusive education has been introduced in all countries almost 10 years—in Bulgaria even later—after the adoption of the Salamanca statement in 1994.

The study has some limitations. Firstly, this study only assesses the policy environment and does not explore how the policies are implemented. Secondly, considering the individual path-dependence of national policies in the three countries, the study findings are not transferable to other settings or countries. Thirdly, the analysis did not take into account how NGOs have influenced the policy making, especially during EU accession. Fourthly, adults with autism were excluded and no insights into higher education or employment rights can be provided. Fifthly, the machine translation service of the N-Lex database was unavailable during the data collection process. Thus, search terms were manually translated into the respective languages under study and applied directly to the national databases. To ameliorate this, country experts were involved to ensure completeness and correctness of the data set. Finally, the limited availability of databases resulted in a lack of data prior to 1990 and the search of the Romanian database yield little results in comparison to the two other countries.

Based on the study findings and its limitations, the following recommendations can be made. Despite a well-established legal framework for children with SEN in the three south-eastern European countries, the Bulgarian and Croatian framework specifically could be further enhanced by specific autism strategies that target adequately meeting the needs of the autism community. Specifically, the implementation of mixed mainstream classrooms, and elaborated infrastructure to support teachers (i.e. by means of additional training and teacher assistants), and policies dedicated to inclusive education could streamline the further development of an inclusive environment (van Kessel, Hrzic, et al., 2021).

Ultimately, this policy article provided an overview of autism and SEN policies in Bulgaria, Romania and Croatia in relation to their respective EU accession. In all countries under study, the right to education for children with autism has been established, reflecting international and EU values. Consequently, the analysis showed that the Europeanisation process has had a substantial impact on the domestic SEN policy, particularly on inclusive education. These findings can serve as valuable insights for countries applying to become EU Member States as to the fundamentals that their education system should adhere to regarding disability and inclusion.

## **AUTHOR CONTRIBUTION**

Robin van Kessel: Methodology, writing – original draft, writing – review & editing, formal analysis, supervision, project administration. Aicha Massrali: Methodology, writing – original draft, writing – review & editing. Formal analysis, project administration. Paulina vom Felde genannt Imbusch: Formal analysis, investigation, writing – original draft. Ana Dragu: Writing – review & editing. Carol Brayne: Project administration. Simon Baron-Cohen: Project administration, funding acquisition. Katarzyna Czabanowska: Writing – review & editing, supervision. Andres Roman-Urrestarazu: Methodology, writing – review & editing, supervision, project administration, funding acquisition.

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## CONFLICT OF INTEREST

The authors declare that there is no potential conflict of interest.

## DATA AVAILABILITY STATEMENT

The data that support the findings of this study are openly available in ‘State Gazette’ at <https://dv.parliament.bg/DVWeb/index.faces>, in ‘Portal Legislative’ at <http://legislatie.just.ro> and in ‘Central Catalogue’ at <http://www.digured.hr>.

## ETHICS APPROVAL AND CONSENT TO PARTICIPATE

Due to all data being publicly available and already in force in the respective Member States, the outcomes of this study have no ethical implications. Also, since the study was completely based on public data, there was no situation in which it was necessary to request consent. Finally, neither sample sizes nor major demographic characteristics (aside from population size) were applicable to the study at hand. As such, these are not reported.

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