

Neither confirmed nor denied: A consideration of the policy position with respect to special school provision in New Zealand's Special Education 2000 policy.

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Abstract

Special Education 2000 (SE2000), New Zealand's first official special education policy, was announced in 1996. The policy's overarching aim was stated as the achievement of a "world class inclusive education system". It would seem that, by implication at least, the intention of the policy was to achieve full inclusion of all disabled children and young people in regular education settings and thus, consequentially, the demise of separate special school provision. Given this it would be fair to expect that intentions with respect to special school provision would be a matter of significance in the policy. However, surprisingly, this was not the case; only brief references to special school provision can be found in the policy material and certainly nothing that would constitute a clearly articulated policy objective for this type of provision. This of course raises the question of why there is this curious silence particularly given that place of special school provision was a vexed issue in much of the debate about inclusion at that time and given that New Zealand had a significant number of residential and non-residential schools serving disabled children and young people. Policy is affected and influenced by the context from which it is derived. Special Education 2000 was conceived within the boundaries of two significant ideologies, neoliberalism and inclusion; ideologies which would certainly have influenced the aims and intentions of the policy. In this paper I will argue that a plausible explanation for the curious absence in SE2000 of any clearly articulated policy objectives in relation to special school provision, is that the differing ideological premises of inclusion and neoliberalism that underpinned the policy, served as boundaries to what could be said and thought in that context and at that time. This, I will suggest, led to a policy position in which under SE2000, a role for special schools could neither be confirmed nor denied.

Introduction

Special Education 2000 (SE2000), New Zealand's first official special education policy was supposed to herald a new dawn in the education of disabled children and young people. The stated aim of the policy was to achieve a "world class inclusive education system" which at that time would, by implication at least, have indicated that the intention of the policy was to achieve full inclusion of all disabled children and young people in regular education settings. Given this it would seem that a key issue of concern for the policy would be to address the position of special school provision within this new inclusive environment. However, surprisingly, this was not the case. The question of "place" is barely addressed; only minor references to special school provision can be found in the policy material despite the fact that at that time the question of place was a core feature of much of the debate about the education of disabled children and young people in many jurisdictions similar to New Zealand including the United Kingdom, Australia and the United States of America, (Ballard, 1996; Hodkinson, 2010; Norwich, 2008; Slee, 1999; Winzer, 2007) and despite the fact that New Zealand had a significant number of residential and non-residential schools serving disabled children and young people. Reading the material related to this policy one would assume that the question of educational provision for disabled children was not in the least controversial and that the concept of inclusive education, that is all children, including all disabled children, attending their local regular school, was universally understood and accepted.

SE2000 was, as education policies are, "made in the context of multiple human activities, experiences, purposes and needs" and as such was influenced by prevailing ideologies and philosophical premises (Scheffler cited in McLaughlin, 2000, p.444). Peters and Marshall (1996) point out that the development of new policy for educational reform

does not take place within a vacuum because it is constrained by a pre-existing policy context which helps to determine its initial terms of reference, its core values and ultimately its political acceptability (p.77).

This is certainly true of the development of SE2000 which occurred during a time of significant educational change and reform both in New Zealand and internationally. It seems to me that in Special Education 2000 we can see reflected the confluence of policy imperatives driven by the quite different philosophies or ideologies of inclusion and neoliberalism. The context from which the policy emerged was one in which ideas about education were under the influence of what were essentially contradictory principles and tenets derived from a social democratic perspective on the one hand and from a neoliberal or new right perspective on the other. Codd and Sullivan(2005) suggest that in policy analysis "...basic assumptions, beliefs and values underlying the policy process must themselves be brought to light". This paper is concerned with bringing to light some of the assumptions, beliefs and values that shaped and constrained SE2000 specifically in relation to its attention to the question of special school provision for disabled children. While the term "special school" can describe both residential and non-residential provision in this paper it refers only to non-residential provision. In the paper I will suggest that, while curious, the absence of any strongly stated position either for or against special school

provision within the planned “world class inclusive education system” is not inexplicable given the constraints and boundaries within which the policy was conceived and developed. I will argue that differing and possibly contradictory imperatives espoused by neoliberalism and inclusion, which were salient aspects of the “pre-existing policy context”, constituted boundaries around what could be attended to and said at that time. Finally I will suggest that to assure the “political acceptability” of the policy, any intention to either retain or reject special school provision could be neither confirmed nor denied.

The paper begins by explaining the significance of the absence of discussion of the question of place or the role of the special schools in the policy. Following on from that I will briefly describe the key features of neoliberalism and inclusion and their influence on education in New Zealand. The paper will conclude by arguing that key but essentially contradictory imperatives of these two dominant ideologies imposed boundaries on what could be said about special school provision so that the assertion of a strong position for or against that type of provision was politically impossible.

Curiouser and curiouser: Sidestepping the issue.

In 1996, the then National government announced New Zealand’s first official special education policy, Special Education 2000. The policy proclaimed an overarching aim of achieving a “world class inclusive education system” in New Zealand. The policy did not specify what was meant by a “world class inclusive education system” but it would be fair to suggest that what was meant would correspond with prevailing definitions of inclusive education at that time. Definitions in which, with respect to the educational needs of disabled children and young people, the sine qua non of “inclusive education”, was every student accessing “the curriculum as a fulltime member of an ordinary classroom alongside other students of a similar chronological age” (Ballard, 1996. p.33). This policy direction was in line with the “international move towards inclusion of all children with special education needs in local educational settings” (Ministry of Education, 2005, p. 18) which was gaining significant momentum at that time. Given this understanding of inclusive education, special school provision would seem to be a factor that would warrant significant attention in the policy; interestingly this was not the case. There was very little said with respect to the role or function of special schools in the “world class inclusive environment”. Statements that referred to special school provision simply made the point that this type of provision would continue while there were enrolments; hardly a ringing endorsement but neither an absolute condemnation. Of course, it could be argued that from a demographic point of view, special school provision constituted only a small part of the education system. However this belies the significance of this type of provision in relation to the movement for inclusion with respect to disabled children and young people. The question of “place”, that is where a disabled child or young person goes to school, loomed large in the debates and arguments for and against inclusive education, and to some extent still does. Inherent to the notion of inclusion, is the belief that the regular school setting is the optimum place for all disabled children and young people to receive their education; the corollary, of course, is that special school settings are less than optimum places for disabled children and young people to receive their education. In fact, it would not be unreasonable to argue that in 1996, when SE 2000 was announced, the notion of inclusive education by definition meant the absence of any form of special school provision (Lipsky & Gartner, 1996). The strength of this view is represented by

Florian (1998) who argued that the “inclusion of all pupils in mainstream schools is part of an international human rights agenda...” (p.107), and cited the view of the CSIE, (Centre for Studies in Inclusive Education)(1996) that “there is no legitimate reason to separate children for the duration of their schooling, they belong together” (p.107). Similarly Allan and Brown (2001) explain how in debates on inclusion, special schools are judged as “sites of oppression and discrimination”, (p,199) and cite Dessert who in 1987 wrote that “special schools do not have a right to exist” (p.206). The following excerpt from a New Zealand text gives some indication that there was a similar strength of opinion in some quarters here.

Ample evidence has been provided in this book to illustrate the importance of including all students in the mainstream of regular education. ... Yet parents may decide that it is best to accommodate their children in segregated schools... . In this case, it is questionable whether the option selected by the parents is in the interests of the child. (Ryba, 1996, p. 223)

However, while some held strong views against continued special school provision, there were others who held the opposite view and, at least internationally, the question attracted fierce debate and discussion. Winzer (2007) suggests that in North America, “location- a student’s school address- has become a central motif of the inclusion movement...(p.31)” and elaborates that,

When inclusion was adapted from general school reforms the basic constructs of individual rights and equity translated into “sameness of treatment” which immediately mutated into “sameness of experience”. Because: sameness of experience has been interpreted by many as physical place the question of location has become the hub of the controversy and the podium for much emotional moralising and value-laden stances.

Certainly the issue was not one in which there was a single universally accepted position; Gallagher (2007) claimed that of all the debates in special education “the conflict over ‘place’ or where students understood to have disabilities or ‘special needs’ should receive instruction” was “possibly most discordant of all” (p. 515). It is thus a curious feature of SE2000 that the issue which would seem to be at the nub of its concerns and pivotal to its aims was essentially sidestepped. However, while curious, it is not inexplicable if we consider the ideological and political context in which the policy was gestated and developed, and by which it was influenced. The years prior to the announcement of SE2000 were characterised by the spread of neoliberal policies and the growth of the movement for inclusion both in New Zealand and internationally. It is these two forces which, I believe, created the boundaries that meant that, at that time and in that policy context, any real discussion about special school provision was essentially untenable. In the next section I will briefly outline some of the key aspects of neoliberalism and inclusion and their impact on education in New Zealand.

Neoliberalism

Roberts and Peters (2008) describe neoliberalism as the “big story” and “dominant narrative” (p.1) of our time, at least with respect to what they describe as “reform

agendas around the Western world” (p.1). But neoliberalism is not one single unified political philosophy or ideology (Steger and Roy 2010; Roberts and Peters, 2008); Steger and Roy (2010) describe it as a “a rather broad and general concept referring to an economic model or ‘paradigm’ (p.28). Olssen, Codd and O’Neil suggest that the concept “serves as a useful proxy indicator to characterise those groups that support an expanded market and reduced public provision” (p.135) and describe the “...common basis shared by neoliberals” (p.137) as a “basic commitment to individual liberty” and the emphasis on “a ‘reduced’ state” (p.137). Olssen, Codd and O’Neil (2004) explain the neoliberal view of the state as

...that of ‘mediator’ and ‘instigator’ of the successful operation of the market. In this its role is to neither promote social justice nor develop public monopolies. Thus, the assertion of this new morality not only entails a revised conception of the individual, but a revised conception of the nature and process of democracy, of the role of the state, and by implication, of the policy –making process and its outcomes. State support for egalitarian policy initiatives is thought to be an attack on ‘enterprise and endeavour’, ‘self-reliance’, ‘responsible self-management’, and ‘personal sacrifice’ (Keat, 1991;Peters,1992). (p.138)

Despite the nuances and variations in the concept there are some key aspects that define and characterise neoliberal and New Right theories. A belief in the power and rectitude of the market in tandem with a reduction in and alteration of the role of the state underpins neoliberal thought and action. Inherent in this market-oriented view is an emphasis on consumer sovereignty and, with that, an emphasis on and commitment to consumer choice as a fundamental principle. Individualism, that is the notion that society is based on individual enterprise and self-reliance with each individual responsible for his or her own well-being, is also fundamental to both neoliberal thought and action. Incorporated in this is the postulate of *homo economicus* which assumes a priori, “that people are isolated individuals whose actions reflect mostly their material self interests” (Steger and Roy, 2011, p.20). In this view of the world, people are constituted as consumers and as free, independent individuals unfettered in their ability to able to make choices and decisions on the basis of individual needs and desires. Freedom is interpreted in specifically individual terms as being free from state interference (Peters, 2011). This understanding of freedom sees state involvement in social issues as interference and generally unwarranted. Thus in neoliberal and New Right thinking, individualism, a reduced role for the state and the primacy of the market all underpin an ideological position in which, at its most extreme, principles and concerns of social justice are no longer seen as the preserve of governments nor as properly the concern of policy and policymakers. A position which “puts the production and exchange of material goods at the heart of the human experience”, (Steger and Roy, 2008 p. 30), and which “holds that the social good will be maximised by maximising the reach and frequency of market transactions and seeks to bring all human actions into the domain of the market”(Harvey, 2005, p. 12).

The neoliberal turn in NZ education

Historically and symbolically, 1984 represents... a profound shift in the principles of social and political philosophy, and the promotion of the neoliberal political project of globalisation (Peters, 2011, p102).

The election, in 1984, of the Fourth Labour government ushered in a period of unprecedented, far reaching and radical economic and social reform based on neoliberal principles which was continued and furthered by the centre right National government which was elected to power in 1990 and remained in government until 1999. Roberts and Peters (2008) described the reforms as an “ aggressive programme of corporatization, marketization and privatization in economic and social policy” (p.2) which were grounded “in a view of human beings as rational, self-interested, choosers and consumers” (p.3). However it was not until its second term that the Fourth Labour Government targeted the national education system for the programme of change and reform that would bring it in to line with the other public service areas. Olssen and Morris-Matthews (1997) explain that the impact of these reforms was such that “the very notion of education” (p.17) changed, and for the first time in New Zealand’s history, the conception of education as a private commodity subject to market conditions became a reality. The central issue of equality of opportunity which dominated the debate up until the end of the Muldoon era, gave way to talk about ‘efficiency’, ‘choice’, ‘competition’ and ‘accountability’ (p.17-18).

The changes in education reflect the neoliberal informed opinion of the Treasury, that “education shares the main characteristics of other commodities traded in the marketplace and could not be analysed successfully as a ‘public good’ (cited in Olssen & Morris-Matthews, 1997,p.11-12). Education thus should be sited in the marketplace as a commodity like any other and should be subject to the same vagaries of the market place as any other. These views were given further weight and shape in the highly significant report, known as the *Picot Report* (Department of Education, 1988) which Adams et al(2000) described as proposing “the most radical restructuring of our education system in a hundred years” (p.150). This report set in motion a raft of reforms and changes that were underpinned by neoliberal values and tenets and were based on what were described in the report as “Core Values”:

- Choice
- An assumption of individual competence
- Cultural sensitivity
- Good management practices (Department of Education, 1988, p.3).

The reforms of the 1980s brought about an extraordinary and comprehensive alteration to the public education landscape in New Zealand but what is of key significance for this paper is the positioning of choice as a core value and the positioning of pupils and parents as “the consumers of education” (Department of Education, 1988, p.4). Choice, and freedom from state interference in making choices, market-oriented principles and sovereignty of the consumer can be seen as significant imperatives that underpin the particular shape of neoliberal thinking in New Zealand education policy. It is these imperatives that, as I shall discuss later, served as some of the ideological boundaries that informed the shape and development of SE2000.

However before doing that I will next examine inclusion and its movement within New Zealand education policy prior to SE2000.

Inclusion and Inclusive Education

Inclusive education is a pervasive concept in current educational thinking and has been termed by some as a dominant ideology or orthodoxy in education (Hodkinson & Vikerman, 2009; Winzer, 2007). However, while the concept of inclusion may be pervasive and even dominant in educational thinking, it would be fair to say that an agreed meaning of either “inclusion” or “inclusive education” is elusive (Ballard, 2004; Slee, 1999). Lindsay (2003) describes inclusion as a “complex and contested concept” whose “manifestations in practice are many and various” (p.3), while Norwich (2008) argues that there are “different and sometimes conflicting notions” (p.137) of the concept. Slee (1999) describes inclusive education as a “broad church of social theory and educational policy interest” (p.195) and argues that it is “a reaction against educational discourses that exclude on the basis of a range of student characteristics including class, race, ethnicity, religion, gender, sexuality, perceived level of ability or disability, or age” (p.195). Clearly what is agreed is that inclusion is concerned with “notions of justice and compassion, of equality, fraternity and human rights”(Pirrie & Head, 2007, p.21) particularly as they apply to schooling. Inclusion has been described as an issue of fundamental human rights (Ainscow, 1999) specifically with reference to the right of disabled children to receive their education in regular education settings. In more recent years these concerns have widened and deepened to encompass the process of reform and transformation of all “spheres of activity in educational systems” (Artiles, 2011, p.4). However as Ballard (2004) tells us “probably the most frequent use of the term is to refer to children with disabilities participating in mainstream education” (p.318) and it is with this understanding of the term that this paper is concerned.

The movement for inclusion of disabled children and young people in regular education settings developed out of a concern for the rights of these children and young people to participate and be included in “the curricula, cultures and communities of neighbourhood mainstream centres of learning”(Booth, 1999, p164). While pressure for the inclusion of disabled children and young people in regular education settings can be seen to have begun in some countries in the 1960s, and grown through the 1970s and 1980s (Artiles 2011) , it was the agreement known as the *Salamanca Statement* that brought inclusion to the fore as an international project and commitment. The *Statement* was adopted by the representatives of 92 countries, including New Zealand, and 25 international organisations who attended the World Conference on Special Needs Education held in Salamanca, Spain in 1994; it “called upon all governments to ‘ adopt as a matter of law or policy the principle of inclusive education, enrolling all children in regular schools, unless there are compelling reasons for doing otherwise’ ” (Mitchell, 2010, p.125). The *Statement* also made the following assertions:

- Those with special educational needs must have access to regular schools which should accommodate them within a child-centred pedagogy capable of meeting these needs, and

- Regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; moreover, they provide an effective education to the majority of children and improve the efficiency and ultimately cost-effectiveness of the entire education system.
(cited in Mitchell, 2010, p.125)

The proclamation of an international agreement about inclusive education was of key importance. As can be seen the *Statement* proclaims an unflinching commitment to inclusion and inclusive education as the key to social improvement. From this point inclusion, essentially understood as the goal of “enrolling all children in regular schools” and more particularly disabled children, was, in principle at least, a moral imperative that would have to be accounted for and considered in the education policy agendas of those countries, including New Zealand, who had signed the agreement.

Moving to Inclusion in New Zealand Education Policy

It would be reasonable to say that in the 1980s and 1990s the philosophy of inclusion was having a significant impact on New Zealand’s educational and policy landscape. Pressure for educational inclusion was growing with groups such as the Assembly of Disabled People (DPA) and others calling for an end to separate provision for disabled children and young people (Ballard, 1996). In 1987 the *Draft Review of Special Education* (Department of Education) explicitly stated the aim of disestablishing special school provision and stated the goal “...to implement as far as possible the current policy of education students who have special teaching needs in the mainstream of regular education ...”(p.1). It was proposed in the Review “that over time, but as quickly as possible, all students would be included in the regular education stream” (p.3) and that special education would “be reoriented to substantially dismantle the parallel stream of special education and include all students with special education needs in the mainstream” (p.7). This plan was not followed but the possible removal of special school provision was further mooted and discussed in the Ministry of Education (1990) commissioned report of the Education Reform Implementation Process Review Team, known as the *Lough Report*. In this document it was recommended that a process for implementing “the government’s policy of mainstreaming”(p.46) be established that would:
 identify procedures and a timetable for disestablishment by the Ministry of Education, in conjunction with the Special Education Service, of the special units and classes and the non-residential and residential special schools.

While these recommendations were not followed up, they lend credence to the view that principles of inclusion were having a significant influence on those guiding New Zealand education policy, as do the changes legislated in the 1989 Education Act which opened the way for a more inclusive approach to the education of all disabled children in New Zealand. For the first time, compulsory education for all children aged between 6-16 (Section 20) and, the right of all children irrespective of ability to attend a state school (Section 8) were enshrined in law. This meant firstly, that it was now compulsory for all disabled children between the ages of 6-16 to attend school and secondly that disabled children were now entitled to enrol in a state school; no

school would be entitled to refuse a child's enrolment on the basis of disability. The right of disabled children and young people to be included in regular state schooling was now enshrined in law.

As in many other countries then, inclusion was certainly on the New Zealand policy agenda in the late 1980s and into the 1990s. But with the change in government in 1990, it would seem that another imperative was also a factor on the policy agenda. In the document *Special Education in New Zealand: Statement of Intent 1991*, a change in tenor can be seen as the National government moved to assert its neoliberal agenda:

... the special education policy of the incoming government in 1990 identified the need for a flexible approach. The key element of the policy was to retain a range of fairly resourced options to provide choice for parents of students with disabilities. (Ministry of Education, 1991, p.4)

However in 1994, as we have seen, New Zealand joined others in the international community as a signatory to the *Salamanca Statement*. This meant, I would argue, that there was a powerful moral imperative for inclusion and inclusive education to be recognised and accounted for in national education policy. So by 1994 the contradictory imperatives of neoliberalism and inclusion were jostling for place in the policy context. In the next section I will outline how this may have influenced the way special school provision was attended to in SE2000.

Keeping within the boundaries of possibility.

From the previous discussion it can be seen that neoliberalism exerted a strong and pervasive force on educational policy in New Zealand during the 1980s and 90s and that similarly during this time there was a steady move towards inclusion as the key policy platform in relation to the education of disabled children and young people. I would suggest that tensions between the principles and imperatives of these two driving ideologies are salient factors to consider when examining the absence of any strongly articulated mandate for the future of special schooling in SE2000. In terms of special school provision the imperatives of these forces worked against each other within the policy; the imperatives of neoliberalism precluded the articulation of a policy objective that would see the end of special school provision while contrarily the imperatives of inclusion precluded the articulation of any policy objective that would support its continuation. From a neoliberal perspective, a policy objective that would end special school provision would be untenable. As we have seen, the assertion of choice as a core value and the positioning of education as a commodity subject to the vagaries of the marketplace had been fundamental to the education reforms of the 1980s and into the 1990s. As Codd (1993) eloquently explains:

As the reform agenda unfolded, the promotion of choice was to become one of the central policy objectives - a key that would presumably unlock all that is both desired and desirable in education. The Picot Taskforce, for instance, proclaim "choice" as the first of their core values and state that this "will involve providing a wider range of options both for consumers and for learning institutions" (Taskforce, 1988, p. 4). Moreover, they "see the creation of more choice in the system as a way of ensuring greater efficiency and equity" (ibid.). The promotion of choice as a

primary social objective, and the reference to parents or learners as "consumers", clearly locates these statements within a market-liberal discourse..." (p.79).

Special school provision within the marketplace represented "choice" for the consumer and as such, under the market-liberal discourse, the continuation of this type of provision would, most properly, be a matter for the market to decide. Given this understanding the reference in the policy to the continuation of special school provision being dependent on continued enrolments (Ministry of Education, 1996) can be seen to be in accordance with the prevailing neoliberal view of the day. If consumers continue to choose a product then the product will flourish if not then it will fade away; either way it is not the role of the state to predetermine the choices of the consumer. Conversely a policy objective that would lead to the closure of special schools and the discontinuation of this type of provision would be contrary to neoliberal principles as it would represent, in effect, the government interfering with the proper workings of the market place. In addition, neoliberalism espoused a basic commitment to individual liberty, essentially defined as freedom from state interference. From this perspective the rights of parents to decide on matters related to the education of their children were considered unassailable; a matter for individual families and not the preserve of the state. If there were a defined policy objective for the removal of special school provision stated in the policy then that would entail inappropriate state intervention in a matter which was essentially the concern of individual families and so would not be in accordance with neoliberal principles of individual freedom and a minimal state role.

While a removal or proposed removal of special school provision would offend against the imperatives of neoliberalism, the imperatives of inclusion would be equally compromised and contradicted by a policy objective that specifically and unashamedly articulated support for continued special school provision. From a philosophical perspective, if inclusion is defined as "all children attending, local, regular, state primary or secondary schools" then a policy objective that supported the continuation of special school provision would be in direct conflict with that philosophy. Similarly if there were a policy intention that all children should attend regular state primary or secondary schools then avowed support for continued special school provision in the policy would contradict and undermine that intention. These were the principles which, in its rhetoric at least, SE2000, espoused and promoted. In this case the reference to maintaining special school provision while there were enrolments can be seen as a kind of middle ground. While it does not overtly propose the removal of this type of provision, it certainly provides no strong support for it and in no way advocates for its merit or value. I would suggest that the tentative nature of direction for special school provision, in fact hints at an expectation that the special school enrolments would gradually reduce as the promise of SE2000 was realised and that special school provision would essentially wither away.

Conclusion

The gestation and development of policy is a messy business. As Bines (2000) points out "policy is inevitably a balancing act between different pressures and has to mesh with contexts and legacies and competing aspirations and views" (p. 27). This description seems particularly apposite to SE2000; the way in which special school provision is accommodated within SE 2000 demonstrates, I would suggest, just such a

balancing act between competing aspirations and views. Scheurich (1994) argues that “the prevailing/dominant ideologies are constitutive of the social problem and also constitute the range of acceptable policy choices” (p.306). I would argue that this is illustrated in SE2000 in which essentially contrary imperatives derived from neoliberalism and inclusion, constituted boundaries around what were possible and acceptable policy choices in New Zealand at that time. On initial examination, the sidestepping in SE2000 of the issue of “place”, an issue fundamental to notions about inclusive education for disabled children and young people, appears curious and surprising. In this paper I have tried to show that given the contextual environment from which the policy emerged, the absence of any real interrogation of the issue of “place” is neither curious nor surprising. The ideologies to which the policy was bound and which informed the thinking of the policy makers meant that to address the issue of place in any significant way would have challenged the wisdom of both ideologies and crossed the boundaries of what was politically possible and politically acceptable at the time. Thus, I would suggest, it is no wonder that in SE2000, the retention or rejection of special school provision could be neither confirmed nor denied.

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