



## **ANED country report on equality of educational and training opportunities for young disabled people**

**Country: Romania**

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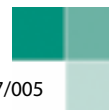
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The information contained in this report was compiled by the Academic Network of European Disability experts (ANED) in November – December 2010

The [Academic Network of European Disability experts](#) (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of Disabled People.

This country report has been prepared as input for the Thematic report on the implementation of EU Equality of educational and training opportunities in European countries with reference to equality for young disabled people.

The purpose of the report ([Terms of Reference](#)) is to review national implementation on equality of educational and training opportunities for young people, and in particular the National Strategic Reports of member states from a disability equality perspective in education and training, and provide the Commission with useful evidence in supporting disability policy mainstreaming.



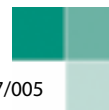
## Section 1: Executive summary and conclusions

The current report examines the ways in which policies and practice related to the education and professional training of persons with disabilities are currently organised in Romania.

The paper describes the organisation of the educational and vocational systems (both mainstream and specialised), as well as the more recent legal provisions related to lifelong learning and on-the-job training for persons with disabilities. It also presents some of the more recent results of a study that was published in 2009, with regard to the characteristics of the employment of disabled persons in various forms of labor, the status of support services and reasonable accommodation in education and employment.

The main conclusions of the report are the following:

1. In Romania, the number of persons with disabilities enrolled in education, and also accessing the labour market, has been constantly growing. The legislation has improved in the last 5 years; however there are still differences between the legal texts and their concrete implementation, as well as limitations in the resources allocated for active measures for participation at local levels.
2. The overall percentage of persons with disabilities who work remains very low, mostly because of an inactivity trap that exists in relation to social security measures.
3. When working, persons with disabilities are mostly employed by private and public employers, and less by sheltered workshops.
4. Disabled persons may access mainstream or specialised education and vocational training. This access is directly influenced by the degree of disability and the time that the handicap occurred. Persons living in rural or remote areas are comparatively disadvantaged when accessing education and work.
5. Most education programs for persons with disabilities are provided free of charge and there are legal incentives for on-the-job training, both for disabled persons and for employers. However, many disabled persons and employers are not aware of these services.
6. There is a need to widen the types of certifications received by persons with disabilities, for example by recognizing the competences with sequences of activities or operations and not only for the capacity to perform an entire occupation.
7. Support services for education and employment are relatively new in Romania, however there is an effort to regulate them and widen their scope; their role is critical in ensuring the access of disabled persons to education and employment.
8. At county level, several centers for counselling and support for employment have been developed for persons with disabilities in the last years.
9. Good practice examples exist in Romania in relation to different forms of employment of persons with disabilities, and lessons learnt are continuously extracted from these experiences.



## Section 2: Legal and policy context

### 2.1. Legal and policy framework for providing equality of learning opportunity in Romania

In Romania, the education of children and youth with disabilities is guaranteed by the Constitution and the Law on Education no. 84/1995 (re-published, with all its amendments - the most recent from July 2010). All Romanian citizens, including persons with disabilities, have equal rights to education. Public education (during the compulsory phase) is free of charge.

Other relevant legal documents, in the education domain, are the following:

- The Teachers' Statute ("Statutul cadrelor didactice"), regulated by the Law no. 128/1997, describes the statute and norms of teaching staff working in special and mainstream schools.
- The Rulebook for the Organisation and Functioning of Special and Integrated Education ("Regulamentul de Organizare si Functionare a Invatamantului Special si Special Integrat");
- The Rulebook for the Organisation and Functioning of Pre-tertiary education ("Regulamentul de organizare si functionare a invatamantului pre-universitar");
- The Law 448/2006, on the Protection and Promotion of Rights of Persons with Disabilities, Section 2 on "Education" (Articles 16-19)
- Government Decision 1251/2005 regarding the improvement of education, compensation, rehabilitation and special protection of children and youth with SEN, within the special and integrated educational system

As well as:

- The Order of the Ministry of education and Research no. 5418/2005 regarding the organization of centres of resources and educational assistance (county level and Bucharest municipality)
- The Minister's Order no. 3414/16.03.2009 regarding the organization of special technologic high schools (grades IX to XI)
- The Minister's Order no. 4928/ 8.09.2005 regarding the organization of the classes/groups/or special schools that enroll children with severe, accentuated or associated disabilities (grades I to X)
- The Minister's Order no. 4927/08.09.2005 regarding the organization of classes/groups from mainstream and special schools that enroll children with slight and medium disabilities
- The Minister's Order 5379/25.11.2004 regarding methods for educational support services for children with special educational needs who are enrolled in mainstream education (support teachers/ mobile teachers);
- Decision 522/8.05.2003 regarding methods for implementing ordinance 129/2000, on the professional training of adults



**The responsibility of public authorities in guaranteeing the access of students with disabilities to education and professional training is highlighted by Art.19 (a) of the Law 448/2006.**

Children and young students with disabilities may receive education in (a) special settings and (b) integrated settings:

**A. Special settings:**

- special kindergartens/schools/ high schools;
- Special classrooms for children with autism/ deafblindness / behavioral problems;
- Day centres;
- Centres of curative pedagogy;
- Centres for special education.

**B. Integrated settings**

- Mainstream schools (individual inclusion in regular classrooms or inclusion of groups of children with SEN in the same regular classroom);
- Groups of children with HIV/AIDS;
- In the so called 'alternative educational settings' (day centres, Waldorf and Montessori classrooms, Step by Step classrooms and centers for 'curative pedagogy'). 'Alternative' education providers are officially recognised by the Ministry of Education, regulated by the national education law and submitted to accreditation and evaluation procedures, as for all other existing schools;
- Education at home for those children for whom presence in the classroom is not possible (extreme medical conditions, severe mobility problems combined with lack of adapted transportation etc).
- Centres for inclusive education;
- Resource centres and centres for educational assistance
- Speech therapy centres.

All education providers (public, alternative and private) are subject to the same legal rules (in terms of human resources, curriculum etc). All these forms of education may also be taught in the languages of different ethnic minorities.

Current Education Law refers to the 'integration' of children with slight and medium disabilities into mainstream education; those with medium, severe, profound, and multiple disabilities are usually enrolled in special schools. Parents can theoretically decide where a child should be enrolled, during the assessment and orientation process. In practice, the majority of children with severe and accentuated disability are oriented towards special schools.



## The organization of the mainstream school system

In 2005, education services were decentralized and reorganised at county level (*judet*).

Compulsory education lasts 10 years and is divided in three phases:

- Primary education (4 years) ("*scoala primara*"). Since the 2003/04 school year, pupils have started compulsory education at the age of 6 (instead of 7);
- First phase of lower secondary education – general (4 years) ("*gimnaziu*")
- Second phase of lower secondary education (2 years), which provides:
  - o general courses (high school - "*liceu*"),
  - o specialised or vocational courses (technologic high school - "*liceu tehologic*").

In 2003/04 the duration of compulsory education was extended by two years beyond general lower secondary education. Pupils may now choose to continue their education either in the lower cycle of high school (*liceu*), which offers comprehensive education, including pre-specialisation elements necessary for studies in upper secondary education, or in 'technologic high schools' (*liceu tehologic*) providing vocational education, which has occupational components leading to employment.

Prior to 2009, the technologic high schools were organized as Arts and Trades Schools and were followed by one 'completion year' (*An de completare*), for those pupils willing to continue with upper secondary education (which is not compulsory education, in Romania).

In 2009-2010, the Ministry of Education decided to abolish the Arts and Trades Schools, together with the completion year. These schools have been transformed into so called "technologic high schools", of two years duration. This measure significantly affected students with disabilities, who very often could not meet the high school requirements or the professional training in only 2 years. The completion year for these students was considered to be important, both by parents and professionals.

In the school year 2009/2010 the compulsory education system is as follows,:

Age Group	
Primary school - <i>Școala primară</i> (primary level) – 4 years	6-10 years
Secondary school - <i>Gimnaziul</i> (first phase of lower general secondary level) - 4 years	10-14 years
High school – lower level ( <i>Liceul – ciclul inferior</i> ) - second phase of lower general level – 2 years or	14-16 years



<i>Technologic high school</i> - vocational secondary level ( <i>replacing the previous Arts and Trades Schools - Școala de Arte și Meserii</i> – which were wound up from the 2009/10 school year) - 2 years	14-16 years
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Students may receive a ‘level 1-qualification’ at the end of primary and secondary school, after completing the following stages: theoretical courses, practical work in schools, a curriculum decided at local level/related to the local labour market, work experience and a certification exam.

Prior to 2009, they also received a ‘level 2-qualification’ if they completed the ‘completion year’ (*an de completare*), at the end of the lower secondary level, and passed a certification exam. This qualification gave them additional competences for entering the labor market or the upper level of secondary education (in high schools), which is not compulsory education in Romania; the completion year has been abolished since 2009.

At the present time, all students may choose to continue their studies through the following non-compulsory cycles:

- the upper level of high school (*liceu – ciclul superior*) – two years; this cycle ends with the *baccalaureate* (second-level qualification);
- post high school studies (2 years)
- the university level (third-level qualification).

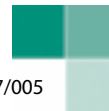
<i>Liceu – ciclul superior</i> (upper general and specialised secondary)	16-18/19 years of age
<i>Școală postliceală</i> (post-secondary non-tertiary education)	18-20/21 years of age

The upper secondary education (upper cycle of *liceu*) provides general and specialised courses leading to the continuation of studies in postsecondary, or higher education. Post-secondary education at the *Școală postliceală* prepares students for a higher vocational qualification and should lead to employment. The Ministry of Education, Research, Youth and Sports and the Ministry of Labour, Family and Social Protection define the curricula for post-secondary schools.

Students with severe and accentuated disabilities benefit from a 50% reduction of taxes for accommodation and meals in all of these settings (boarding schools, canteens etc), in mainstream education and for all levels (including in private educational settings) – Law 448/2006, art.17 (7).

### **The organization of the special education system**

The special education system is organized in a similar (and parallel) way to mainstream education. It is described in the Education Law (84/1995) in Chapter VI (called “The Education for Children and Youth with Special Educational Needs”).



Special education is generally organized as day-schooling. At county level, special schools include boarding schools, for students coming from neighboring cities or rural areas. Meals and accommodation for students with disabilities is free of charge (according to Law 448/2006, art. 17(6)).

Special education uses alternative curricula, syllabi, textbooks and teaching methods, designed per type of disability and approved by the Ministry of Education, Research, Youth and Sports. The curricula include, for all levels of special education, compulsory and optional subjects, organised in subject areas. The curricula and the corresponding syllabi and textbooks for mainstream education may also be used. The curriculum includes components related to teaching/learning, as well as compensatory or remedial work and educational activities.

There are upper limits to the number of children in a group depending on the severity of the disability. Students who graduate from special schools may participate in national exams and special arrangements are made for them (allocation of longer time, use of large-print or Braille). If they pass the *Baccalaureate* examination, they may continue their education in universities.

*The enrollment of students with disabilities in special schools* is decided through a specific commission (“complex evaluation service”) within the Commission for Child Protection in each county (*judet*) and in Bucharest. The Complex Evaluation Service makes an assessment, using methods approved by the National Authority for Child Protection and Adoptions, as well as the Ministry of Education. By law, parents have the right to make the final decision about where their child is to be educated and also have a duty to ensure attendance during compulsory schooling.

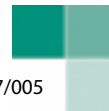
For those students with disabilities who have not been able to obtain the capacity certificate after the secondary school (at 14 years old), and therefore cannot register for a mainstream high school or technologic high school, there is an option to continue compulsory education at a ‘special professional high school’.

For legislation on special educational needs, the international background framework is provided by: the UN conventions, the Salamanca Agreement, the Standard Rules for Equal Opportunities for Persons with Disabilities (Rule 6 on education) and the “Education For All” Declaration. The UN Convention on the Rights of Persons with Disabilities (2006) was ratified by the Romanian Parliament on November 26<sup>th</sup> 2010 (through Law 221/2010).

## Curriculum

The curriculum framework for primary and lower secondary education, set up by the Ministry of Education, Research, Youth and Sports, allows schools to design their own combination of timetables. It includes:

- the core curriculum
- the curriculum developed at local level (“*curriculum in dezvoltare locala*”)



- and the curriculum at school's disposal (*"curriculum la dispozitia scolii"*).

These last two types of curricula allow vocational schools to adapt to the particularities of local labor market, if needed.

Topics are grouped according to 7 curricular areas: language and communication, mathematics and natural sciences, people and society, arts, physical education, technologies, counseling and guidance. Teaching methods are not imposed by official regulations, but there are some recommendations concerning alternative textbooks, homework, and didactic use of ICT.

The curriculum of professional schools (secondary education, grades IX and X) includes areas such as: ICT, business education, weekly practicum, specific habilitation and rehabilitation activities.

### **Certification of competences**

One of the most significant recent advocacy efforts by NGOs, concerns official recognition of certain competences or activities performed by disabled persons, not just complex skills or occupations. This certification would be very useful in the open labor market, especially in relation to supported employment.

### **Support services for inclusion and mainstreaming in education**

Romanian legislation refers to two types of support in schools:

- support teachers;
- itinerant teachers (mobile teams).

Their role is to support children with SEN and schools in the inclusion process, including the elaboration of individual service programmes (ISP) and their sub-components, the personalized intervention plans (PIP). ISPs are reviewed annually and PIPs reviewed every 6 months.

### **Establishment of County Resource Centers for Educational Assistance**

These centres were officially established in 2006 in each county, but they have developed more actively in the last two years. They function as connected institutions with pre-tertiary education units; they are governed by the Ministry of Education and coordinated by School Inspectorates. Their role is to make sure that all children and young students are included in education and to support inclusion in schools. They deliver counseling and information services, individualized support, rehabilitation services (speech therapy), school mediation and vocational guidance.





## 2.2. Choice of education system

According to the law, students with disabilities and their families have the possibility to choose the form of education they want to attend (inclusive or specialized). In practice, a vast majority of students with disabilities are still oriented by the assessment commission towards the special system, despite improvements that have been made in the last decade.

One of the causes of this phenomenon is linked with previous attempts to quickly include children with disabilities in mainstream schools. These initiatives failed or led to adverse effects (especially an initiative of the Ministry of Education and Research in 2000/2001, when 19,000 children were transferred from special to regular schools in a period of three months). These unfortunate initiatives during the pre-accession process to the EU led to some important setbacks in the evolution of the inclusion process in Romania.

On the other hand, the disability awareness of teachers, parents and students in mainstream schools remains low, despite efforts that have been constantly made by MER and NGOs over the years.

## 2.3. Lifelong learning

According to Article 19c of the Law 448/2006, public authorities are responsible for ensuring the access of persons with disabilities to lifelong learning, as well as for adapting learning conditions to the needs of these persons. Access of students with disabilities to continuous education is not denied in theory; however, there has only been recent progress, due to a number of projects managed by NGOs or public authorities, with the support of European Structural Funds (the human resources category – POSDRU).

## 2.4. Accessibility of schools and learning materials

According to Art.18 and 19 (h) of the Law 448/2006, public authorities are responsible for making schools accessible in all aspects (removing architectural barriers, communication accessibility etc). In practice, despite progress in recent years (due to a National Disability Strategy that has targeted accessibility of public buildings) a majority of school buildings have still problems, not only in terms of architecture barriers, but also in terms of equipment for communication for learners with specific needs (e.g. computers, easy-to-read materials, information in Braille etc).

Art 18. of the same law mentions that education facilities (at all levels) must adapt their premises, furniture, textbooks and school materials to the needs of persons with disabilities, including sensory disabilities. The article mentions the use of assistive devices and software, including for examinations.



The problem here is that, in many cases, school managers and local authorities do not have a correct understanding of the concept of “reasonable accommodation”. In addition, the provision of assistive devices is limited in Romania, and they are not always affordable. Moreover, the profession of occupational therapist does not exist in Romania, therefore there is little knowledge about ergonomic arrangements, adaptation of work places, of homes and of schools.

## **2.5. Individualised support for learning**

Romanian legislation guarantees individualized support during the compulsory education process for students with disabilities. These measures are included in the Law on Education (84/1995) and in the Law on Rights of Persons with Disabilities (448/2006, Section 2). The personalized support consists of:

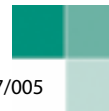
- Support teachers or mobile teachers for inclusive classrooms and schools;
- Development of personalized plans of intervention (PIP) for students with disabilities (in a coordinated way, through the service for complex assessment and school professionals from the internal assessment teams);
- Adaptation of materials and logistics for students with disabilities, as discussed in the previous section.

## **2.6. New proposals related to supporting children with disabilities in schools**

A new law on education is currently under debate in the Romanian Parliament, and the Government has assumed responsibility for this law. If voted in, this law will bring significant changes in the organisation of the education system and processes: a new structure of the educational system, additional measures related to lifelong learning etc.

## **2.7. A brief overview of the evolution of the inclusion process in Romania, with regards to education and professional training**

The promotion of inclusive education in Romania has been a complex process, which took more than 15 years. Overall, the process was a mixture of successes and set-backs. It started in 1994-1995 with alarming signals from the non-governmental sector and from international organizations. One issue concerned the critical situation of ‘invisible’ children (children with disabilities living at home with no access to any form of education, as well as those living in remote or isolated areas) and another the number of children living in large residential settings. Similar to all countries in the region, Romania was at this point mainly educating children with disabilities in special schools. These schools were located in the main municipalities and provided accommodation for children coming from some distance. Therefore, together with the overall deinstitutionalization process in general, the residential aspect of these special schools was questioned at that time.



The main promoters of reform in the field of special education in Romania were UNICEF and a Romanian umbrella organisation called RENINCO<sup>1</sup>, which brought together almost 400 professionals and 80 organisations from all regions of the country. RENINCO initiated numerous awareness campaigns, as well as providing training programs and publication of materials. Guidelines, toolkits for teachers, informative materials for families etc were developed for disseminating the principles and good examples of inclusive education and of individualised approaches in education.

The entire process experienced a difficult moment in 2000 when, after pressures coming from EU, the Government of Romania decided to transfer 19,000 children from special schools to mainstream schools over a timeframe of several months. The decision was based on the fact that many children in special schools in fact did not have a disability, but were from poor and socially excluded families. This was the case, however the short time frame and lack of preparation for this huge transfer of children determined protests from all types of stakeholders involved in the education system. Mainstream schools were completely unprepared to receive children with disabilities on large scale, parents were very concerned about whether their children could adapt and the consequences of the transfer, and the special schools felt threatened in terms of whether their work would continue. A national evaluation of this decision in the following year (organized by UNICEF and the Government of Romania) showed that the decision was inappropriate and produced a lot of negative effects (among which was a critical rate of student drop out after several months, as well as the return of numerous children to special schools).

To some extent, this type of radical and hasty measure has jeopardized the whole process of inclusive education.

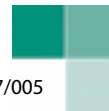
This entire situation led to serious revisions of the reform process and ended with the elaboration of a national action plan for inclusion of children with special educational needs, in 2003-2004. The process took place in parallel with the *reform of the evaluation and orientation commissions*, as well as with the *transfer of special schools and programs under the responsibility of county councils*.

More recently, due to actions taken prior to accession to EU, significant financial resources have been allocated for this domain. Several public schools in the system (as well as NGOs providing educational services) have piloted innovative methodologies and educational practices. Based on this, the Ministry of Education decided to transform several special schools (at least one per department) into resource centers for special educational needs of children.

However, progress remains slow and widespread capacity building programs for teachers do not yet exist. When they are organised, their impact is uneven, due to a lack of follow up and monitoring mechanisms.

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<sup>1</sup> RENINCO -National Information and Cooperation Network for Community Integration of Children and Youth with Special Educational Needs. [www.renincor.ro](http://www.renincor.ro)



Young adults with disabilities are confronted with significant problems, since vocational programs in special schools have not been adapted, until more recently, to the reality of the labour market. Young people who cannot pass the bacalaureate examination are at more risk of exclusion in employment subsequently.

In 2008, many children with disabilities were still outside the system of education, especially children with severe or complex disabilities. The first cases of court actions were emerged at that time, initiated by parents of children whose right to regular education was denied<sup>2</sup>.

## 2.8. The UN Convention and the education process

The UN convention was ratified by Romania on November 26<sup>th</sup> 2010. The strategy for legislative harmonization and for the concrete implementation of the Convention has not yet been released by the public authorities. However, the most challenging aspect of the implementation process will relate to the principle of “reasonable accommodation”, which has to be acknowledged, understood and translated into practice.

## 2.9. The links between the education system and the labor market

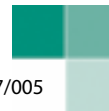
There are several elements relevant here, and these are included in the Education Law:

- a. The possibility of adapting the curriculum, at local level or at the level of school itself (as mentioned in paragraph 2.1.
- b. Partnerships between schools and local employers. The Education Law stipulates that schools may organize, at the request of interested stakeholders, training and re-qualification courses, as well as other educational services, in relation to existing occupational standards.
- c. Fiscal facilities for local employers who ensure, based on a contract with schools: scholarships for students, work placements, modernization of school premises, and workplaces for students who finish different school levels.
- d. Partnerships between schools and County Agencies for Employment (*Agentii Judetene de ocupare a Fortei de Munca, AJOFM*)

Granting of unemployment benefits to graduates of special schools (for persons with disabilities aged 16 years), who have not secured employment. This leads to the inclusion of these persons with disabilities in the AJOFM database and from this, access to training or re-training courses.

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<sup>2</sup> Chiriacescu D., *Shifting the Paradigm in Social Service Provision: Making Quality Services Accessible for People with Disabilities in South East Europe*, Disability Monitor Initiative, Handicap International, 2008, [www.disabilitymonitor-see.org](http://www.disabilitymonitor-see.org)



## 2.10. Free training

Law 448/2006 stipulates the right of disabled people who are "looking for a job" to have places on training courses - and for this to be funded through the unemployment insurance budget. There are specific provisions that clarify when persons can benefit from training free of charge (in Law 76 / 2004, amended in Law 107/2004, correlated with the definitions of Ordinance/OUG no. 144/2005). Persons looking for a job come into this category.

Persons with disabilities who are entitled to receive service training free of charge should fall under the following categories, according to the law:

- Have become unemployed (as legally defined);
- Unable to find a job after graduating from educational institutions or after military service;
- When employed: have resumed work following the recovery of work capacity (training services agreed with the employer or the employer requires such services, where the application is made only once within 12 months after resuming work);
- Operate in rural areas and have no monthly income, or the monthly income is lower than the level of unemployment benefit;
- Legally earn less than the gross minimum wage in the country (GEO/OUG no. 144/2005);
- Employed after graduation from school. When the employer organizes training courses, the necessary training costs may be supported, at the request of employers, by the unemployment insurance budget.

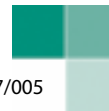
Law 107/07.04.2004, Article 27, defines specific elements that go along with free training services. These are: theoretical and practical training, supply of training materials, protective equipment during practical training, free transportation, medical consultation, medical tests and tests for attending courses, accommodation and money to cover meals.

## 2.11. Support for employers organising training courses for their employees – the legal framework

Employers may receive a grant from the unemployment insurance budget of 50% of total cost of training services. – This is available to employers who organize courses as part of their annual training plan, for a maximum of 20% of the staff, and only if the training is conducted by training providers authorized by law.

Employers may benefit from deductions of the training costs from taxable profit or taxable income, if they organise training courses for their own employees<sup>3</sup>.

<sup>3</sup> Decision no. 522 of May 8, 2003, approving Methodological Norms for implementation of the Government Ordinance no. 129/2000 on the training of adults. Published in: Official Gazette no. 346 of May 21, 2003, Article 38



To implement this, the local Agency for Employment (AJOFM) establishes contracts with the employers, based on a grading procedure.

The weakness of this procedure is that grades given for training of persons with disabilities are very low, and are therefore not motivating for employers when it comes to fiscal deductions and facilities.

## **2.12. Information and counselling services**

Law 448/2006 Art 83. states that: (1) Persons with disabilities seeking employment or who are employed have rights to: a) vocational training; b) advice during pre-employment, during employment and probation from an advisor specializing in labor mediation.

In labor legislation, the free information aims to:

- a) provide information on occupations, labor market and developments;
- b) support self assessment and personal vocational guidance;
- c) developing the ability and self-confidence of people seeking work in order to enable decisions on careers;
- d) training methods and techniques for finding a job.

There are currently 11 Counselling Centres for Persons with Disabilities, within County Employment Agencies (AJOFM) – see para 2.14.

## **2.13. Free of charge labor mediation services**

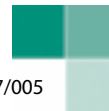
Labor mediation services for persons seeking employment are provided free of charge by County Employment Agencies. Law 76/2002 Art 59. regulates employment mediation regarding:

- e) information on job vacancies and their employment conditions
- f) electronic media
- g) providing job seekers with training and experience consistent with their interests.

## **2.14 Establishment of Pilot Centres for Professional Counselling of Persons with Disabilities, within local Employment Agencies**

In 2004, 8 pilot centres were established at county level, for professional counselling and guidance of persons with disabilities in the labor market. These centres are positioned in local Employment Agencies. The pilot centres are the following:

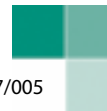
- AJOFM Iași – region 1
- AJOFM Vrancea (Focșani) – region 2
- AJOFM Argeș (Pitești) – region 3



- AJOFM Olt (Slatina)– region 4
- AJOFM Caraș-Severin (Reșița) - region 5
- AJOFM Cluj – region 6
- AJOFM Sibiu – region 7
- AMOFM București – region 8.

Three additional new centres have been established in the last years:

- The Center for Information, Counselling and Workplace Assistance for Persons with Disabilities (*Centrul de Infomare, Consiliere și Asistență la locul de muncă a persoanelor cu dizabilități*) - Oradea
- The Centre for Counseling and Mediation for Persons with Disabilities (*Centrul de Consiliere și Mediere a persoanelor cu dizabilitati*) – Galați;
- The Counselling Centre for Persons with Disabilities (*Centrul de Consiliere a persoanelor cu handicap*) - Mehedinți.



### Section 3: Evidence of outcomes and progress towards inclusion

#### 3.1. Progress towards inclusive provision of education and training, and evidence of improving outcomes for young disabled people

##### a. Statistics

There are no recent statistics regarding the number of children and young people with disabilities in mainstream and in special schools (pre-tertiary education). The only data that we can extract this year from official statistics (Ministry of Labor, Family and Social Protection, June 2010) is that 7.97% of the total number of persons with disabilities are 5-19 years old<sup>4</sup>, which means that approximately 55,250 students with disabilities are estimated to be enrolled in compulsory 10-year education (last group of kindergarten, up to grade X, at high school).

The latest figures available on the enrolment of children with disabilities in schools are from 2006-2007 and trends since 1999 are as follows:

School year	Number of students in special schools	Number of disabled students integrated in mainstream schools
1999-2000	53,446	1,076
2000-2001	48,237	5,659
2001-2002	37,919	10,779
2002-2003	29,359	11,493
2003-2004	27,634	12,843
2004-2005	27,945	14,179
2005-2006	28,873	14,193
2006-2007	27,445	16,290

**Table 1 – Number of students with disabilities in special and in mainstream schools, per school year (source: Ministry of Education, Research, Youth and Sports and RENINCO organisation)**

In terms of the number (and types) of schools receiving students with disabilities, in 2006, the Ministry of Education reported the following figures at national level:

<sup>4</sup> Students with disabilities can be enrolled in different cycles of education even if they are 1-2 years older than non-disabled students.



- 145 special schools for children with intellectual disabilities (of a total number of 22,550 children),
- 8 special schools for children with motor disabilities (1,327 children in total),
- 8 special schools for children with visual impairments, which however use the regular curriculum in 95% of cases (1,610 children)
- 19 special schools for children with hearing impairments (2,668 children);
- 27 alternative settings (Waldorf, Montessori, curative pedagogy etc);
- 4,125 integrated (mainstream) schools

There are no national data available for 2009/2010. However, at county levels, data on the situation of students with disabilities is usually available from School Inspectorates or at the level of Directorates for Social Assistance and Child Protection. This data may be gathered from assessments done by local Complex Assessment Services, and in some instances by the existence of a disability certificate. Data are not disaggregated by type of learning difficulty or type of educational support. In 2006-2007, RENINCO-Romania, an umbrella association of 80 organisations that is active in the field of inclusion of persons with disabilities in education services, conducted a micro-project on data gathering related to students with SEN (special educational needs), in the context of a OECD initiative. Therefore, the methodology for data collection exists. However its use at ministerial and local level remains uneven.

*Examples of data collected in November 2010 from two counties (Hunedoara and Ialomita), with regard to the students with SEN (data elicited from local authorities, in relation to the current report):*

*Hunedoara County (Western Romania) – a county with a population of 487,115 inhabitants<sup>5</sup>: in 2010, of 1012 children and young adults with disabilities that could be registered in schools in accordance with the Education Law (persons from 4 to 20 years old), 700 children were effectively enrolled in mainstream schools and 270 in special schools. Additionally, 24 children were following school programs at home. This means that aprox 18 children (1,77%) were either not monitored or they were not following an education program at all. In comparison with previous years, this percentage has decreased significantly, which is considered to be progress by local authorities and organizations. In the county, 16 support teachers were available for children with disabilities enrolled in mainstream schools.*

*Ialomita County (South): this is a county with 287,678 inhabitants (in January 2010<sup>6</sup>) and 8,791 persons with disabilities at June 30<sup>th</sup> 2010<sup>7</sup>.*

<sup>5</sup> Institute of Statistics, Hunedoara County Office, <http://www.hunedoara.insse.ro/main.php>

<sup>6</sup> Institute of Statistics, Ialomita County Office, <http://www.ialomita.insse.ro/main.php> , consulted at 20.11.2010

<sup>7</sup> Source: Ministry of Labor, Family and Social Protection (June 2010)

97 students were enrolled in special schools; 680 children were enrolled in mainstream schools, 60 were children with sensory disabilities oriented towards specific schools in other counties of Romania; 34 students were enrolled in technologic high schools and 4 students were enrolled in mainstream professional schools. However, it is estimated that a significant number of students with disabilities do not have a disability certificate, therefore they are not included in this statistics<sup>8</sup>.

The group of authors of this report will continue to request and collate this type of official data from local authorities over the coming year.

**b. Research and evaluation studies about the quality, outcomes, costs or benefits of including young disabled people in education or training**

There are not yet comprehensive studies on quality or costs of inclusive education, or of professional training of students with disabilities in Romania; however the number of initiatives that target the professional education of young disabled persons is growing, mainly due to programs developed through European Structural Funds (Human Resources Component). Therefore, we may expect relevant data of this type in the coming years.

**3.2. The situation of investments in segregated education institutions (special schools, special professional schools)**

There are no longer major investments in these schools, and their transformation continues in Romania. Some of the schools have been developed into county level “SEN resource centres”; others have been closed, particularly as an effect of the economic crisis and a reduction in education budgets at national and local levels.

**3.3. Participation of young disabled people in education and training**

Quantitative data is unavailable in relation to the participation of young disabled people in vocational training with regard to :

- The different forms of this participation;
- The participation of disabled persons in various types of learning;
- Participation or qualification rates by gender, impairment or ethnicity.

An important study was released however in 2009 by two Romanian NGOs (Motivation and the Romanian Academic Society). This study is titled “Excluded from the Labor Market. Barriers in the employment of persons with disabilities in Romania”<sup>9</sup> and it analyses the barriers and opportunities that occur when persons with disabilities enter the labor market in Romania.

<sup>8</sup> Source: Disabnet network, November 2010

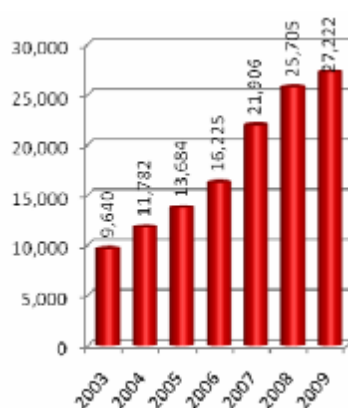
<sup>9</sup> Source: Motivation Romania, [www.motivation.ro](http://www.motivation.ro)

Several data and conclusions may be highlighted from this research study, in relation with the situation of persons with disabilities in education, professional training and access to labor market:

- The main factor impacting the employability of persons with disabilities is education. However, the incidence of lack of education among persons with disabilities is seven times greater than that for the non-disabled population. The incidence of school drop-out is two times higher for disabled persons, compared to non-disabled persons (page 9);
- There are no differences between disabled and non-disabled people in relation to the type of employment they benefit from: 61% of disabled persons are employed by private sector employers, 31% by public sector employers and only 1% work in segregated units (sheltered employment). The majority of people with disabilities therefore work in the open labor market (page 9);
- The education level of persons with disabilities has a significant impact on their chances for finding employment. Data provided by the National Authority of Persons with Disabilities (NAPS) show that :
  - o 31% of employed disabled persons finished high school,
  - o 21% finished university;
  - o 23% had a secondary (gimnaziu) level education
  - o 16 % completed professional schooling;

The most common employment positions in the group investigated by the study were: non-qualified worker (8.79%), qualified worker in various domains (8.32%), medical nurse (4.57%) and teacher (4.26%) (page 22)

The study also shows that the number of employed persons with disabilities in Romania has progressed steadily since 2003 (from about 9,600 persons to more than 27,000 in 2009) (source: NAPS 2009) (page 22 of report)



However, more than 87% of persons with disabilities did not have a job, and 85% were not even looking for employment (page 23)

**Fig. 1 Evolution of the number of employed persons with disabilities between 2003-2009**

The study highlights several differences between disabled and non-disabled persons, in relation with the education process and outcomes:

- Only 17.5% of disabled persons completed high school, compared to 31% of the non-disabled population;



- 8.3% of disabled persons who were employed had a university degree, compared to 9% for the general population (so there are not significant differences here);
- The low level of education is directly correlated with the severity of disability;

The onset of disability also plays a role in the educational route of the person. The majority of persons who have never attended school are disabled from birth or from an early age.

An interesting finding is related to the type of school that people with disabilities attended. In the group investigated, 83% attended a mainstream school and 17% a special school. While this difference does not seem to correlate directly to the type of employment, it impacts on the level of subsequent professional education. For example, less than 10% of persons in universities had attended a special school. Persons attending special schools are also more represented in professional schools (30%, compared to only 6 % of disabled persons who previously attended a regular high school); (page 29)

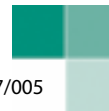
The main causes for the reduced access to education of disabled persons are as follows:

- o Poor infrastructure and accessibility of schools in rural and remote areas;
- o Refusal of enrolment of children with severe disabilities in schools, and sometimes even in special schools;

Participants in the study also mentioned a relatively low quality of education in special schools, as well as in home education or distance learning; they also highlighted the inadequacy of these types of education in relation to the real challenges of the labor market today. As a result, only 37% of persons with disabilities were working in the fields in which they had initially specialised. The study also mentions the importance of re-training and re-qualification processes, highlighting that attending such courses increases significantly the chances in the labor market (page 30).

The main providers of training for persons with disabilities are considered to be the Ministry of Education (for 33% of the participants in the study) and authorised training providers (28%), followed by employers and County Employment Agencies (AJOFM).

The domains in which people with disabilities seek training are mainly the following: IT (20%); the textile industry and mechanical engineering (19%), and services (14%).



## Section 4: Types of support for students and trainees

### Section 4a: Financial support - the main grants, allowances, bursaries available to disabled students and trainees for the purpose of their education and training

In Romania, the education of persons with disabilities is free of charge during the compulsory education levels. In special schools and in boarding schools, students with disabilities benefit from free accommodation, meals, training equipment and materials, and textbooks. The Ministry of Education funds these types of costs for special, boarding and mainstream schools. No assessment is needed for receiving free education, however an assessment is made for referring a child to a special school.

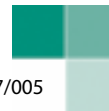
Law 448/2006 stipulates the right of disabled people "looking for a job" to training courses - and the funding of these courses through the unemployment insurance budget. There are specific provisions that clarify when persons can benefit from training free of charge (in Law 76 / 2004, amended in Law 107/2004, correlated with the definitions of Ordinance/OUG no. 144/2005). Persons looking for a job come under this category.

The following categories of persons with disabilities are eligible to free service training, according to the law:

- People who have become unemployed (in the sense of the law);
- Those who cannot find a job after graduating from educational institutions or after military service;
- People who are employed: where they have resumed work following the recovery of work capacity (training services are agreed with the employer or the employer requests them). The application is made only once in 12 months after resuming work);
- People who are in rural areas and who do not have a monthly income, or the monthly income is lower than the unemployment benefit;
- People who earn, from legal activities, an amount lower than the guaranteed gross minimum wage in the country (GEO/OUG no. 144/2005);
- People who are employed after graduation from school and the employer organizes training courses; the necessary training costs could be supported, at the request of employers, from the unemployment insurance budget.

Law 107/07.04.2004, Article 27, defines specific elements that are included with free training services: theoretical and practical training throughout the course, supplies and training materials, protective equipment during practical training, free transportation; medical consultations, medical tests and tests for attending the course, accommodation and a sum of money to cover meals.

As mentioned in Section 1, employers may also receive a grant from the unemployment insurance budget for 50% of total cost of training services.



This is available to employers who organize courses within their annual training plan, for a maximum of 20% of the staff, and only if the training is conducted by training providers authorized by law.

Employers may benefit from deduction of the training costs from the calculation of the taxable profit or taxable income, if they organise training courses for their own employees (Decision no. 522 of May 8, 2003, approving the Methodological Norms for implementation of the Government Ordinance no. 129/2000 on the training of adults - published in: Official Gazette no. 346 of May 21, 2003, Article 38). In order to implement this, the local Agency for Employment (AJOFM) establishes contracts with employers, based on a grading procedure. The weakness of this procedure is that grades given for training of persons with disabilities are very low; therefore not motivating for employers when it comes to fiscal deductions and facilities. Persons with disabilities seeking employment may also benefit from free vocational training, counselling and labor mediation.

There is no available evidence about the efficiency of this type of financial support, in the short or long term.

#### **Section 4(b): Personal assistance, equipment and adaptations**

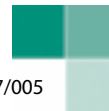
According to Art.18 and 19 (h) of the Law 448/2006, public authorities are responsible for making schools accessible from all points of view (removing architectural barriers, communication, accessibility etc). In practice, despite progress in the recent years (due to a National Disability Strategy that has targeted this aspect of accessibility of public buildings) most school buildings still have problems, not only in terms of architecture, but also with equipment for communication for learners with specific needs (e.g. computers, easy-to-read materials, information in Braille etc).

Art 18. from the same law mentions that education facilities (at all levels) have to adapt the premises, furniture, textbooks and school materials to the needs of persons with disabilities, including sensory disabilities. The article mentions the use of assistive devices and software, including for examinations.

All new buildings and premises have to respect the accessibility norms (NP 051/2000, approved through Order 649/2001)

All adaptations and adjustments needed by students with disabilities in schools are included in the Personal Intervention Plan (PIP), elaborated by schools in cooperation with the Complex Assessment Service (county level). The plans include the number of hours and the type of support needed, the types of devices and adaptations to the curricula.

In schools students with disabilities may benefit from support teachers, counselling services and rehabilitation services (speech therapy, occupational therapy etc).



Students with severe and accentuated disability may benefit from personal assistants.

The costs for the support services are shared between the local authority (city council or county council) and the Ministry of Education. In case of medical services involved in the support process, these are usually covered by Local Directorates of Public Health or the Medical Insurance House.

NGOs contribute significantly to the provision of support services for inclusion (in schools or in the labor market). They usually offer a wide range of support services that are not available (or are not sufficient) in communities. Among these are:

- Support teachers;
- Mediators for employment, coaches and job seekers;
- Assistive devices and adapted equipment for learning, communication, mobility;
- Sign language interpreting;
- Adapted transportation.

For some of the support staff (such as mediators or sign language interpreters), professional standards did not even exist in Romania, and it took almost a decade to arrive at a stage where these professions were officially recognized and regulated.

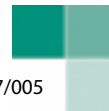
The number of support teachers remains very low and their training is no longer coordinated at a national level. There is no follow up or monitoring of support teachers in the country, except for those who are employed directly by School Inspectorates.

It is also important to mention that employers and school managers rarely understand the concept of “reasonable accommodation” and there is a need for intensive awareness raising of this issue.

The system of personalized budgets does not yet exist in Romania.

There is no statistical or scientific evidence about the effectiveness of these practical support measures. However the individual testimonies of persons with disabilities confirm that they are a key factor for inclusion and participation.

The provision of support services depends on where people live in Romania. It is difficult to transfer these services from one county to another and even more difficult to transfer services from one country to another.



### **4.3: Equipment and accessibility for learning**

The insufficient quantity and the poor quality of assistive devices and equipment are the main causes of the poor participation of disabled persons in community activities.

The range of these devices is poor and also there is a shortage in the number of providers who can deliver affordable equipment and materials. The vast majority of providers in Romania are private, and the cost of equipment is not affordable for persons with disabilities.

For medical equipment (ortho-prosthetics etc) a medical commission decides whether the person can benefit from it free of charge, or under which circumstances. A certain amount is free of charge, but usually the actual cost of the product is higher than the legal limit covered by the insurance system, and the person with disability needs to cover the difference in cost.

As in previous instances, no comprehensive evidence exists about the use of these types of equipment, their affordability and availability (except a study on a funding crisis of wheelchairs, by Motivation Foundation in 2010). Personal budgets cannot be used for such equipment, because this financial mechanism does not yet exist in Romania.





## Section 5: Evidence of good practice

One of the particularities of the progressive modernisation of the system of training and employment of persons with disabilities in Romania has been the co-existence (sometimes within the same agency, NGO or provider) of several types of employment systems (sheltered, supported and open).

The 'pioneers' and the main promoters of employment of persons with disabilities in Romania have been the NGOs. Some of the most active can be mentioned here, but are more than these: Motivation Foundation (Ilfov County), Pentru Voi (Timisoara), Alpha Transilvana (Targu Mures), Hans Spalinger (Simeria).

They have promoted new concepts and attitudes in the field of professional training and employment of disabled persons, mainly by developing simultaneously supported and sheltered employment, in parallel with support services for the open market, emphasising quality and developing complementary links between the measures. Moreover, they have made sure that sheltered employment is mostly used as a transition setting for supported employment or for the open market. As a result of this decision, they have contributed to the adaptation of curricula and training courses in their communities, in order to allow the competencies of disabled persons to be recognised and certified.

It has to be noted that supported employment and the presence of disabled persons in the open market were new developments for Romania a decade ago. The NGOs also regularly conducted advocacy and awareness campaigns, together with publication of guidelines, study cases and good practice examples. At present, they always develop these programs in partnership with local authorities and the community of employers'.

Examples of successful training and employment programs may be seen on the websites of these organisations:

Motivation Foundation : [www.motivation.ro](http://www.motivation.ro)

Pentru Voi Foundation: [www.pentruvoi.ro](http://www.pentruvoi.ro)

Alpha Transilvana Foundation : [www.alphatransilvana.ro](http://www.alphatransilvana.ro)

Hans Spalinger Association: <http://www.ahs.ro/1desprenoi.htm>

More recently, Corporate Social Responsibility has progressively become a lever for including people with disabilities in the labour market, or for financing projects related to supported employment.



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