

PROFESSIONAL DEVELOPMENT AND LEGISLATION ON TEACHER TRAINING IN INCLUSIVE EDUCATION

Sorina-Mihaela BĂLAN*

ABSTRACT: *This paper begins with the presentation perspectives of inclusive education policies, highlighting the fact that education for children with special educational needs is experiencing significant developments in Europe. Thus, the countries of the European Union are followers of the realization of education according to the principle of integration of people with special educational needs. The effective implementation of inclusive education involves the proper training of the main actors of the educational process, an important role having the training of teachers. The skills required of a support teacher are methodological skills, communication and relationship skills, psycho-social skills and career management skills. Models of training of existing teachers in the states that have the experience of inclusive education, in the United States of America, Great Britain, Spain, are presented. Italy, Germany, Republic of Moldova. A distinct part of the paper refers to the legislation on inclusive education and the organization of educational support services for children, pupils and young people with special educational needs integrated in mainstream education in Romania. A section dedicated to legislation on inclusive education in Italy is followed by information on how to become a support teacher in Italy.*

The case study addresses the situation of diplomas obtained in other European countries and not recognized in Italy. Reasons are given for rejecting the files of graduates of Spanish and Romanian specialization courses in support of students with disabilities. The echoes and opinions regarding the recognition of studies and the admission in the teaching staff of Italians who have completed their studies in European countries are presented from two perspectives: the first of Italian citizens who obtained the qualification for support teacher in Italy and the second perspective of those who have obtained qualifications in other EU countries. The case study are presented the emergencies in protection of the rights deriving from obtaining the qualification, recognized according to the International System for the Recognition of Qualifications. In conclusion, it is a right of every European citizen to take courses in the EU and be recognized in their country of origin but the recommendation is that graduates of such courses should know that there is no European system for automatic recognition of university diplomas.

KEY WORDS: *Professional development, Competences, Legislation in inclusive education, Support teacher, Recognition of diplomas*

JEL Code: *K49, I21*

* Lecturer Ph.D at Dimitrie Cantemir University from Targu Mures, ROMANIA.

1. INTRODUCTION

The Universal Declaration of Human Rights (1948) provides for the right to free and compulsory education for all children. In 1966, the UN Convention on Economic, Social and Cultural Rights strengthened this right by art. 13 *"Primary education is free and open to all."* and the UN Convention on the Rights of the Child (1989) guarantees the right to education for all children without discrimination. (ProForm - PROfesionalizarea cadrelor didactice prin FORMare continuă, 2020)

In 1994, an important step was taken in the integration and school inclusion of children with special educational needs through the Salamanca Declaration: *"schools must accommodate all children, regardless of the type of disability - physical, intellectual, social, emotional, linguistic, etc. This includes children with disabilities, gifted children, children from isolated or nomadic areas, children from ethnic or linguistic minorities and children from any other disadvantaged or marginalized group."* (ProForm - PROfesionalizarea cadrelor didactice prin FORMare continuă, 2020)

The Romanian Constitution regulates the status of persons with disabilities: *"persons with disabilities enjoy special protection. The state ensures the implementation of a national policy of equal opportunities, prevention and treatment of disability, in order to effectively participate persons with disabilities in community life, respecting the rights and obligations of parents and guardians."* (Romanian Constitution, Art. 50)

The effective implementation of inclusive education involves the proper training of the main actors of the educational process, an important role having the training of teachers.

The teacher must have a repertoire of skills, knowledge, pedagogical approaches, methods, appropriate teaching aids and time if he wants to effectively maintain this diversity in the classroom. The teacher needs support inside and outside the school. (Pușca, 2012)

All reported changes cannot be implemented if teachers or other specialists do not have the necessary skills to develop a special educational practice. It is very important to renew / improve the initial training programs for teachers and other specialists in order to meet the requirements of inclusive education. It is important for teachers to have adequate working conditions, a maximum capitalization of the work they do and a series of incentives that favor their professional development. (Pușca, 2012).

2. WHAT ARE THE SKILLS NEEDED FOR A SUPPORT TEACHER?

The postgraduate course *"Training of itinerant teachers and support for social and educational inclusion of people with special educational needs"*, within the "Dimitrie Cantemir" University of Târgu Mureș, the module Professional development in inclusive education, aims to acquire a set of specific skills, listed in the following:

1. *methodological skills* (acquisition and application of modern theories and concepts on the formation of knowledge skills; knowledge of the premises of conceptualization, is all children can learn, but not in the same way and rhythm; creating a curriculum according to children's needs; use of modern methods working with children, adopting teaching strategies that allow the efficient use of teaching aids and resources, optimal use of space-time factors, in order to streamline the instructional-educational process,

organizing learning activities in various and attractive ways, the ability to use interdisciplinary knowledge);

2. *communication and relationship skills* (skills on conflict resolution; communication skills adapted to disability, relationship skills with specialized teachers-speech therapists, support teachers, psychologists, parents, other people related to school institution - representatives of local authorities);

3. *psycho-social competences* (ability to understand the mechanisms of formation of psych moral traits, ability to relate and strengthen partnerships, ability to initiate and organize school and extracurricular activities to promote socialization and social integration, ability to capitalize on individual characteristics and group for the purpose of effective communication, manifestation of positive attitudes, self-respect and acceptance of the recognition of the value of the other, mastering of self-control techniques, but also of actions in accordance with democratic norms), - assessment skills: use of new assessment techniques , in close connection with differentiated learning, the development of assessment tools according to the novelties of the content and the objectives of the curriculum, by respecting the concordance with the individual and group particularities, the extensive and in-depth knowledge of the evaluation criteria and standards appropriate to the chosen evaluation tasks.)

4. *career management skills* (development of self-training capacity, manifestation of openness to innovative trends necessary for professional development by continuously informing about continuing education opportunities and identifying aspects of their activity that need renewal, establishing their own skills balance and their own training program training, by manifesting a self-reflective behavior on their own teaching activities and assimilating organizational knowledge, adopting effective behaviors to overcome "*crisis situations*", by valuing human qualities and assuming deontological, professional principles, use of methods and techniques of psych behavioral control).

3. MODELS OF TRAINING OF EXISTING TEACHERS IN STATES THAT HAVE THE EXPERIENCE OF INCLUSIVE EDUCATION

United States of America

The training of specialists in the field of special education differs from one faculty to another, narrow specializations are offered, on certain categories of deficiency or in-depth undergraduate and postgraduate studies. The common element for most American states is the compulsory attestation, by passing an exam based on a grid test, of pedagogues who want to work in the field of special education. Depending on the accumulated score, the teacher certificate is awarded for students with special needs. (Caisin, 2011)

United Kingdom

In accordance with the Education Act of 1988 and 1994, respectively, each teacher is prepared to work with students with special needs, teacher training for special education is not a separate activity from teacher training in general. The training of all teachers includes an introduction to educating children with special needs, a specific training for working with children who have learning difficulties. The new Code of Practice on the Identification and Assessment of Special Educational Requirements, introduced in 1993, sets out the ways in which mainstream schools assess and provide necessary assistance to

children with learning difficulties or behavioral disorders. By law, each school is obliged to develop a clear policy in the field of integrated education and to hire a coordinating teacher for the education of children with special educational needs. The major implication of the application of this code is that all teachers must have skills in educating children with special needs,

The initial teacher training is structured modularly on three levels:

- *Level 1* - completed with obtaining a teacher certificate. It involves five modules, of which three are basic training and two are specialized studies (selected by students from a wide range of options);
- *Level 2* - completed with an advanced teacher's degree. It is obtained after completing level 1 and four more modules, and the training of teachers for integrated education involves obtaining the diploma of advanced teacher. The modules included in level 2 of training contain topics on severe learning difficulties, rehabilitation and functional recovery programs, information technology, language difficulties, etc. ;
- *Level 3* - advanced studies and master's degree - involves the completion of level 2. Continuing education has given up long-term courses, which are replaced by a wide range of intensive courses and internships, most of these activities taking place in schools through the involvement of university professors and counseling specialists. (Alois, 2001)

In *Spain* the initial training for all categories of teachers takes place in universities, and this training takes place on three levels:

- *Level 1*- the teacher's diploma corresponds to the first level of university training, through which a qualification is obtained for preschool and primary education, as well as in the field of social pedagogy. Training at this level usually follows the double specialization: preparation for general education and preparation for the education of children with special needs;
- *Level 2*- of training in the field of special education (3 + 2) ensures the obtaining of the license in special psych- pedagogy;
- *Level 3*- of training through master's programs or in-depth studies, ensures a specialization on a certain field or activities with a certain category of students with special requirements. (Caisîn, 2011)

In-service teacher training programs for integrated education are oriented in three main directions:

1. specialization of qualified teachers for compulsory general education through postgraduate courses lasting 1-2 years;
2. optimizing resources and improving professional training in the field of special educational needs, curriculum design and other support services in the integration process;
3. Professional and institutional development, programs that are focused on ensuring competencies and promoting (awarding teaching degrees) to teachers and specialists in the integrated education network.

Support teachers are added to the teachers in the school. Early intervention and sports teams were set up for implementation and support, teams of school psychologists and support teachers were developed, a national resource center for curricular development and teacher training was established, under the direct subordination of the ministry. The idea of the plan was for the integration project to last 8 years. Every year an integrative

school was to come into operation, which would lead, after 8 years, to reach the percentage of 50% of the primary schools as integration schools.

Italy is part of countries with a high level of integration and / or inclusion. School integration has been enshrined, since 1971, as a legal right for children with SEN in Italy. In 1975, and later through the 1976 and 1977 regulations, the Ministry of Education established that the severity or type of disability should not limit integration into a mainstream classroom, as long as admission was possible and positive for a child with a disability.

Teachers in mainstream schools have gradually learned to accept and meet the learning requirements of new clients. The radical change was actually made at the request of the parents. Moreover, in some parts of the country, parents were the ones who took the delight of immediately transferring children with SEN to general schools, in agreement with the teachers here. (Caisîn, 2011).

The initial training of teachers in Italy is as follows:

✓ kindergarten and primary school teachers are graduates of a normal school (pedagogical high school), and the time allocated to psycho-pedagogical training is considered insufficient;

✓ Starting with secondary school, teachers receive a university degree, but university study programs do not provide adequate psycho-pedagogical training in the field of education for children with special needs. In order to complete the specialized knowledge, the teachers participate in training courses (continuous training).

In these circumstances, Italian legislation on education proposes important changes related to teacher training. Thus, it is mandatory to obtain a university degree for all teachers, regardless of the level of school in which they will operate, and the university curriculum will include compulsory courses in pedagogy, psychology and didactics applied in special education. Special attention is paid to the training of support teachers, who follow specialization courses in the field of special psycho-pedagogy for two years, during which they go through a series of applied disciplines.

Ongoing training takes place in three distinct stages:

▪ *first phase* - comprises at least six compact training sessions, three sessions having an introductory theoretical character, and the following consisting of training in workshops, in which each participant carries out activities of designing the didactic activity in the conditions of a class where students with requirements are integrated special;

▪ *the second stage* - each teacher applies in his practical activity, in class, the knowledge acquired during the first stage;

▪ *third stage*- is reserved for evaluation, in which teachers compare the results obtained during the training program. Individual reports, group discussions, etc. are used as ways of working. (Alois, 2001)

In *Germany* the responsibility for education (general and special) lies with the competence of the Länder, which transfers the decision to achieve school integration at regional level, depending on the elitist and egalitarian tendencies manifested in school policy by different Länder. From this perspective, merged schools (Gesamt-schulen) were created, especially in those lands where there is a social-democratic tradition. Germany has adopted a different strategy, trying to capitalize on the richness of existing resources in the special education network (investments, endowments, human resources)

and developing integration programs especially in the professionalization activities of students with disabilities. In Germany a fundamental role is given to staff didactic support.

Republic of Moldova, took over some aspects regarding the training of teachers from the perspective of inclusive education. Although the legislation approving the framework that allows the implementation and functioning of inclusive education is difficult, its implementation is difficult. In the Republic of Moldova, as in most post-Soviet states, both special schools and regular schools, among them a number reduced being inclusive schools. Traditionally, in the Republic of Moldova there have been two ways of training teachers: initial training in the field of Education Sciences without being initiated in the realization of an inclusive educational process; training within the specialty Special Psycho-pedagogy, depending on the category of deficiency.

Legislation on inclusive education and organizing educational support services for children, pupils and young people with special educational needs integrated in mainstream education in Romania

Before 1989, in Romania there were commissions for the protection of minors, subordinated to the County Councils that took the necessary measures for children with disabilities such as integration in schools for recoverable disabilities, dormitories for partially recoverable or dormitories for the disabled considered irrecoverable¹.

The criterion of recoverability was removed after 1990 and each child was accepted the right to education, the determination of the degree of disability fell to the diagnostic and triage commissions attached to the county health directorates (Law 53/1992 on special protection of disabled people).

The Education Law 84/1995 led to the establishment of expert commissions subordinated to the County School Inspectorate, with the role of establishing the type and degree of disability of the child, being the first step towards diversifying the forms of schooling of children with disabilities. (Ministerul Educatiei, 1995)

In 1999, by Order 153 on the establishment of commissions for medical expertise of persons with disabilities, the diagnostic and triage commissions were taken over by these commissions in which a psycho-pedagogue was included for the first time. In 2001, the responsibilities were taken over by the Commission for Child Protection, through the Complex Assessment Service and by decision no. 1205/2001 the role of this service was established - identifying, evaluating and monitoring children or young people with learning and adaptation disabilities and difficulties socio-school education, their school orientation, as well as the verification of the fulfillment of the conditions regarding the classification of the child in a degree of disability (art. 21) (ProForm - PROfesionalizarea cadrelor didactice prin FORMare continuă, 2020)

By the Education Law no. 1/2011, the evaluation, school and professional orientation of children and young people with special educational needs belonged to the county centers of resources and educational assistance (CJRAE), subordinated to the county school inspectorates (ISJ), and the establishment of the degree of disability of students began to be carried out by these centers, in collaboration with the Commission for the Protection of the Child.

¹ Child Protection Law 3/1970

Today, the institutions that deal with the evaluation and identification of children with special educational needs are the General Directorates of Social Assistance and Child Protection through the Complex Assessment Service and the educational units through the Internal Commissions for Continuous Assessment. The legislative framework for granting the right to education of children with disabilities is currently based on Law 272/2004 on the protection and promotion of children's rights, Law 448/2006 on the protection and promotion of the rights of persons with disabilities and National Education Law 1/2011 with amendments and subsequent additions. Children with disabilities are given the right to equal opportunities and free education, but emphasize the existence of special or integrated education as a distinct part of the education system. (ProForm - PROfesionalizarea cadrelor didactice prin FORMare continuă, 2020)

In Romania, children with disabilities can opt for classical education, in school or homeschooling (accepted, but unregulated). The methodology for organizing educational support services for children, pupils and young people with special educational needs integrated in mainstream education, provides that the conditions needed to become a support teacher, according to Order No. 5574 of October 7, 2011², These are:

- a) Graduation with a bachelor's degree, with a qualification in special psycho-pedagogy, psychology or pedagogy;
- b) Graduation of a didactic master with a duration of 2 years, with one of the specializations in the psycho-pedagogical field;
- c) Carrying out a practical internship, lasting one school year, carried out in an educational unit, in the didactic function corresponding to the studies, under the guidance of a mentor teacher with experience in special education.
- d) The positions of support teacher can also be filled by graduates of a higher education institution, long-term studies, with a qualification in special psycho-pedagogy, psychology or pedagogy.

Special integrated education is a form of differentiated school training, as well as a form of complex educational, social and medical assistance, intended for children / pupils / young people with special educational needs integrated in mainstream education units. It must meet the developmental needs of children through assessment adequate adequacy of the learning / development potential and by ensuring the rehabilitation, recovery and compensation of deficiencies or disorders, learning difficulties. Children, pupils and young people with special educational needs integrated in mainstream education benefit from educational support through supportive and itinerant teachers, on a case-by-case basis.

4. LEGISLATION ON INCLUSIVE EDUCATION IN ITALY

The integration and school inclusion of students with disabilities has known several important milestones in the history of school and legal systems in Italy. We went from the initial situation of total exclusion from any educational intervention³, at separation in

² for the approval of the Methodology regarding the organization of educational support services for children, pupils and young people with special educational needs integrated in mainstream education

³ The Casati law of 1859 did not recognize any right to education of persons with disabilities

special schools⁴, integration and integration in schools (Law no. 118 of 30/03/1971),⁵ as well as with the "Falcucci Commission of 1975" passed to the stage at institutional and psycho-pedagogical level in the field of special education⁶, to the current and modern perspective of inclusion in school for all, with progressively more open approaches to the educational care of different needs, to "integrations", to the plural, of the whole diversity.

For the purpose of real, effective and complete application of the provisions of the legislator of Law no. 118 of 1971, a Decision of the Constitutional Court, no. 215 of 1987, which declared *"the full and unconditional right of integration of students with disabilities in high school"* and represents the "Magna Carta" of integration.

The principles of the Decision of the Constitutional Court were transposed in the Framework Law no. 104/92, which collects and completes the previous legislative interventions, which start from the '70s, becoming a normative reference point for the school and social integration of people with disabilities. The law stipulates that school integration aims to develop the potential of the person with disabilities in learning, communication, relationships and socialization and defines students with disabilities as those with physical, mental or sensory disabilities, stabilized or progressive, which cause learning difficulties, integration in relationships or place for work.

In the 1990s and early 2000s there were several legislative interventions and reforms, we recall:

- *Berlin reform*(L. 30/97) expressly provided for the right of students with disabilities to participate in the final state exams; L. no. 9/99, which increased compulsory education until the age of 16, thus making it compulsory for students with disabilities to attend high school for two years; Law no. 144/1999 which provides for the possibility of participating in mixed education and vocational training courses for students with disabilities;
- *Moratti reform* since 2003, in the context of school autonomy, provides a new impetus to the implementation of the fundamental principles contained in the Framework Law.

A fundamental step in school inclusion was made by Law no. 18 of 3.03.2009, by which the Parliament authorized the ratification of the United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol, signed by Italy on 30.03.2007, aiming at social inclusion, full and effective participation of persons with disabilities in within society, even if they need assistance. Disability is seen as a problem for all and not just a problem of a category, an approach that brings back the rights to education, equality, health, mobility, work, non-discrimination, and focuses on how to approach disability in the social and health sector. (Gruppo Editoriale Simone, 2021)

Changing the global vision provides for the treatment of disability from a medical point of view and in accordance with the bio-psycho-social model, in order to promote the full and effective participation in society of people with disabilities.

In 2009, the Ministry of Education, University and Research published, "Guidelines for the school integration of students with disabilities". They contain a series of

⁴The reform of the nations from 1928 and Law no. 1859 of 31/12/1962

⁵Law no. 118 of 30/03/1971 is the first fundamental non-legislative measure on the integration of people with disabilities

⁶ providing for the definitive overcoming of "any form of marginalization of persons with disabilities through a new way of designing and implementing the school"

operational guidelines that propose solutions to improve the process of integration of students with disabilities (while respecting school autonomy and current legislation).

In the following year 2010, Law 170, on "New rules on specific learning disorders in schools", recognizes dyslexia, dysxo-graphy, dysgraphia and dyscalculia as specific learning disorders (DSA) that manifest in the presence of adequate cognitive skills, in the absence of pathologies neurological and sensory deficits, but can be an important limitation for some activities of daily living. Students with ASD have the guaranteed right to study by creating personalized pathways within the school.

The inclusive strategy in Italian schools is confirmed and extended by the MIUR Directive on intervention tools for students with special educational needs (SEN) and on the territorial organization for school inclusion. The Directive redefines and complements the traditional approach to school integration, based on disability certification, extending the scope and responsibility of the whole educational community to the whole area of special educational needs, including: social and cultural disadvantage, specific learning disabilities and / or specific developmental disorders, the difficulties arising from not accepting Italian culture and language, as they belong to different cultures, would be immigrant students to whom school support measures are also applied.

In 2014, MIUR issued guidelines for the admission and integration of foreign students, which updates previous operational guidelines from 2006. Through this document, the Italian education and training system highlights how the integration and educational success of immigrant students is an important goal for society as a whole. Italian.

The law on the reform of the education system no. 107/2015 also provided for a delegation related to the promotion of school inclusion of students with disabilities, whose legislative decision no. 66/2017, which entered into force on 31 May 2017, but so far, has not yet been fully implemented. The main points of the decree are the tools for allocating resources for educational support, training of staff and the school community and the continuity of teaching, in order to build a life project that will involve several actors in the society collaborating in the network.

All this legislation favorable to the inclusion of persons with disabilities cannot be implemented without teachers with methodological competencies such as those described in the first part of the article. Therefore, more and more Italian citizens are pursuing postgraduate studies to become support teachers both in Italy and throughout Europe.

5. HOW CAN YOU BECOME A SUPPORT TEACHER IN ITALY?

The professional profile of the support teacher in Italy is defined by the Legislative Decree of April 13, 2017, no. 66, which recognizes the support teacher as a teacher, present in the Italian school system specializing in teaching for the integration of students with certified disabilities. Support teachers are a distinct category among teachers, who are entrusted with all phases of training students with disabilities, i.e. planning, conducting and verifying individual and special training interventions designed specifically for them, to promote integration (Law 104 / 1992). It deals with inclusion and support activities and support for the working class being co-owner in all respects. The support teacher is a pivotal figure in the class group, being the owner, together with

the teacher, the same class and carrying out guidance activities. His role is very delicate: it requires specific training, as well as skills and attitudes.

Decree no. 92 of 08/02/2019 in which MIUR indicated the admission requirements for specialization courses for support. Thus, to become a support teacher in primary school, the valid qualifications are:

- Diploma in sciences of education in primary education;
- Master's degree (obtained in the 2001/2002 school year or a similar qualification obtained abroad and recognized in Italy). Regarding the master's degree, the following are also valid:
 - Experimental diploma in psycho-pedagogy;
 - Experimental degree in linguistics.

The master's degree obtained after the 2001/2002 school year is not a valid qualification for access to teaching, while the three-year master's degree is suitable for participation in the kindergarten competition.

Candidate support teachers who have obtained their qualifications abroad and have submitted an application for recognition to the offices of the Directorate-General for School Systems and the National Assessment of the Education System are admitted with reservation.

How to become a support teacher in high school?

According to the law, aspiring support teachers in grades I or II in secondary classes (high school and middle school) must have the following qualifications:

- teaching qualification (in any of the CDs present in table A DPR February 14, 2016)
- Diploma and 24 credits (anthropo-psycho-pedagogical disciplines and teaching methodologies and technologies);

In order to participate in the competition, candidates must have, in addition to a diploma, 24 credits and 3 years of service (performed during the previous 8 school years, not necessarily the following ones in accordance with Article 2, paragraph 14, Law No. 124 of 03 / 05/1999, No. 124)

The specialization on support - TFA Sostegno - is a university course introduced by Ministerial Decree 249 of 2010. The course involves the purchase of 60 ECTS of which 12 are awarded by internship, to access it is necessary to pass the pre-selection tests, a written exam and one oral. The number of places for each university is established by a specific ministerial decree. The specialization on support allows the candidate priority in the ranking. Some competitions are reserved exclusively for specialized teachers.

The tests provided for the promotion of the competition are generally four (three are intended for candidates for the common place). Two tests are written and one test is oral. For those competing for support posts, an additional written test is added at national level (according to Article 6 of Legislative Decree 59/17).

While the first written test serves to assess the preparation of candidates for specific individual disciplines that refer to their competition classes, the second written test aims to test the preparation and competence of candidates for specific disciplines acquired through 24 credits.

At the oral test, candidates must demonstrate knowledge of the subjects related to the subjects in the competition classes, a foreign language (certification is not required, but at least the acquisition of level B2) and the main IT tools.

For candidates for support positions, there is an additional written test, which will be held after the first, and which aims to teach in school inclusion (and applied methodologies), special pedagogy. To pass the next oral exam, the written exam must be passed.

After the promotion of the competition the candidates are included in a special regional classification of merits, which will be extracted for participation in the role within the available places for each region.

It is possible to obtain the teaching qualification abroad, there are several European universities that offer qualification courses. In addition to the next course in the universities of Spain, Romania and Cyprus, it is necessary to approve the foreign qualification in Italy, a mandatory recognition procedure to qualify for teaching support.

6. CASE STUDY. DIPLOMAS OBTAINED IN OTHER EUROPEAN COUNTRIES NOT RECOGNIZED IN ITALY

Regarding the teacher's qualification obtained abroad: recognition of the profession on August 4, the Italian Ministry of Education updated the space dedicated to the recognition of the teaching profession for teachers who obtained the qualification to teach abroad. Teachers who have obtained the qualification to teach abroad (EU and non-EU countries) and wish to practice teaching in Italy, may apply for recognition of their professional qualification in accordance with the Directive of Directive 2013/55 / EU, implemented in Italy with legislative decree no. 15 of January 28, 2016. Recognition can be requested for the following professions: kindergarten teacher, primary school teacher, and first grade secondary school teacher - second grade secondary school teacher. Recognition may be requested for courses for which the interested party is legally qualified in the country which issued the qualification and provided that these courses are appropriate by the Italian school system (appropriate profession). In the event of a difference between the vocational training required in Italy and that of the interested party, compensatory measures may be administered, in the form of an aptitude test or an adaptation period in Italian schools. Only EU citizens holding a qualification issued by an EU member state will have to document its legal value only and exclusively, with the certification of the competent authority. Consequently, on-the-spot declarations of value issued by Italian diplomatic missions abroad will not be accepted for qualifications obtained in an EU country, as they are not required by the relevant legislation. The procedure for submitting applications for professional recognition will be done only through the platform for the recognition of the profession of teachers. (Di redazione, 2021)

Reasons for rejecting the files of graduates of Spanish and Romanian specialization courses in support of students with disabilities

There are many situations reported by graduates of studies in European Union countries. The reasons invoked by the Italian authorities are diverse. In the following I will read some texts received from Italian citizens, who had rejected files.

COURSES IN ROMANIA: Regarding the substantial aspect: the "certificate" held by the applicants does not appear in the Romanian qualifications mentioned in the official website published by the Government of Romania ENIC-NARIC Romania (https://www.enicnaric.net/romania.aspx#anc09_41) under the heading "Qualifications

framework". individual applicants must demonstrate that the course at the end of which they obtained a "Certificate" is a national teaching system, whose study cycle belongs to the three highlighted by the Bologna Process, is an official title and has legal value throughout Romania. It must be demonstrated that this "certificate" is a sufficient and exclusive qualification for teaching support for students with disabilities, for which subject and competition class to compare the "certificate" with the Italian title and for which school class, given that in Italy no there is a specialist qualification in "generalist" teaching support that provides training skills valid for everyone in the competition class and for each school class, with which to compare this " Considering that the judge of the Lazio Regional Administrative Court with the sentence no. 78885 of July 5, 2021 (Annex 1) included the case from art. 3, co. 1 letter a) of the Presidential Decree no. 189/2009, the exclusive competence of the SRM, will be, the "administration concerned" (as defined herein) must submit the application for the assessment of the title. (Ministero dell ' Università e della Ricerca, SEGRETARIATO GENERALE, Direzione generale degli ordinamenti della formazione superiore e del diritto allo studio, 2021). We mention that the document does not refer to a specific university in Romania.

COURSES IN SPAIN. Regarding the Spanish "courses" of Cardenal Herrera University (CEU), candidates are informed that they are not eligible for recognition, as there are no official qualifications of the Spanish higher education system with legal value in Spain. Consequently, as 'own securities', without official status in Spain, they escape any equation with Italian securities. They do not even correspond to Italian specialization courses, because they do not have a final exam. Therefore, they remain equivalent to end-of-course certificates, as established by the order of the Lazio Regional Administrative Court no. 191/2021 of 14 January 2021. / Annex 2). In the case of Spanish courses at other universities, invalid, untitled documents were received, but with reproductions of the alleged foreign qualifications or courses printed on paper as private subjects (intermediaries). they remain unacceptable to the state. (Ministero dell ' Università e della Ricerca, SEGRETARIATO GENERALE, Direzione generale degli ordinamenti della formazione superiore e del diritto allo studio, 2021)

Echoes and opinions regarding the recognition of studies and the admission in the teaching staff of Italians who have completed their studies in European countries

The deputy of the "Movimento Cinque Stelle" and president of the "Comisión Cultura alla Camera", spoke on the qualifications in the specialization of support teacher, obtained abroad until July 31. *"Among the urgent clarifications that need to be provided is certainly the one specialization qualifications obtained abroad until July 31 this year (n.a. 2021). In fact, I found out from different parts of Italy. "Regional School Offices" acts in a completely unequal manner, some deleting the requests of specialist teachers from other EU countries (especially Spain and Romania), others continuing with the reserved inclusion in the ranking of substitutes ", wrote the House in a note. She asked Minister Bianchi an urgent question to indicate exactly the correct application of the relevant legislation. A clear and decisive answer is expected both for the teachers in question and for the many girls and boys with disabilities. (Di redazione, 2021).*

On the Facebook page of the president of the "Comisión Cultura Scienza e Istruzione" the post sparked a wave of support for those who obtained degrees in other EU countries but also for the revolt of those who graduated in Italy. (Facebbok/Vittoria Casa, 2021).

Thus, the post comments are divided into two categories:

I. Italian citizens who have obtained the qualification for support teacher in Italy

P1: *"It does not seem fair to me that so many colleagues have taken the title of defending the specialization in Italy by taking so many exams, internships and not to mention very strict rules and taking 3 tests, selective, written and oral and in the latter must be surpassed by those who take their titles in Spain or Romania without appearing or better maybe the last day. I hope you will take this into account and give credit to someone who has taken the degree seriously in ITALY. "*

P2: *"I hope that meritocracy will be rewarded! The person who obtained the title of support teacher in Italy followed a precise process with teachings, laboratories and training courses. In particular, it should be emphasized that in order to be part of this high training course you had to pass three tests: pre-selection tests, written test and oral test. We can't be satisfied with a simple title taken abroad who knows what shape and form. Children in need of support cannot and should not be content with a mediocre teacher who intelligently earns a degree abroad just to have a secure job and without understanding the gravity of this action, the seriousness of what it might involve. , for a boy clearly special educational needs, having a support teacher without any training. "*

P3 *"I addressed those who obtained the title abroad. Do you really think I'm watching you climb over me in the rankings with a title not recognized by Italian law and, in many cases, obtained from rose water? Are you there or are you doing it? Should my job be stolen in solidarity with someone who steals my job? As long as there were places for everyone and you didn't step on anyone's feet, you could be calm, but now, with the increasingly massive clogging of the rankings, no one will be willing to steal their place."*

P4: *"I think that if there is a specific Italian route, we should give priority to that. Foreign qualifications should be recognized to the extent that a person ESTABLISHES in an EU country, in order to study and not to go sporadically for short periods. Without neglecting the fact that in Romania, for example, there are also differential classes and we, those who do bulwark inclusion, what are we talking about? "*

II. Italian citizens who have obtained qualifications in other EU countries

"The time has come for the ministry to take a clear and unambiguous position on the titles, it belongs to all those who have made sacrifices and continue to make them for the profession. It is time for the support teacher to be recognized for specialist training and for there to be no free interpretations between the various school offices, but a single direction is valid for all. "

Approaches for the protection of the rights deriving from the qualification, valid and effective and recognized according to the International System for the Recognition of Qualifications.

All those who are in possession of the qualification obtained at DCU *"Postgraduate course for the training of itinerant teachers and support for the social and educational inclusion of people with special educational needs"*, were informed as a lawyer, was mandated by DCU, to submit to the Ministry of University and Scientific Research, the necessary documentation to prove the full legitimacy of the competencies acquired in the postgraduate course *"Training of itinerant teachers and support for the social and educational inclusion of people with special educational needs"* and will act in all forums competent to protect the rights arising from obtaining the qualification, valid and

effective and recognized in accordance with the International System for the Recognition of Qualifications.” (Danza, 2021)

Avv. has initiated a document of the collective judicial appeal by which it is intended to obtain the annulment of the decrees of exclusion from the additional lists of the so-called GPS, provided by OM no. 60/2020, based on the illegitimate provisions based on the Ministerial Decree no. 51/2021 in the part where it requires a clear contrast with the provisions mentioned in MO no. 60/2020 and with Law no. 106/2021 for the conversion of the so-called decree, the defense of the bis, the recognition of the diploma, the individual appeal is the main criterion for appeals, while the collective compensation, which implies an economic reduction and consists of a single technical-legal assessment based on jurisprudential principles. Always coincides with the orientation of the judiciary, (DANZA, 2021).

Of particular interest is ordinance no. 5209 of September 24, 2021, Section VI, II CONSIGLIO DI STATO, which welcomes the appeal of the lawyer „and suspends the TAR CAMPANIA sentence n ° 2027/2021, ordering the suspension of the contested refusal in the first instance and the readmission “with reservation” of the appellants who were excluded following the revocation of decree no. 20299 of 2020 in the regional merit ranking of the reserved competition mentioned in ddg no. 85/2018. (Danzio, 2021)

Il CONSIGLIO DI STATO reasoned the order, arguing that

„-The appeal is provided with “*fumus boni iuris*”;

- with the contested decree no. 17751 of 2019, the appellants were expressly indicated among the subjects eliminated from the merit ranking of the contest announced by DDG 85 of February 1, 2018;

- with the decree no. 20299 of 2020, the Regional School Office of Campania revoked the decree no. 17751 of 2019, regarding only some applicants and not citing the names of the other candidates;

- Revocation seems to be limited to candidates who are already beneficiaries of legal measures;

- on this basis, the judgment at first instance, in so far as it declared a lack of supreme interest in all the subjective positions in question, does not appear to be correct;

- on the merits, this section, ruling on a similar issue, after recalling the relevant provisions of European law and the rulings of the case law of the Court of Justice of the EU, concluded that 'having regard to the (previously relevant, without the need for mutual recognition) and the qualification which allows surrender, obtained in a European country, the conditions for the contested refusal do not exist "(Consiglio di Stato, Sez. VI, judgment 17 February 2020, n. 1198);

-therefore, the execution of the impugned sentence must be suspended, while arranging for the suspension of the refusal challenged at first instance and the readmission - "subject to" - of the appellants (who were also excluded following the revocation of Decree No. 2099 of 2020) in the regional merit ranking for the competition classes indicated respectively. (Danzio, 2021)

Following the numerous reports of numerous specialists on support courses in Romania, included in the provincial replacement rankings mentioned in the OM, the appropriate legal initiatives have been prepared to protect those who have been wronged, even if they are included in the first level ranking. Starting with 2020 and not in the additional lists mentioned in the Ministerial Decree no. 51/2021. (Danza, 2021)

The sentence no. 12534/2021 a little while ago with which the Lazio Regional Administrative Court, section III bis, accepted yet another appeal by Avv. of the Forum of Rome who defended numerous applicants all in possession of the title of the support obtained in Romania. The defender had asked to declare the illegitimacy of the Ministry of Education, in relation to the failure to comply with the judgment on the merits of which the applicants are beneficiaries, with a consequent request to order the Dicastery to comply with the contents in the sentence. With this ruling, the Lazio Regional Administrative Court, condemned the Ministry, assigning 120 days for the issuance of the recognition decrees, appointing as of now the ad acta Commissioner who will have to take action within the following 120 days, in case of further non-fulfillment. (Danza, 2021)

7. CONCLUSIONS AND RECOMMENDATIONS

We believe that it is the right of every European citizen to take courses in the EU and to be recognized in their country of origin. But graduates of such courses should know that there is no European system for the automatic recognition of university diplomas. Therefore, if you are taking postgraduate courses in another EU country, you may need to follow a national procedure for recognizing your level of education or university degree in that country. (Uniunea Europeana, 2021)

In Romania, the National Center for Recognition and Equivalence of Diplomas (CNRED) of 2020, online training sessions for representatives of county school inspectorates on procedures for equivalence of periods of study abroad, with the aim of providing assistance for procedures equivalence of periods of study completed abroad, corresponding to high school education and periods of professional and post-high school studies not completed with a diploma. Ministry of Education and Research - evaluates and recognizes the study documents held by citizens of the European Union, the European Economic Area and the Swiss Confederation, their family members and beneficiaries of a form of international protection, in order to continue their studies in Romania, as well as those held by citizens of non-EU countries, in order to access the Romanian labor market. The evaluation and recognition of studies / diplomas obtained abroad are done by comparison with the Romanian education system, in order to establish the level / field and / or specialization. (Ministerul Educatiei, 2021).

Order no. 6121/2016 of December 20, 2016 on the approval of the Methodology for the recognition of bachelor's, master's or postgraduate study documents issued by accredited institutions of higher education abroad⁷, in art. ART. 3 stipulates that the recognition applies to the following categories of citizens: a) Romanian citizens, citizens of the Member States of the European Union, the European Economic Area and the Swiss Confederation; b) family members of Romanian and European citizens who come from third countries, as defined in art. 2 para. (1) pt. 3 lit. a), b) and c) of the Government Emergency Ordinance no. 102/2005 on the free movement on the Romanian territory of the citizens of the member states of the European Union, of the European Economic Area

⁷issued by the MINISTRY OF NATIONAL EDUCATION AND SCIENTIFIC RESEARCH, published in the OFFICIAL GAZETTE NO. 6 of January 4, 2017

and of the citizens of the Swiss Confederation, republished, with the subsequent modifications and completions; c) to the citizens of third countries beneficiaries of the permanent resident status in Romania and to the beneficiaries of the long-term resident status granted by one of the member states of the European Union, the European Economic Area and the Swiss Confederation; d) third-country nationals who benefit from a form of international protection on the territory of Romania; e) to third-country nationals, other than those mentioned in letter c) and d), only for access to the Romanian labor market. (Ministerul Educației și Cercetării Naționale, 2017)

In Italy, professors who have obtained the qualification to teach abroad (EU and non-EU countries) and wish to practice teaching in Italy, may apply for recognition of their professional qualification in accordance with the Directive of Directive 2013/55 / EU, implemented in Italy with legislative decree no. 15 of January 28, 2016.

The conclusion is one - the society in which we live is going through major transformations. From the freedom to study in any European country to school integration, each approach has the ultimate goal EDUCATION. Correlation of legislation and recognition of diplomas obtained is a right of all.

The development of a European diploma, the status of university alliances, the full development of European student credentials and the continuation of the European university initiative are among the main measures of a new strategy on European universities, said European Commissioner Mariya Gabriel at the Summit Education. (Naujokaitytė, 2021).

Because there is no European system for the automatic recognition of university diplomas, if someone want to take postgraduate courses in another EU country, need to follow a national procedure for recognizing the level of education or university degree in that country. EU governments are responsible for education systems and are free to apply their own rules, including on the recognition of university qualifications. (European Union, 2021)

REFERENCES

- Alois, G., 2001. 1. Gherguț Alois Psihopedagogia persoanelor cu cerințe speciale: strategii de educație integrate . În: Iasi: Polirom.
- Anon., 2021. AVOCAT MAURIZIO DANZA DESEMNET DE UNIVERSITATEA DIMITRIE CANTEMIR PENTRU DEPOZITUL ACTELOR SUPLIMENTARE A CURSULUI DE POST-GRUV „FORMAREA PROFESORILOR ITINERANȚI ȘI SUPORT PENTRU INCLUZIUNEA SOCIALĂ ȘI EDUCAȚIONALĂ A OAMENILOR CU NEVOI EDUCAȚIONALE. august.
- Caisîn, S., 2011. Modele și tipuri de școli incluzive. Suport didactic pentru coordonatorii educației incluzive. În: I. d. F. Continua, ed. Chișinău: s.n.
- Caisîn, S., 2011. Psihopedagogia corecțională. Suport didactic pentru coordonatorii educației incluzive. În: I. d. f. continua, ed. Chisinau: s.n.
- Danza, M., 2021. (AVOCAT MAURIZIO DANZA DESEMNET DE UNIVERSITATEA DIMITRIE CANTEMIR PENTRU DEPOZITUL ACTELOR SUPLIMENTARE A CURSULUI DE POST-GRUV „FORMAREA PROFESORILOR ITINERANȚI ȘI SUPORT PENTRU INCLUZIUNEA SOCIALĂ ȘI EDUCAȚIONALĂ A OAMENILOR CU NEVOI EDUCAȚIONALE. aug.

- Danza, M., 2021. *ANCHE SUL SOSTEGNO IL TAR LAZIO CONDANNA IL MIUR AD OTTEMPERARE ALLA PROPRIA SENTENZA IN MERITO AL RICONOSCIMENTO DELLA SPECIALIZZAZIONE IN ROMANIA ED ORDINA LA EMANAZIONE DEI DECRETI ENTRO 120 GG DESIGNANDO IL COMMISSARIO AD ACTA.* [Interactiv]
Available at: <http://www.avvocatomauriziodanza.com/2021/12/06/anche-sul-sostegno-il-tar-lazio-condanna-il-miur-ad-ottemperare-alla-propria-sentenza-in-merito-al-riconoscimento-della-specializzazione-in-romania-ed-ordina-al-miur-di-emanare-i-decreti-entro-120-gg/>
[Accessed 10 dec 2021].
- Danza, M., 2021. *PREANNUNCIO AZIONI LEGALI AVVERSO LA ILLEGITTIMITA' DELLA NOTA DISPOSITIVA USR CAMPANIA 17797 DEL 24 SETTEMBRE 2021 DI ESCLUSIONE DALLE GPS DEGLI SPECIALIZZATI SUL SOSTEGNO.* 23 09.
- DANZA, M., 2021. *RICORSO AL TAR AVVERSO I DECRETI DI ESCLUSIONE DEGLI ABILITATI.* [Interactiv] Available at: <http://www.avvocatomauriziodanza.com/wp-content/uploads/2021/08/Istruzioni-NUOVO-RICORSO-esclusione-elenchi-aggiuntivi.pdf>
[Accessed 31 08 2021].
- Danzio, M., 2021. *ABILITATI IN ROMANIA.IL CONSIGLIO DI STATO ACCOGLIE E SOSPENDE LA SENTENZA TAR CAMPANIA E I DINIEGHI , RIAMMETTENDO GLI APPELLANTI NELLA GRADUATORIA REGIONALE PER LA CAMPANIA DEL CONCORSO RISERVATO DI CUI AL DDG N°85/2018.* [Interactiv] Available at: <http://www.avvocatomauriziodanza.com/2021/09/24/abilitati-in-romania-il-consiglio-di-stato-accoglie-la-richiesta-di-sospensione-della-sentenza-del-tar-campania-sospendendo-i-dinieghi-e-riammettendo-gli-appellanti-nella-graduatoria-regionale-di-meri/>
[Accessed 25 09 2021].
- Di redazione, 2021. *Abilitazione docenti conseguita all'estero: riconoscimento professione. Aggiornamento e guida domande del ministero.* [Interactiv] Available at: <https://www.orizzontescuola.it/abilitazione-docenti-conseguita-allestero-riconoscimento-professione-aggiornamento-e-guida-domande-del-ministero/>
[Accessed 30 08 2021].
- Di redazione, 2021. *GPS elenco aggiuntivo sostegno, chiarimenti su titoli di specializzazione all'estero: Casa (M5S) presenta interrogazione parlamentare urgente.* [Interactiv] Available at: <https://www.orizzontescuola.it/sostegno-chiarire-su-titoli-di-specializzazione-allestero-casa-m5s-presenta-interrogazione-parlamentare-urgente/?amp>
- European Union, 2021. *Recognition of diplomas. Automatic recognition does not apply.* [Interactiv]
Available at: https://europa.eu/youreurope/citizens/education/university/recognition/index_ro.htm#shortcut-0
[Accessed 09 Dec 2021].

- Facebbok/Vittoria Casa, 2021.
<https://www.facebook.com/294849111041103/posts/1152270945298911/>.
[Interactiv].
- Gruppo Editoriale Simone, 2021. *TFA Insegnante di sostegno – I quiz ufficiali della prova preselettiva – TF16*. Napoli: Gruppo Editoriale Simone.
- Ministero dell ' Università e della Ricerca, SEGRETARIATO GENERALE, Direzione generale degli ordinamenti della formazione superiore e del diritto allo studio, 2021. *Corsi spagnoli e rumeni di specializzazione nel sostegno agli alunni disabili*. [Interactiv].
- Ministerul Educatiei si Cercetarii Nationale, 2017. Ordinul Nr. 6121/2016 din 20 decembrie 2016 privind aprobarea Metodologiei de recunoaștere a actelor de studii de nivel licență, master sau postuniversitar eliberate de instituții acreditate de învățământ superior din străinătate. *Monitorul Oficial*.
- Ministerul Educatiei, 1995. *Legea nr. 84 din 24 iulie 1995 – Legea învățământului*. [Interactiv]
[Accessed 2021].
- Ministerul Educatiei, 2021. [Interactiv] Available at: <https://www.edu.ro/recunoastere-echivalare-diplome>
[Accessed 25 09 2021].
- Naujokaitytė, G., 2021. *Commission to push for European degrees as part of new universities strategy*. [Interactiv] Available at: <https://sciencebusiness.net/news/commission-push-european-degrees-part-new-universities-strategy>
[Accessed 10 dec 2021].
- ProForm - PROfesionalizarea cadrelor didactice prin FORMare continuă, 2020. *Cadrul legislativ al educației incluzive în România*. [Interactiv] Available at: <https://proform.snsr.ro/baza-de-date-online-cu-resurse-educationale-pentru-sustinerea-educatiei-incluzive-de-calitate/cadrul-legislativ-al-educatiei-incluzive-in-romania>
[Accesed 20 09 2021].
- Pușca, T., 2012. *Forme de integrare a copiilor cu cerințe educaționale speciale (CES)*. Chisinau, Institutul de Științe a Educației.
- Tatiana, P., 2012. *Repere teoretice ale educației inclusive*. Chisinau, s.n.
- Uniunea Europeana, 2021. *Recunoașterea diplomelor*. [Interactiv] Available at: https://europa.eu/youreurope/citizens/education/university/recognition/index_ro.htm
[Accessed 25 09 2021].