

## ORIGINAL ARTICLE

# Special education documents and young children's right to be heard

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### Abstract

The aim of this article was to explore whether and how special education documents incorporate efforts to hear young children. The study is based on an in-depth analysis of expert assessments and individual education plans (IEP) pertaining to 17 children enrolled in early education and care (ECEC) institutions in Norway. The documents are scrutinized for explicit attempts to hear young children, as well as in-depth analysis of descriptions of children to see if the text convey efforts to include their perspectives. The findings reveal a clear absence of explicit attempts to listen to children during the assessment process. However, the assessments include information obtained from parents and ECEC regarding children's preferences and interests, suggesting an attempt to represent children's voices by proxy. Although the documents contain various descriptions of children's verbal and non-verbal expressions, these descriptions primarily serve as illustrations of their challenges. The assessments portray children as individuals with difficulties, positioning them as mere 'cases'. At the same time, recommendations and plans for support emphasize listening to children's voices. The findings of this study suggest a need to redefine special education documents in order to listen to children's views and to incorporate alternative understandings into the assessment process.

### KEY WORDS

children's perspectives, decision-making, early childhood education and care, educational psychological service, expert assessments, individual education plans

### Key points

- The study revealed that the expert assessment documents do not report any attempts to hear young children during the assessment process. Although parents and ECEC represent children by proxy, the purpose and viewpoint of statements are often unclear.
- The analysis showed that expert assessments describe children's verbal and non-verbal expressions to illustrate challenges, which can hinder listening and position children as cases.
- The expert assessments and IEPs emphasize, and delimit, the importance of listening to children's voices to the implementation of support measures.
- The results of this study calls for a change in the assessment and documentation of young children with special educational support. In order to hear children, assessments cannot focus one-sidedly on children's challenges, but need to engage with children as valuable contributors and seek alternative understandings of their expressions.

I confirm that the manuscript is original work and not under consideration or published elsewhere.

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## INTRODUCTION

The United Nations (1989) Article 12 asserts that children have the right to express their views freely in all matters that affect them and be provided the opportunity to be heard in any judicial and administrative proceeding affecting them. Central for this study is a child's right to be heard in assessments and decision-making documents. Countries with special education provisions commonly use documents as part of decisions and planning for education, placement, resource allocation, as well as accountability and evaluation (Boyd et al., 2015; Hunter et al., 2020; Mitchell et al., 2010). Despite international agreement on a child's right to be heard, it has proved challenging to implement, and certain groups of children risk exclusion (Tisdall & Cuevas-Parra, 2021), particularly disabled children and children with special needs (de Leeuw et al., 2020; Franklin & Sloper, 2009; Veck, 2009). An absence of disabled children can be related to ableist assumptions that devalue their contributions and participation (Eilers, 2023). Previous research outlines several barriers for listening to children, including scepticism about children's capacity, a lack of professionals' ability to elicit their views and seeing children's views as tokenistic (Lundy, 2007; Sharma, 2021). Furthermore, labelling children in terms of inability or deficiencies can hinder listening to them (Veck, 2009). For instance, when children are considered to have behavioural, emotional or social difficulties, their behaviour often becomes a reason for concern and interventions, not communication of opinions (Jull, 2008; Nind et al., 2012).

In regard to research on special education documents, systematic international research reviews point to a need for further research, including studies on children's participation in these documents (Andreasson et al., 2013; Blackwell & Rossetti, 2014; Moen et al., 2018). A study from Finnish ECEC reveals that references to children's opinions are uncommon in IEPs (Paananen & Lipponen, 2018) and that young children's voices are mostly heard on a symbolic level, without influence (Heiskanen et al., 2021). Previous research has primarily focused on older children in school, for instance, in England regarding the Educational Health Care Plan (e.g., Palikara et al., 2018; Pearlman & Michaels, 2019; Sharma, 2021) and in Norway regarding pupils' participation in special education decisions and documents (Heide & Løkås, 2020; Kolnes et al., 2021; Kolnes & Midthassel, 2022; Tveitnes, 2018). International studies have explored educational psychologist's practical challenges in eliciting and reporting children's views (e.g., Harding & Atkinson, 2009; Smillie & Newton, 2020), but I have been unable to find research on how the Norwegian Educational Psychological Service (EPS) hear and document the views of children in ECEC. This may relate to a general lack of research on special education documentation in Nordic ECEC (Palla, 2020).

The overall purpose of this study is to expand current knowledge on special education documents belonging to children in ECEC and stimulate discussions on potential barriers to hear and represent children's views. The aim of this article is to explore whether and how expert assessments and IEPs include attempts to hear young children's views and perspectives. I will not discuss the practical aspects of hearing young children, but rather focus on the ways in which documents portray children's views and describe their verbal and non-verbal expressions. The data-material consists of expert assessments and IEPs of 17 children (ages 2–6) attending 14 different ECEC institutions. The children are allocated special educational support for 1–10 h weekly, predominately due to challenges with language, social interaction, emotions or behaviour. The research questions are:

- Do the expert assessments include explicit attempts to hear a child when assessing their need for special educational support?
- How do expert assessments portray children's views and opinions through the intertextual voices of parents?
- How are children's verbal and non-verbal expressions described in expert assessments?
- In what way do expert assessments and IEPs emphasize listening to children when outlining recommendations and plans for support?

In the following, I provide a brief overview of special education in Norwegian ECEC and the key role of certain documents. I then account for children's right to be heard and what it entails to hear children's own views and perspectives before providing more details on the methods and presenting the results.

## SPECIAL EDUCATIONAL SUPPORT AND DOCUMENTATION IN NORWEGIAN ECEC

In Norway, 93.4% of children aged 1–5 attend ECEC (Statistics Norway, 2022), and 3.6% of children in ECEC receive special educational support (The Norwegian Directorate for Education and Training, 2021). Children commonly receive this support while attending ordinary ECEC. The Norwegian Kindergarten Act (§ 32) states: 'Insofar as possible, the offer of special educational assistance must be drawn up in cooperation with the child and the child's parents, and considerable emphasis must be placed on their viewpoints'. Valuing children's right to be heard and participate are key elements in ECEC policy in Norway as well as internationally (Clark, 2005; Correia et al., 2019; Theobald et al., 2011). However, research reveals several challenges for children with special educational support to influence and be heard in ECEC (Åmot, 2015; Åmot & Ytterhus, 2014).

Certain documents are crucial in decision-making processes and in designing the special educational support children receive. The expert assessment document is fundamental, as it constitutes the basis from which the municipality makes a legal decision on a child's right to receive special educational support (Kindergarten Act §34). Educational Psychological Services (EPS) are appointed as expert authorities and responsible for writing the expert assessment (Kindergarten Act §33). EPS offices are located at the municipality level and consist of advisors with background in special education, psychology or social work (Moen et al., 2018). As there are no national guidelines regarding the educational background of EPS advisors (Moen et al., 2018), it is difficult to be sure of their competence in hearing young children and children with limited verbal language. A previous study illustrates that EPS advisors may lack competence in communicating with students about their situations (Kolnes & Midthassel, 2022, p. 395).

The EPS conducts an expert assessment after referral from a child's teacher and with parental consent. The assessment examines the child's need for special educational support and makes recommendations. Since assessments define whether a child needs special educational support, it is an imperative document for further decisions and support measures. In addition to the expert assessment, children who receive special educational support often have individual education plans<sup>1</sup> (IEP), although this is not mandatory. The ECEC is responsible for drafting the IEP, which outlines detailed planning of the support based on the recommendations from the experts.

## A CHILD'S RIGHT TO BE HEARD—LISTENING TO YOUNG CHILDREN AS COMPETENT SUBJECTS

Special educational provisions and decisions significantly affect children's lives, both in the present and in the future. A child has the right to be heard, which requires adults who are willing and able to elicit their views, perspectives and experiences (Lundy, 2007). To hear a child includes attempts to see the world from the child's point of view. While it is impossible for anyone to fully understand another person's perspective, one can assume, based on utterances, expressions and behaviour. Hearing a child is an active process involving listening, interpreting and constructing meaning in dialogue and a context of mutual respect both in daily routines and decision-making processes (Clark, 2005; Tisdall & Cuevas-Parra, 2021).

There are many ways to hear children. While it is common to use direct consultation and interviews, children also express their views and thoughts through behaviour and emotional expressions. Children may also communicate in both linear and non-linear forms of verbal and non-verbal communication (Komulainen, 2007). Inspired by Reggio Emilia, this diversity of expression is often referred to as 'the hundred languages of children' (Clark, 2005). Hearing a young child or children with limited verbal language often requires the use of various approaches, from observation to multi-sensory approaches with use of drawings, photos, role-play and so forth (see Bloom et al., 2020; Clark, 2005).

A key premise of a child's right to be heard is an understanding of children as active subjects with valuable knowledge and competencies (Clark, 2005). In line with the tenets of childhood studies, children are valued as active participants in the construction of their own social lives and of those around them (Prout & James, 1997). This represents a shift from positioning children as passive objects adults can know about to positioning children as subjects and valued contributors (Eilers, 2023). I draw on the concepts of 'participant' and 'spectator' as used by Norwegian philosopher Skjervheim (1996) to illuminate the difference between engaging with someone as a subject or objectifying the other. A 'participant' will engage with statements made by the other, establish a dialogue by taking the other seriously and consider their claims and opinions (Skjervheim, 1996). In contrast, a 'spectator' focuses on the fact that the other is making a claim and assesses and judges the other. By assessing and judging the fact that the other is making a claim, the 'spectator' positions the other as an object and treats them as a case (Skjervheim, 1996). For example, listening to a child entails valuing and engaging with *what* a child is trying to communicate by crying or yelling. It involves attempts to understand and interpret a child's point of view and opinion communicated through verbal and non-verbal expressions. Conversely, to assess the mere fact that a child is crying and yelling sets focus on a child's way of expressing themselves, not what they are actually trying to say. As such, not all references or reports on children's verbal and non-verbal expressions are attempts to hear them. Reports can also be based on adults' judgements or attempts to 'grasp' a child through a priori concepts and categories (Moss et al., 2005).

## MATERIALS AND METHODS

The data-material consists of special education documents belonging to 17 children (aged 2–6), 15 boys and 2 girls. The children were allocated special educational support in ECEC for approximately 1–10 h a week. I contacted all ECEC institutions in a mid-size municipality in Norway and asked them to forward written information

<sup>1</sup>Often referred to as an individual action plan. In Norwegian: individuell tiltaksplan.

to parents of children with special educational support. After receiving written consent from parents, I retrieved 23 expert assessments and 26 IEPs (a total of 260 pages) from the archives of 14 ECEC institutions. Various EPS advisors from three different offices within the same municipality wrote the expert assessments (21). Two expert assessments were originally from other municipalities due to a child's change of residency. Each child had one to three IEPs written by special educators or pedagogues in the ECEC. The IEPs are based on the expert assessments and include a short paragraph, summarizing descriptions of the child before outlining the organization and content of support. I anonymized the documents upon retrieval, deleting document identifiers and personal identification of children, parents, the ECEC and the EPS. In this article, I used fictitious names. The research project was approved by the Norwegian Centre for Research Data.

In this study, the documents are both the resource and topic of research (Prior, 2008, 2016). This entails a focus on what is 'in' the document, as well as questioning how the document constructs a certain image of social reality. Documentation is not a mere container of text or neutral record of information (Jacobsson, 2016; Prior, 2008); it influences how people understand a topic and 'trigger chains of interaction far beyond the original piece of paper' (Jacobsson, 2016, p. 156). In other words, whether and how children are heard in special education documents has consequences for institutional practice, decision-making and how professionals interact and perceive a child and their needs.

The documents collected were hard copies, and I transcribed the documents to word-files and uploaded them to NVIVO (a qualitative data analysis software). I used thematic analysis to identify patterns of meaning (themes) systematically across the documents (Braun & Clarke, 2012). Thematic analysis consists of six phases, although the process is not linear, as one will go back-and-forth between several phases (Braun & Clarke, 2012). During phase 1, I familiarized myself with the data while transcribing, reading and rereading the documents. In phase 2, I systematically coded the data by labelling features relevant to the research topic on children's right to be heard. My initial codes were descriptive, inductively inferred from statements in the documents (cf. Braun & Clarke, 2012). I coded statements from children, reports of children's likes, interests and descriptions of children's behaviour and emotions. After the first rounds of coding, I decided to draw on key concepts from Fairclough (1992, 2003) to facilitate more in-depth interpretations. This enabled me to recode the data with more interpretative codes (cf. Braun & Clarke, 2012). I then began developing themes (phase 3), moving back-and-forth between coding and searching for meaningful patterns in the data. I focused particularly on the notion of significant absences (whose voices are not represented), speech functions (evaluative statements and statements

of facts), intertextuality and the function of text elements (Fairclough, 1992, 2003). Intertextuality refers to how texts draw upon, incorporate and recontextualize elements of other texts (Fairclough, 2003). The term intertextual voices stands for reports on perspectives other than the author (Heiskanen et al., 2021). For example, parents share information in a meeting, which the EPS recontextualize in the context of expert assessments. I explored the function of statements and descriptions of children in the documents, focusing on how text elements might function as arguments or examples that persuade a reader to accept a certain account or construction of reality. During phase 2 and 3, I presented several empirical extracts to a group of researchers and discussed alternative readings and interpretations to heighten the trustworthiness of the analysis.

After recoding and developing themes, I reviewed the potential themes to check the quality (phase 4) (cf. Braun & Clarke, 2012). The themes were reworked by splitting some or collapsing others together in order to 'capture the most important and relevant elements of the data' (Braun & Clarke, 2012, p. 66). During phase 5 (defining and naming themes) and phase 6 (producing the report) I selected extracts to present and analyse further. I interpreted certain data extracts in-depth by employing the previously mentioned concepts from Fairclough. While moving back-and-forth between phases 3, 4, 5 and 6, I developed a stronger focus on the representation and positioning of children in the documents. Once more, I presented and discussed the analysis of extracts with other researchers in the field, which led me to further develop and rework the themes.

The documents require a compliant reader who can make relevant assumptions and connections across element in the text to form a coherent reading (Fairclough, 1992). Reading documents entails interpretation and is an active process where a reader brings their own assumptions and tacit knowledge of the social setting to make sense of the document (Coffey, 2014; Fairclough, 1992, 2003). This also applies to my reading of the documents as a researcher. Hence, the analysis and results are based on my involvement and interpretations. To ensure transparency, I have provided a detailed account of the analytical process, and in the results section, I present extracts to illustrate my interpretations.

The study has clear limitations as it is based solely on the content of documents and does not include contextual data on the production or usage of documents. I have not investigated professionals' abilities or challenges with hearing young children but rather focus on whether the documents report any attempt to hear a child or consider a child's view. There are also limitations due to the small-scale of the study. There are only two girls represented in the material, and the study does not illustrate potential differences related to gender. The results also do not take variation in children's needs into

account because the initial analysis did not reveal significant differences related to specific needs. This enables me to illustrate characteristics of the special education documents in general (cf. Palikara et al., 2018). The results are not attempts to generalize, but rather attempts to offer in-depth explorations of the data and to supplement previous research.

## RESULTS AND DISCUSSION

The aim of this article is to explore whether and how expert assessments and IEPs include attempts to hear young children's views and perspectives.

I present the results in five themes and discuss the findings consecutively, focusing on the content of the documents (cf. Prior, 2016). In the concluding discussion, I reflect on the results in relation to the documents' purpose, the administrative system and overarching understandings within the field of special education.

### 'The absent child'—A lack of explicit attempts to hear children

Although the child is the focal point of expert assessments, the documents do not report explicit attempts to hear a child. None of the documents refer to a child's view as basis for the assessment, which can be considered, in Fairclough's terms, a 'significant absence' (Fairclough, 2003, p. 47). In terms of level of participation, children are absent in the assessments and discussed by adults without their knowledge (cf. Sutcliffe and Birney in Rao, 2020, p. 26), and the assessment processes is driven exclusively by adults' concerns. The assessments are based on information from parents, ECEC personnel, EPS advisors and at times other experts (e.g., speech therapists).

The absence of explicit attempts to hear a child may relate to a lack of clarity in other documents, such as the national guideline and template for expert assessments. Although the Norwegian Kindergarten Act clearly states that special educational assistance must be drawn up in cooperation with the child and the child's parents (§3), the national guideline (Udir, 2017) does not say anything about how to include children's views in expert assessment. The guideline only states that the EPS has to meet and get to know the child. In addition, the national template positions the child in parenthesis: 'Information from parents (and the child)' (Udir, 2021). Positioning the child as a possible supplement is not unique to Norway. As pointed out by Eilers (2023), the Individuals with Disabilities Education Act in the United States positions the young child at the end of the list of IEP members, incorporating them only 'when appropriate'. In other words, policy and guidelines are unclear and may potentially undermine

the importance and legally binding obligation to respect children's views (Lundy, 2007).

### The child represented by proxy

The expert assessments report on children's likes and wants based on information from parents and ECEC produced in meetings and pedagogical reports. The EPS then report the information in the expert assessment document, in other words recontextualizing the information (cf. Fairclough, 2003). Ensuring parental involvement is an important element in special education provisions and parents often function as proxies for their children (Smillie & Newton, 2020). In this study, only one document stated explicitly that the parents represented the child's voice. This was in the expert assessment of Lars (age 3); in which parents refer to his likes and interest, although focus is mainly set on assessing his development.

Lars lives with his mother, father, and older sister. He is described as a happy and content boy who shows enthusiasm when he achieves something. The first few years he was a modest and careful boy, now he is active. He is a social type [of child]; he makes contact and plays with other children. He seems to be visually strong [he thinks about and is able to process what he sees]. Pregnancy and childbirth proceeded normally... Lars' language has been, and is still, delayed. He shows some language comprehension. He has always had clear body language. Lars showed late interest in imitating verbal language. For a long time, he only said one-syllable words... His hearing is examined and found normal. Lars likes books, rhymes, songs, and movement. ... There are no language difficulties, reading- and writing difficulties or other known diagnoses in the family.

(Expert assessment of Lars age 3)

Reports on a child's likes and interests could be interpreted as attempts to highlight a child's opinions, although stating a child's preferences is not the same as representing their views (Pearlman & Michaels, 2019; Sharma, 2021). Similar to other studies (e.g., Palikara et al., 2018) the documents lack a clear indication on how the parents understand the child's views. In some instances, it is unclear whether statements referring to a child's likes or wants are attempts to engage with the child's interests or reflect adult' evaluation of their development. For instance, in the extract above, Lars' fondness for books, rhymes and songs can also be part of an assessment of his language development. A lack

of clarity regarding the purpose of statements made by proxies creates uncertainty on whose voice(s) the text represents. This uncertainty becomes even more pressing when children's intentions and wants are portrayed in a negative light (Heiskanen et al., 2021). For example,

At home, Louis is determined and strong-willed, with many initiatives. He wants to decide everything, and he can be oppositional and it [the situation] can become 'locked'. In those situations, Louis uses his voice, and he can become physical.

(Expert assessment of Louis, age 4)

Phillip really wants to be part of the play. He wants to govern and have control.

(Expert assessment of Phillip, age 4)

To mention what a child 'wants' can be an attempt to include their opinion. At the same time, such statements may also reflect adults' efforts to rationalize or interpret a child's behaviour from the adults' viewpoint. To state that a child wants to decide, govern or control conveys a specific portrayal of their behaviour. It then becomes unclear whose point of view these statements represent, and how adults reached this conclusion (cf. Heiskanen et al., 2021). A combination of evaluative statements (cf. Fairclough, 2003), such as 'Louis is determined and strong-willed' with statements about a child's 'wants' further contributes to the ambiguity surrounding the intention and function of these statements. Previous research has pointed to the complexities and potential problems associated with adults serving as proxies for children (Cavet & Sloper, 2004). Although the intention could be to represent children's views and perspectives, I would argue that using proxies requires caution, and transparency on when and how statements intend to represent the child's views.

### **A child with challenges—children's expressions as illustrations**

The documents provide several descriptions of children's verbal and non-verbal expressions. To interpret children's utterances, emotions and behaviour can be a crucial part of hearing a child's views and opinions, in particular for young children and children with limited verbal language (Clark, 2005; Komulainen, 2007). However, during the analysis, I noticed an overall pattern in which children's expressions function as illustrations and legitimizations of statements regarding a child's challenges. In other words, the documents represent children as having challenges, from which their verbal and non-verbal expressions are interpreted. A common pattern was that reports would include a 'statement of fact' (cf.

Fairclough, 2003) regarding the child's challenge, before subsequently describing their utterances, behaviour or emotional expressions. For example,

Alex has challenges with self-regulation and impulse control. He needs close assistance in transitions and support in play with other children. Alex describes himself as mean. If things do not go as he had planned during play, he may push or hit other children, something that leads to other children rejecting him.

(Expert assessment of Alex, age 5)

The statement 'Alex has challenges with self-regulation and impulse control' establishes a basis for interpreting the subsequent text. This statement not only shapes the reader's understanding of Alex' behaviour, but the description of Alex serves to validate and provide an explanation for the statement itself. Consequently, the following descriptions of Alex' behaviour function as a means of legitimizing and illuminating his challenges.

The extract also includes a sentence referring to Alex's description of himself (as mean). This statement stands out, as it is the only instance in this study where a document refers to a child's self-perception. On the one hand, the sentence refers to Alex's viewpoint and understanding. However, the placement of this sentence between the initial 'statement of fact' concerning Alex' challenges and the continuing description of his tendency to push or hit other children when he does not get his way, raises interpretive considerations. Interpreted in light of the internal relations of the text (cf. Fairclough, 2003), the statement 'Alex describes himself as mean' functions as a way to legitimize and support claims about him having challenges. Notably, the text does not reveal any effort to comprehend what it means for Alex to consider himself mean. There are no traces of what Veck (2009) calls 'attentive listening', where the listener moves beyond judging a child's differences to explore the significance of such self-perceptions for the child. In other instances, the assessment represents a child has having challenges based on adults' concerns. For example,

There is concern related to Rick's interaction and play skills. This is explained by him not always responding as expected to other children's feelings and expressions, he can "fall out" of interaction with others and withdraw if others do not want to take part in his play. (...) Further, it is described that Rick can throw objects and toys. Rick often answers 'no' to questions and talks with a loud voice. It is challenging for him to achieve a common focus and concentration during play.

(Expert assessment of Rick, age 2.5)

The concern for Rick's interaction and play skills sets the tone for how to understand the following descriptions of his behaviour and utterances. Whilst being concerned for a child is a common reason for ECEC to seek assessments from the EPS, focus of this study is to explore attempts to hear a child's view. The descriptions of Rick throwing toys and saying 'no' functions as an illustration or explanation of the concern for his interaction and play skills. The extract also asserts that it is challenging for Rick to achieve common focus and concentration during play. There are no traces of attempts to interpret what Rick is trying to communicate with his behaviour. This lack of interpretation is common in all the expert assessments. Alternative understandings could render a child's unwanted behaviour as valid expressions or forms of resistance (Åmot & Ytterhus, 2014; Franck & Nilsen, 2015). Behavioural and emotional expressions considered unwanted or disruptive might be appropriate means of responding or resolving problems from the child's viewpoint (Cefai & Cooper, 2010). However, such alternative interpretations become inaccessible when descriptions function as a way to illustrate a child's challenges. The notion of having a challenge then becomes a barrier for listening to what the child is trying to communicate (Veck, 2009). The notion of assessing children's challenges may run the risk of reducing a child to a mere case.

### The risk of positioning the child as a case

When describing children's utterances, behaviour and emotional expressions as illustrations of challenges, the assessments focus on *how* a child expresses him/herself. Following, there is a risk that the documents position the child as a case instead of a competent subject with valuable opinions. To hear a child entails a focus on *what* a child is making an effort to communicate, encompassing both verbal and non-verbal expressions and taking these claims seriously. In other words, it requires adults who engage as 'participants' in dialogue with the child's claims (cf. Skjervheim, 1996). I will discuss this further based on another extract from the expert assessment belonging to Alex:

Alex participates in circle time, an adult sits close by, and they talk. When Alex says: "I do not know that song", the pedagogical leader responds that he does not have to sing. After a while, he gets restless and wants to choose a song. The adult says it will soon be his turn. Alex calms down after hearing that. However, when he still does not get a turn, he loudly protests and cries. The special educator takes him out of the circle-time and Alex calms down after a while.

(Expert assessment of Alex, age 5)

The extract reports an observation made by the EPS during Alex's time in ECEC. Whilst the EPS does not state why this particular observation is included or how they interpret the situation, their final assessment states that observations are part of the basis for their conclusion that Alex has challenges. As such, interpreted in relation to the rest of the document (cf. Fairclough, 2003), focus is set on *how* Alex acts and expresses himself during circle-time (loud protests and cries) as part of assessing his challenges. As mentioned, to hear a child would require a focus on *what* he communicates, thus interpret his protests and cries as an opinion or claim. One then has to engage in dialogue with his claim. For example, when Alex 'loudly protests and cries' he could be communicating that the situation was unfair since he was told it would soon be his turn to choose a song. As Cefai and Cooper (2010) illustrate, older children defend their behaviour as reactions to unfair treatment by teachers. If adults engage with Alex's expression as a claim, they have the option to either agree or disagree with his claim (cf. Skjervheim, 1996). The point is that one would have to engage with *what* Alex is communicating. In contrast, the document focuses on the fact that Alex is protesting and crying. The EPS then risk becoming 'spectators', objectifying the child as a case instead of being a 'participant' who engages in dialogue with the child (cf. Skjervheim, 1996). This becomes another potential barrier to hear a child since 'If we objectify the other person, it is not so easy at the same time to take him and what he says seriously' (Skjervheim, 1996, p. 74, my translation). As such, when children communicate in ways that disturb or transgress institutional rules, they risk not being listened to and being denied opportunity to challenge the educational institution (Nind et al., 2012).

### From assessments to support measures: A shift towards listening

The EPS outlines recommendations for support measures in the last part of expert assessment documents, from which the ECEC drafts an individual educational plan (IEP). When analysing recommendations and IEPs, I noticed a shift from hardly mentioning children's right to be heard during assessments, to emphasizing the importance of listening to children during support. For example,

For Jason it is important to be seen and understood and to have close adults confirm and verbalize his feelings in the moment they arise.

The adults must focus on making Laura's voice heard. It is important that adults are close enough to perceive and make visible the efforts Laura makes verbally and with body language ... so the other children take

notice of the efforts made by Laura. It is important to reassure her that what she says and believes also is important.

These extracts illustrate an emphasis on understanding children's expressions and making their voices heard during implementation of support. Adults are encouraged to be close to a child so they can confirm their feelings and make the child's efforts to communicate, through both verbal and non-verbal expressions, visible. Teachers are often well suited to observe and listen to young children, as it has been a fundamental practice since the pioneers of early childhood practice (Clark, 2005). However, a previous study suggest that EPS advisors might lack necessary competence in hearing children (Kolnes & Midthassel, 2022). Even so, the results reveal that both the EPS and ECEC are aware of the importance of listening to young children during activities, aligning with the established practice of participation for children in ECEC (Bratterud et al., 2012). At the same time, none of the documents explicitly reference the participation of children when making decisions or evaluating the support measures. The value of listening to children becomes limited to the implementation of support measures in daily routines (cf. Clark, 2005). This limitation is a well-known challenge, as the Norwegian ECEC provides children in general with few opportunities to participate in planning or evaluation of activities (Bratterud et al., 2012).

## CONCLUDING DISCUSSION

The aim of this study was to explore whether and how expert assessments and IEPs include attempts to hear young children's views and perspectives. Previous research illustrates challenges in capturing and documenting children's views in the school context (Kolnes & Midthassel, 2022; Sharma, 2021; Smillie & Newton, 2020; Tveitnes, 2018). This study expands previous knowledge with its focus on young children in ECEC and by highlighting the significance of professionals' reporting and documentation practices concerning children.

The findings highlight a lack of explicitly hearing children in expert assessments. This omission is in conflict with the principals of the Convention on the Right of the Child and national policy, and reflects a well-known disparity between policy and practice (de Leeuw et al., 2020). However, information from parents and ECEC personnel on children's likes and interests indicates attempts to represent children by proxy. The results illustrate that using proxies requires caution and transparency as information can become ambiguous and unclear when intertwined with adults' evaluative statements. Considering the manner in which expert assessments are part of a broader administrative system involving a sequence of documents, the

lack of explicit attempts to hear a child may also reflect the wider documentary reality assessments are part of (cf. Atkinson & Coffey, 2011). As mentioned, a lack of clarity in national guidelines and templates may further undermine a child's right to be heard. There is a chain of documents administrating children's right to special educational support, upon which the expert assessment documents serve multiple functions. For instance, the document forms the basis for legal decisions, including allocation of resources. At the same time, the assessment should provide practitioners with advice on how to support a child. Legally mandated, the expert assessments both govern and protect a child's right to receive special education.<sup>2</sup> Even so, the legislation and administrative work of the EPS have faced criticism and controversy in Norway (Heiskanen & Franck, 2023; Nordahl et al., 2018), particularly for focusing excessively on children's challenges and deficiencies. Although identifying challenges can be important in order to provide suitable support, a deficit or individual model can also become a barrier silencing children's voices and making them mere recipients of provision (Allan, 2007). As illustrated in this study, descriptions of children's verbal and non-verbal expressions function primarily as illustrations to explain or validate initial statements regarding their challenges. At the same time, positioning children as having challenges shapes and limits interpretations of their behaviour. When the assessments represent children as having challenges, focus is set on *how* they express themselves. As mentioned, hearing a child entails a view of children as competent subjects and professionals that engage in dialogue with the child and their claim, focusing on *what* the child is communicating both verbally or non-verbally (cf. Skjervheim, 1996).

Alternative readings and interpretations of children's expressions could reveal potential shortcomings and barriers in the educational setting. Listening to children's views and opinions can provide a deeper understanding of the situation and uncover potential challenges (Cefai & Cooper, 2010). However, this means that EPS advisors must possess competence in eliciting children's voices. Moreover, children's views and perspectives might trouble, offend or contradict adults' understandings (Smillie & Newton, 2020). As such, hearing a child might disrupt the expert authority of the EPS. The prevailing practice is tied to an overarching belief in the need for experts to identify and document a child's challenges and deficits in order to provide support (Heiskanen & Franck, 2023; Nordahl et al., 2018). These perspectives align with the widespread notion that assessments are necessary for identifying differences and deficits and plans as the essential solution for intervention and support (Hunter

<sup>2</sup>See Heiskanen and Franck (2023) for more details on the role of documents in early childhood special education.

et al., 2020). Although it might not be the intention of the EPS, the expert assessments may inadvertently perpetuate and reinforce the EPS' own expert status when they represent children as having challenges and position them as 'cases'. At the same time, when it comes to recommendations and plans for support, expert assessments and IEPs convey an expectation of professionals to be able and competent to listen to young children and children with limited verbal language. I contend that the manner in which the documents emphasize listening to children during daily support makes the lack of hearing children during assessments even more noteworthy.

I argue that in order for children's voices to be heard and have influence, assessments cannot continue as exclusively driven by adults' concerns. Children's right to be heard calls for an openness towards alternative interpretations and perspectives. Instead of seeking univocal arguments, I recommend that special education documents consider the views of various actors, not to confirm or challenge established concerns and 'facts', but to explore differences in a form of dialogue (cf. Fairclough, 2003). The findings in this study urge for a change in the writing of expert assessments. This change might entail a reassessment of professionals' authoritative expertise and reducing the one-sided focus on individual's challenges in special education assessments. In other words, to hear a child in special education documents entails a shift from writing expert assessments *about* the child to assessments *with* the child.

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## CONFLICT OF INTEREST STATEMENT

There is no conflict of interest.

## DATA AVAILABILITY STATEMENT

The data that supports the findings of this study are available from the corresponding author upon reasonable request.

## ETHICS STATEMENT

The Norwegian Centre for Research Data approved the ethics of this research project.

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