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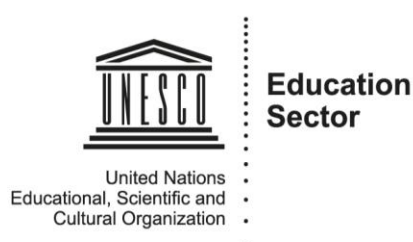
The right to education for persons with disabilities

Overview of the measures supporting the right to education for persons with disabilities reported by Member States in the context of the Ninth Consultation on the 1960 Convention and Recommendation against Discrimination in Education



UNESCO Education Sector

Education is UNESCO's top priority because it is a basic human right and the foundation on which to build peace and drive sustainable development. UNESCO is the United Nations' specialized agency for education and the Education Sector provides global and regional leadership in education, strengthens national education systems and responds to contemporary global challenges through education with a special focus on gender equality and Africa.



The Global Education 2030 Agenda

UNESCO, as the United Nations' specialized agency for education, is entrusted to lead and coordinate the Education 2030 Agenda, which is part of a global movement to eradicate poverty through 17 Sustainable Development Goals by 2030. Education, essential to achieve all of these goals, has its own dedicated Goal 4, which aims to *"ensure inclusive and equitable quality education and promote lifelong learning opportunities for all."* The Education 2030 Framework for Action provides guidance for the implementation of this ambitious goal and commitments.



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Introduction

“The 2030 Agenda for Sustainable Development promises to “leave no one behind” –because development will not be sustainable if it is not based on human rights and fundamental freedoms for all. To build more resilient societies, we must place the rights of persons with disabilities at the heart of our efforts, to enable every woman and man to make the most of the opportunities for personal fulfilment.

The growing number of Member States that have ratified the 2006 UN Convention on the Rights of Persons with Disabilities (UNCRPD) – 177 in total – indicates a paradigm shift in the way we address the issue of disability. Yet, persons with disabilities continue to face discrimination, violence, stigma, and exclusion. Innovative solutions in all societal domains are urgently needed to address the extreme vulnerability experienced by persons with disabilities.

We must integrate persons with disabilities into all decision-making and policies. This means encouraging their participation in political, social and cultural life to build a world that is pluralistic, open, participatory and knowledge-based. This is how our societies will become truly inclusive.”

– Audrey Azoulay, Director-General of UNESCO, on the occasion of the International Day of Persons with Disabilities, 3 December 2018 -¹

According to the World Health Organization, it is estimated that one billion people around the world have one or more physical, sensory, intellectual or mental health impairments, the equivalent of around 15% of the global population.² Somewhere between 93 million and 150 million of those are children under the age of 14,³ but the lack of concrete and accurate data makes it difficult to show the true scale of discrimination worldwide or at a national level. The lack of internationally comparable data, often due to differing definitions and classifications of disabilities, makes it difficult to show the link between disability and education. Nevertheless, it is commonly accepted that children with disabilities - especially in developing countries and conflict zones - tend not to attend school.⁴

Historically, persons with disabilities have been excluded from mainstream education, either to miss out on education entirely or to be educated in separate institutions.⁵ Special schools often would target specific impairments, such as schools for the blind, and therefore could only reach a small proportion of those in need and could not accommodate the diversity of

¹ Message from Ms Audrey Azoulay, Director-General of UNESCO, on the occasion of the International Day of Persons with Disabilities, accessible at <https://unesdoc.unesco.org/ark:/48223/pf0000266275>

² World Health Organization, Disability and Health, factsheet, 2016, accessible at: <http://www.who.int/mediacentre/factsheets/fs352/en/>

³ World Health Organization and World Bank, World Report on Disability, 2011, p. 205, accessible at: http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf?ua=1

⁴ UNICEF, Progress in measuring global school enrolment gaps for children with disabilities, 2018, accessible at: <https://blogs.unicef.org/evidence-for-action/progress-in-measuring-global-school-enrollment-gaps-for-children-with-disabilities/>

⁵ Ibid.p. 205.

special educational needs and abilities that students with disabilities possess. In recent years, there has been a shift in the global discourse towards inclusivity in education. Inclusive education involves an education system which has the capacity to reach out to all learners.⁶ It is based on the principle that all children should learn together, regardless of difference, recognizes the capacity of every person to learn and acknowledges that each person has different strengths, requirements and learning styles.⁷ The Committee on the Rights of Persons with Disabilities interpret inclusion as “a process of systemic reform embodying changes and modifications in content, teaching methods, approaches, structures and strategies in education to overcome barriers” and make clear that “[p]lacing students with disabilities within mainstream classes without accompanying structural changes to, for example, organization, curriculum and teaching and learning strategies, does not constitute inclusion”.⁸

By overcoming the specific barriers that persons with disabilities face in the field of education, States recognize that education is a fundamental human right of all learners and provides the primary means by which they can realize other human rights, lift themselves out of poverty and participate fully in their communities.⁹ UNESCO promotes this human rights-based approach to education and advocates for an inclusive dimension to the right to education, notably through the implementation of the 1960 UNESCO Convention and Recommendation against Discrimination in Education (CADE), which provides an international legal framework for the protection of the right to education and prohibits all forms of discrimination, including any distinction, exclusion, limitation or preference. The CADE was the first legally binding international instrument to cover the right to education comprehensively. States Parties to the Convention are therefore under legal obligation to implement the right to education as it is elaborated, including the provision of free and compulsory education for all.

To monitor the implementation of the right to education UNESCO regularly launches periodic consultations of Member States, which are requested to submit reports highlighting the current situation as well as progress and difficulties. Participation in consultations offers an opportunity to assess progress and identify challenges, build constructive dialogue with relevant stakeholders and share good practices. Nine consultations have been conducted so far on the implementation of the CADE.

The **Ninth Consultation** of Member States, covering the period from 2012 to 2015, was conducted in 2016 and 2017 and its results were submitted to UNESCO’s Governing Bodies at the end of 2017. Sixty-seven Member States participated in this consultation by submitting national reports to UNESCO and 95% of them reported on measures taken in relation to the right to education for persons with disabilities. This is encouraging as it represents an increase in comparison with the previous Eighth Consultation, during which

⁶ UNESCO, A guide for ensuring inclusion and equity in education, 2017, p. 7, available at: <https://unesdoc.unesco.org/ark:/48223/pf0000248254>

⁷ UNESCO and Right to Education Initiative, Right to Education handbook, 2019, p. 87, available at: <https://unesdoc.unesco.org/ark:/48223/pf0000366556>

⁸ Committee on the Rights of Persons with Disabilities, General comment No. 4 (2016) on the right to inclusive education, CRPD/C/GC/4, para. 11.

⁹ Ibid. para. 10.

only 80% of States reported on this topic.¹⁰ States reported on diverse actions and objectives relating to disabilities. Many States focused on improved integration of persons with disabilities into mainstream education, often citing measures taken to remove the physical and financial barriers to education. Others described specific adaptations of the education system, from classroom materials to teaching methods, curricula, technologies and individual education plans, to create an inclusive and enabling environment. Although there is still much work to be done, these changes in law and policy show a newfound commitment to achieving the right to education for persons with disabilities.

Presentation of the document

Within the context of the Eighth Consultation, an overview of the measures supporting the right to education for persons with disabilities reported by Member States was published.¹¹ This new document is part of a series of thematic mappings on the implementation of the right to education, based on reports submitted by Member States in the framework of the **Ninth Consultation** on the implementation of the 1960 Convention and Recommendation against Discrimination in Education. While the first thematic mapping compiled practical examples related to indigenous peoples' right to education,¹² this document focuses on measures reported by Member States related to the right to education for persons with disabilities. It is intended to serve as a practical tool for both information sharing and advocacy.

Section one presents the international legal framework protecting the right to education for persons with disabilities.

Section two provides a brief thematic analysis of measures that have been reported on by Member States to ensure the full enjoyment of the right to education for persons with disabilities.

Section three compiles references to the right to education of persons with disabilities in national reports submitted for the Ninth Consultation. They are available for the 64 Member States. The factsheets contained herein highlight progress in constitutional and legislative frameworks, challenges and measures addressing the right to education of persons with disabilities.

¹⁰ UNESCO, The Right to Education for Persons with Disabilities, overview of the measures supporting the Right to Education for Persons with Disabilities reported by Member States, 2015, available at:

<https://unesdoc.unesco.org/ark:/48223/pf0000232592>

¹¹ Ibid.

¹² UNESCO, Indigenous Peoples' right to education, Overview of the measures supporting the right to education for indigenous peoples reported by Member States in the context of the Ninth Consultation on the 1960 Convention and Recommendation against Discrimination in Education, 2019, available at:

<https://unesdoc.unesco.org/ark:/48223/pf0000369698>

Section 01: The international legal framework protecting the right to education for persons with disabilities

As stated by the Committee on Economic, Social and Cultural Rights (CESCR) in its General Comment No 13: “Education is both a human right in itself and an indispensable means of realizing other human rights.”¹³ This right has been internationally recognized by a number of international standard-setting instruments.

Specific challenges are faced by people with disabilities in their attempt to access mainstream education, which requires specific provisions to guarantee their right to education and encourage countries to adopt an approach that is inclusive to all, including those with disabilities.

The international legal framework setting education as a fundamental human right

Article 26 of the **Universal Declaration of Human Rights** (1948) states that “*Everyone has the right to education*”. It is a litmus test for the individual to assess the government’s commitments to fundamental rights.

In 2015, the International community adopted the **2030 Agenda for Sustainable Development**, which established a global response plan to meet the tremendous challenges to sustainable development, with a shared pledge to ensure that no one is left behind. Sustainable Development Goal 4 requires States to “Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”, and target 4.5 explicitly calls on States to “ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations.”

The UNESCO **Convention against Discrimination in Education** (1960), which has been recognized as a cornerstone of Education 2030 Agenda, is the first legally-binding international instrument which lays down core elements of the right to education. This Convention prohibits any discrimination in the field of education and expresses the principle of equality of educational opportunities. Article 1(a) of the Convention specifies that depriving any person or group of people of access to education of any type or at any level counts as an act of discrimination. The definition of “discrimination” in the article does not explicitly mention discrimination based on “disability”. However, the list is non-exhaustive, and the Convention reflects the constitutional mandate of UNESCO to ensure “full and equal opportunities for education for all” and aims at guaranteeing the right to education for all, particularly for marginalized and vulnerable groups, including people with disabilities. Furthermore, Article 4 legally binds States Parties to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education. These

¹³ CESCR, General Comment No 13, The Right to Education (Art. 13), 8 December 1999, para. 1.

provisions account for the expansion of the right to education for all on a national level, by engaging States Parties to make their respective education systems more inclusive by providing access to education at all levels without discrimination especially for the most vulnerable groups.

Furthermore, UNESCO has adopted several other international standard-setting instruments, including one convention¹⁴ and seven recommendations¹⁵, which further develop various dimensions of the right to education. In addition, while not yet adopted, the preamble of the future UNESCO Global Convention on the Recognition of Higher Education Qualifications states that Parties to the Convention are “Mindful of the UNESCO Convention against Discrimination in Education of 1960, Article 4a committing Member States to “make higher education equally accessible to all” and are “Reaffirming their responsibility to promote **inclusive education**, equitable quality of higher education and lifelong learning opportunities for all”.¹⁶

Among the United Nations human rights treaties, Article 13 of the **International Covenant on Economic, Social and Cultural Rights** (1966) draws extensively on UNESCO’s Convention against Discrimination in Education, and like the Convention, covers the right to education comprehensively.

The **United Nations Convention on the Rights of the Child** (1989) enshrines the right to education as a right of the child (Articles 28-30) and specifically addresses education of children with disabilities (Article 23). Article 23 (3) specifies that State Parties shall encourage and ensure extended assistance that shall be designed to ensure that the disabled child has effective access to and receives education and training, amongst others.

Several other international standard-setting instruments cover specific dimensions of the right to education.¹⁷

The adoption of the **United Nations Convention on the Rights of Persons with Disabilities** (CRPD, 2006) is highly significant, as people with disabilities, including children, often remain victim of discrimination and/or deprived of equal opportunities. It is the only United Nations human rights instrument protecting comprehensively the rights of persons with disabilities, including the right to education. The text, setting out a code of implementation, intends to

¹⁴ Article 2 §4 of UNESCO’s Convention on Technical and Vocational Education (1989) states that “the contracting States shall pay attention to the special needs of the handicapped and other disadvantaged groups and take appropriate measures to enable these groups to benefit from technical and vocational education”.

¹⁵ It refers to (by chronological order): the Recommendation against Discrimination in Education (1960), the Recommendation concerning the Status of Teachers (1966), the Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974), the Recommendation on the Development of Adult Education (1976), the Recommendation on the Recognition of Studies and Qualifications in Higher Education (1993), the Recommendation concerning the Status of Higher-Education Teaching Personnel (1997), and the Revised Recommendation concerning Technical and Vocational Education and Training (2001).

¹⁶ UNESCO Global Convention on the Recognition of Higher Education Qualifications, Preliminary Draft Text, 7 July 2017, available at <https://unesdoc.unesco.org/ark:/48223/pf0000253046/PDF/253046eng.pdf.multi>

¹⁷ Specific dimensions of the right to education are covered notably by the Convention on the elimination of All Forms of Discrimination against Women (1979) (Article 10), and the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (1990) (Articles 12, 30 and 45).

protect specifically the rights and dignity of persons with disabilities. UNESCO contributed to the elaboration of its **Article 24**, devoted to education.

Article 24 of the CRPD: Protecting the Right to Education for Persons with Disabilities

A specific article (**24**) of the **Convention on the Rights of Persons with Disabilities** is devoted to education and guarantees the right to education of persons with disabilities. The Convention provides that, with a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning. In paragraph 2 of Article 24, the Convention provides that “In realizing this right, States Parties shall ensure that: (a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability; (b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live.”

In explicitly referring to inclusive education, the Convention requires States to go beyond simply mixing students from different backgrounds within general education. The Convention seeks to incorporate difference into the education system so that persons with disabilities learn the skills to participate effectively in a free society while enabling learners without disabilities to benefit from the experiences of students from diverse backgrounds. Individual differences should therefore become opportunities to enrich learning rather than problems to be fixed. In order to achieve this, the Convention requires States to employ teachers with the required skills to provide inclusive education and to ensure adequate and effective training of teachers so that they are able to teach persons from different backgrounds. The Convention also requires “reasonable accommodation” of the individual learners needs which means, amongst other things, that the school environment must be accessible – for example, through constructing ramp access rather than stairs, providing educational material in accessible formats, facilitating the learning of Braille and sign language and so on.

Article 24 – Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:
 - a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
 - b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
 - c. Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:
 - a. Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
 - b. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
 - c. Reasonable accommodation of the individual's requirements is provided;
 - d. Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
 - e. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:
 - a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
 - b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
 - c. Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

Section 02: Analysis of measures reported within the framework of the Ninth Consultation

Almost all of the reports (95%) submitted within the framework of the Ninth Consultation on the implementation of the 1960 UNESCO Convention and Recommendation against Discrimination in Education, describe measures taken to ensure that persons with disabilities are not denied their fundamental right to education on the grounds of their disability. The number of countries presenting measures adopted in this regard illustrates the growing realization that solid national legal and policy frameworks to ensure inclusive, quality education at all levels are highly needed to enforce the right to education.

Strengthening national legal frameworks

Legislation offers the highest legal protection after constitutional provisions. The Vienna Convention on the Law of Treaties does not allow States to invoke their national legislation as a reason for non-compliance with a treaty they have ratified (article 27) and therefore their legislation should reflect the right to education guaranteed at the international level. Solid and comprehensive national legal frameworks building a system of inclusive education are a crucial first step in order to make education a reality for all, including for people with disabilities. Despite a lack of data in this area, there is a growing realization that persons with disabilities constitute an important part of society and several States reflected this by reporting on the existence of legislation that protects the right to education of persons with disabilities.

As was seen in the previous mapping on the right to education for persons with disabilities, most States reported on constitutional or legislative provisions that expressly prohibit discrimination in education based on the ground of disability. Furthermore, it can be seen that although the main education laws have often been adopted decades ago, several States reported on amendments made to their main education act in order to better take into account students with disabilities and improve inclusive education. For example, Ireland reported that a new bill was to be published in 2016 on school admissions to increase the transparency and fairness of the admissions process and to make clear that every school should welcome every young person, regardless of, inter alia, disabilities. While the report was submitted to UNESCO on December 2016, the bill was effectively published and signed into law in July 2018. This law has amended the Education Act of 1998 and now requires schools to include in their admission policy a statement that the school shall not discriminate in its admission of a student to the school on the ground of disability.

Specific laws were also adopted by Member States in order to improve access to quality education for persons with disabilities. For example, Romania adopted an act that includes in the list of indicators used for the ranking of universities, criteria that measure the degree to which universities fight against discrimination and stimulate inclusion.

Nevertheless, strong national legislations alone are unlikely to ensure that people with disabilities can fully enjoy the right to education. Education strategies and policies must be designed to implement certain aspects of the right to education.

Devising policies and strategies inclusive of persons with disabilities

Inclusive and equitable education policies can play an important role in building more inclusive education systems and societies by supporting inclusive thinking and practices.¹⁸ As stated in the UNESCO guide for ensuring inclusion and equity in education, “developing policies that are inclusive and equitable requires the recognition that students’ difficulties arise from aspects of the education system itself, including: the ways in which education systems are organized currently, the forms of teaching that are provided, the learning environment, and the ways in which students’ progress is supported and evaluated” and translate this recognition into concrete reforms.¹⁹

Many States reported on the possibility to attend mainstream or special schools programmes for children with disabilities (Costa Rica, Croatia, Denmark, Ecuador, France, Georgia, Germany, Japan, Latvia, North Macedonia, Netherlands, Russia, Sweden, Turkey, Turkmenistan).²⁰ Special schools and units have an important role as they can support regular schools on the path towards better inclusion. Once mainstream schools become fully inclusive, the need for separate special services will reduce.²¹ Therefore, it is encouraging to see that States also reported on policies that make it a priority to encourage integration in the mainstream education system (Denmark, Ecuador, Netherlands, Poland, Sweden).²²

Making education accessible

Accessibility is one of the four essential features of the right to education, together with availability, acceptability and adaptability, and applies to all types and levels of education. Educational institutions must be accessible for everyone without discrimination. Three components of accessibility are identified by international human rights law: economic, physical and administrative accessibility. Administrative requirements for students can be a barrier for those with disabilities for example when the school or examination registration process is not available in an accessible format for all. Physical barriers can be materialized by educational buildings or transport that have not been adapted and economic difficulties can be particularly hard to overcome for students with disabilities as specialized educational materials or transport can be especially costly.

As stated by the Committee on the Rights of Persons with Disabilities in its General Comment 4, it is the entire education system that has to be accessible for all, from buildings to information and communication tools, curriculum, educational materials, teaching methods, assessments and language and support services.²³ At the economic level, it also requires that all levels of education are affordable for students with disabilities.

¹⁸ UNESCO, A guide for ensuring inclusion and equity in education, p. 12.

¹⁹ Ibid. p. 13.

²⁰ UNESCO, Ensuring the right to equitable and inclusive quality education, 2018, p. 20, available at: <https://unesdoc.unesco.org/ark:/48223/pf0000251463>

²¹ UNESCO, A guide for ensuring inclusion and equity in education, p. 31.

²² UNESCO, Ensuring the right to equitable and inclusive quality education, p. 20.

²³ Committee on the Rights of Persons with Disabilities, General comment No. 4 (2016), p. 7.

The Committee on Economic, Social and Cultural Rights defines physical accessibility as “within safe physical reach, either by attendance at some reasonably convenient geographic location or via modern technology”²⁴. Serbia and Afghanistan reported on measures related to distance learning for primary, secondary or higher education while other countries such as Ireland and Poland took measures to ensure transportation to school for children and students with disabilities. Physical accessibility should be a concern at all levels of education. Indeed, the Irish Fund for Students with Disabilities supports participation in higher education of students with disabilities by funding different supports and services including transport. Poland amended its Education Act in 2014 “to enable communes to organise free transport for child subject to early childhood development support and their guardian from their place of residence to school or an educational establishment where such support is provided and, where necessary, to provide free childcare during transport”.²⁵

Concerning economic accessibility, almost all States have reported on financial help to increase access to education for persons with disabilities. Some reported on financial help given directly to institutions in order to update buildings and materials to make them accessible for persons with disabilities. For example, Armenia reported that some buildings of universities, kindergartens, schools of general education, special school of general education and colleges have been adapted to the needs of persons with disabilities. Czechia reported on reimbursement for higher education institutions when they incurred extra costs related to the provision of adapted study conditions for persons with specific needs. Brazil reported on different programmes aiming at giving broader access to teaching materials for persons with disabilities. For example, the accessible book programme aims to promote access to students with visual disabilities to books printed in accessible formats. Furthermore, since 2015 national textbook programs have to be presented in electronic format in order to facilitate accessibility by visually impaired students.

Some States also reported on scholarships or incentives for students with disabilities such as Afghanistan, Bangladesh, Brazil, Bulgaria, Chile, Cote d’Ivoire, Croatia, Denmark, Estonia, Ireland, Niger, Norway, Poland and Uzbekistan. New Zealand reported on financial incentives to support people undertaking specialist qualifications at university to work in special education.

As stated by the Committee on the Rights of Persons with Disabilities “accessibility is a dynamic concept and its application requires periodic regulatory and technical adjustments”.²⁶ Therefore, the monitoring and follow-up of these measures are important and should not be left aside.

Adapting the form and substance of education

As well as adapting the physical environment to make it accessible to those with physical disabilities, the pedagogical approach should be adapted to ensure that the form and

²⁴ Committee on Economic, Social and Cultural Rights, General Comment No 13 (1999) on the right to education, E/C.12/1999/10, para. 6(b) (i).

²⁵ Report submitted by Poland for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015), p. 33.

²⁶ Committee on the Rights of Persons with Disabilities, General comment No. 4 (2016), p. 7.

substance of education is appropriate to meet the diverse needs of all persons with disabilities. Inclusive curricula are a large part of this shift from traditional teaching models to a more child-centred approach, flexible to each individual. The tools and materials made available can also overcome certain barriers presented by disabilities, from adaptations of traditional textbooks to a range of new technologies which can assist learning.

The regular curricula should have sufficient flexibility to be adaptable to the specific needs of each student, with attention paid to learning achievements and the quality of education. While some States such as Costa Rica and Cuba reported that the curriculum has been adapted for students with learning difficulties, others provide learners with an individual education plan, such as Poland and Moldova. Honduras, Ireland, Norway and Serbia reported that the right to an individual education plan is protected by law. In Bulgaria, as well as the use of an individual education plan and specialist support for children with special needs, the shift to an inclusive model of education is viewed as a systemic change where individual support could be “provided to every child who might need it at some point in their lives”. As well as adaptive curricula, a competence based-approach to education content planned by Latvia can also provide more flexibility to the needs of persons with disabilities.

Another approach to modification of the education system is to allow extra time- either in examinations such as in Burkina Faso, Turkey and Bulgaria, or as in Estonia, where students in higher education with moderate, severe or profound disabilities are entitled to complete the curriculum during the period of academic leave. Norway also expects institutions to arrange for the individual adaptation of examinations for students with special needs, with a “reasonable degree of facilitation” as long as it “does not lead to a reduction of the academic requirements of each program according to the act relating to universities and university colleges”.

The adaptation of teaching and learning environments and materials is necessary to ensure that persons with disabilities have fewer obstacles to their education. This may entail the consideration of sensory disabilities in education planning. States such as South Africa and Mexico have facilitated learning by making available textbooks in Braille, whereas Brazil has a specific Braille Commission which “proposes guidelines and standards for the use, teaching, production and distribution of the different Braille System modalities” and produces “catalogs [sic], manuals, tables and other materials to facilitate the teaching and use of the Braille system throughout Brazil”.

Information and communication technology can also offer adapted ways of learning. In special-education centres in Cuba, computers have been adapted with special programmes, including “touch screens, smart boards, switches, Braille printers and voice recognition software for schools serving blind students.” Effective as of 2016, an amendment to the Education Act in Czechia gives children the right to auxiliary measures to fulfil their education possibilities. These measures include, among others, the adaptation of the “the organisation, content, assessment, forms and methods of education and educational services including the instruction of remedial teaching subjects and prolongation of the duration of secondary or tertiary professional education by up to two years”, the use of an individual educational plan and teacher’s assistant, and the “use of assistive devices, special

textbooks and special teaching texts, use of communication systems of the deaf and deaf-blind, Braille and auxiliary or substitute communication systems". In North Macedonia, children with special education needs are provided with the dual support of special assistive technology and also special teachers to increase their inclusion.

The learning environment can also be made more inclusive by increasing the level and quality of support and assistance provided by the institution both for students and teachers. In Honduras, Departmental Psycho-Pedagogical Support Teams work to "support teachers in the attention of special educational needs in educational centers nationwide as part of the implementation of the Inclusive Education regulations for People with Disabilities, Special Educational Needs and Talents Exceptional and the Educational Inclusion Strategy of the Ministry of Education." The funding of teaching assistants can also aid the inclusive of persons with disabilities in mainstream education, as is the case in Czechia and Georgia. Ecuador has reported that decentralization at the national level has boosted the impact of inclusive education policy. Inclusive Education Support Units are being set up in every district, which provide quality care and service to the education community. A multi-disciplinary team made up of a clinical psychologist and two psychologists in the field of education or a related area provides guidance and evaluation with specific objectives such as: ensuring the entry of all students with educational needs into the system, evaluation of individual educational needs which are used for the placement or re-placement of students, ensuring the continuity of education for students in other educational settings such as hospitals and centres for adolescent offenders, ensuring the retention of students and providing other ongoing support, among others.

Adapting teaching methods

Teachers are the most costly but also, potentially, the most powerful resource in the education system.²⁷ The narrow view of schooling as the acquisition of knowledge presented by a teacher is on the decline, and today the teacher's role is better understood as one of guiding and facilitating engagement and learning.²⁸ This makes it possible for a diverse group of students to be educated together, even if they are learning at different levels or in different ways. For this pedagogical shift to be successful, teachers must be trained in the skills and methodology of inclusive education, including as core content a basic understanding of human diversity and methods of inclusive pedagogy, including how to identify students' functional abilities to ensure their participation.²⁹ They should understand how to implement some of the adaptive measures mentioned above, such as flexible and individualized curricula, assistive technology and augmentative or alternative modes and formats of communication, such as Braille and sign language. This learning can occur during the initial teacher training, but should also be updated with short, customized, in-service training units. This approach provides the opportunity for inclusion of people with disabilities in mainstream education where it is feasible, and should apply to all levels and modalities of lifelong learning.

²⁷ UNESCO, A guide for ensuring inclusion and equity in education, p. 36.

²⁸ Ibid. p. 19.

²⁹ Committee on the Rights of Persons with Disabilities, General comment No. 4 (2016), para 69.

Brazil has met this challenge with a ‘Continuing Special Education Teacher Training’ programme which “supports the continuing education of teachers to work in multi-functional facilities and regular classes for the benefit of students with disabilities.” Specialization and enhancement courses included teaching of Brazilian sign language, Braille, pedagogical use of assistive technology resources, inclusive development management in schools, among others. Zambia reported upon the implementation of an “Inclusive School Programme” to equip teachers with skills to handle learners with special education needs in class. Denmark, in efforts to move towards greater inclusion in education, has specified that the government has reserved 1 billion DKK to support in-service training related to inclusion. Honduras emphasizes in-service teacher training including systematized training manuals and modules, which have an average duration of two years and use semi-face-to-face methodology with monthly half-day sessions. France uses an innovative online platform - *M@gistère* – through which teachers can find in-service training courses including ‘school enrollment of students with special educational needs and disabilities’, among other relevant modules.

Awareness-raising and promoting the right to education of persons with disabilities

Some States reported on awareness-raising activities, to encourage the dissemination of good practices relating to the inclusion of persons with disabilities in the education system. Burkina Faso has engaged in awareness-raising for actors and social partners on inclusive education in terms of equal access, attendance, success and development of vulnerable children. To change the mentality when it comes to disabilities, strategies included training sessions for education stakeholders on the ‘psycho-educational’ care of all children without discrimination. Bolivia has included awareness-raising and inclusion of people with disabilities within the school curricula, whereas Venezuela has changed the terminology in education policy from “person with a disability” to “functional diversity”, with the aim of “transcending the exclusionary and negative conception of difference”. In Latvia, the annual ‘Global Action Week Education for All’ plans several activities - discussion forums, seminars and education campaigns on the topics of inclusive education and lifelong learning. The methods and tools teachers use in their work as well as how they work with children with different disabilities are explored. Guatemala reported that despite a series of awareness-raising campaigns over the past decade, “there is still an attitude of discrimination and exclusion when trying to get disabled people accepted into regular schools.”

Ensuring lifelong learning opportunities

The concept of lifelong learning is founded “in the integration of learning and living, covering learning activities for people of all ages (children, young people, adults and elderly), in all life-wide contexts (family, school, community, workplace and so on) and through a variety of modalities (formal, non-formal and informal) that together meet a wide range of learning needs and demands”.³⁰ This concept therefore represents the continuity of the learning and educational process. It is reflected in the right to education by the fact

³⁰ UNESCO Institute for Lifelong Learning, UNESCO Education Sector Technical Note on lifelong learning, 2014, p. 2, available at: <http://uil.unesco.org/fileadmin/keydocuments/LifelongLearning/en/UNESCOTechNotesLLL.pdf>

that it begins at birth and continues throughout life, from pre-primary to adult learning and education.³¹

In the context of the consultation States reported several measures focusing on educational environment and skills development in order to prepare children with disabilities for primary school and improve their chances of success during their school career. For instance, Latvia designed special pre-school education programs that were implemented in 40 pre-school institutions and several general education institutions in 2015-2016. Children with special needs can attend special education facilities which are nationally run and funded. In Poland, to ensure that children with disabilities are able to participate in pre-school education, communes provide financial support which allows them to provide children with disabilities pre-school education in the closest possible distance from their place of residence.

People with disabilities are more likely to be out of school or to leave school before completing compulsory primary or secondary education.³² In order to guarantee compulsory education to people with disabilities, Turkey developed a cooperative educational system between regular school and special facilities which extends from pre-primary to higher education. In 2016, 173,412 disabled students enrolled in regular schools and 36,733 in special schools. To prevent exclusion from education, financial support has also been set up in Bangladesh from primary to higher education levels, covering educational costs with a long-term perspective. Stipends are awarded to children with disabilities from disadvantaged families. In 2015-2016, 60,000 children with disabilities received a stipend for a total amount of 4.2 million in Taka.

With regard to vocational education, Georgia developed a Vocational Education Reform Strategy with several goals including improving physical environment of vocational institutions by taking into account the needs of people with disabilities. In 2015, 215 students were registered and 185 enrolled in different vocational institutions. For its part, Germany set up an "Alliance" between the Federal Employment agency, Länder organisations and social partners. The Alliance members set out their support for a high-quality dual training system that also integrates, among others, young people with disabilities.

In a similar vein to vocational and technical education, higher education is important to prepare students with disabilities for professional occupations and achieve their social inclusion. As a principle, higher education should be made equally accessible on the basis of capacity to all students who successfully complete secondary education, including students with disabilities. In that respect, Armenia reported on a process of policy development of inclusivity standards of higher education institutions with several stakeholders, including representatives of higher education institutions. In Portugal, some higher education institutions developed Codes of Ethics that include regulations towards supporting students

³¹ UNESCO and Right to Education Initiative, Right to Education Handbook, p. 110.

³² UNESCO Institute for statistics, Fact Sheet No.40 (2017), p. 1.

with special education needs and regulations concerning the Statute applicable to students with disabilities.

When it comes to adult learning and education, several States have developed their opportunities of formal and non-formal education to enable people with disabilities to sharpen their skills and abilities throughout life. In North Macedonia in 2015, a concept for primary education of adults was prepared as well as an operating plan for active training programs and employment measures and services required by the labor market. It is been materialized, for example, with trainings of deaf and blind persons to be competitive on the labor market. Similarly, Slovakia implemented a project on “Further education and guidance for adults as a tool for better enforceability in the labor market” that included persons with disabilities.

Monitoring the implementation of the right to education for persons with disabilities

Monitoring and data collection can aid the effective implementation of the right to education for persons with disabilities. States must find ways to identify the needs and characteristics of persons with disabilities, and also create mechanisms to assess the successfulness of laws, policies and strategies taken to improve the inclusivity of the education system. For example, in Australia, schools and state and territory governments are required to report annual data on the number of disabled students requiring an educational adjustment to access education as part of the ‘Nationally Consistent Collection of Data on School Students with Disability’. In 2015, 99.9% of schools participated in this collection of data. Similarly, Burkina Faso and Czechia reported on the collection of statistical data on children with disabilities. In Honduras, the statistical data collection on the student population with special educational needs was specifically carried out to assess the impact of certain policies relating to education and disabilities.

Ecuador reported several monitoring exercises which prevents children with disabilities missing out on education. The Toolbox Project is intended to ensure the retention, participation and school completion of students with special educational needs. The methodology involves identifying the most vulnerable children and adolescents through a door-to-door search, determining why they are not in school, and taking action based on the reasons for their exclusion. District Inclusion Units across the country register and evaluate children and adolescents with disabilities and place each student in the appropriate type of education setting following a psycho-educational assessment. As well as monitoring individuals, schools are also supervised and monitored to ensure that they are inclusive and comply with standards of physical accessibility for the disabled. Hungary also monitors individuals’ access to education and their development through a new registration system.

Some remaining challenges

States reported upon a number of challenges with regard to ensuring inclusive education for persons with disabilities. On the Cook Islands, the Creative Centre functions as a private school which runs learning and rehabilitation programmes for those a medium to high level of disability that are beyond compulsory school age, with funding from the Ministry of Education, however this service is only available on the main island of Rarotonga, illustrating

the geographical barriers to education that can prevent specialist institutions catering to all members of society. The ability to meet the specific needs of all those with different requirements is an ongoing challenge in the Cook Islands. The geographical divide between cities and rural areas is also a problem for some States - in Serbia for example, access to pre-school education for children in rural areas is half that of cities, and children with disabilities are insufficiently covered by this system.

Lack of resources is a common issue for countries. Côte d'Ivoire has yet to achieve universal access to free and compulsory primary education due to inadequate school capacity and coverage of the educational demand, and in this environment, the enrolment of children with disabilities can be exceptionally difficult to overcome. A lack of resources can also lead to a lack of trained teachers, as is the case in Haïti where only 5.8% of teachers have completed inclusive education training. Zambia also reported inadequate resources from both a financial and human perspective.

In some States, such as Denmark, special educational support has made it possible for those with disabilities to participate in secondary and TVET education programmes, but there are still barriers which prevent participation "entirely on an equal footing with citizens without disabilities" which is a reminder there is still work to be done on the journey from integration to full and equitable inclusion. Negative attitudes towards inclusive education can also prevent persons with disabilities from enjoying the right to education, whether those be attitudes of discrimination and exclusion from educational institutions or personnel, such as is the case in Guatemala, or parents being reluctant to allow children with high levels of disability to attend school, as was reported by the Cook Islands.

Section 03: Country factsheets

How to use these factsheets?

The factsheets available in section three start by providing information on countries' status of ratification of the 1960 UNESCO's Convention against Discrimination in Education and the Convention on the Rights of Persons with Disabilities. The sections on "constitutional provisions, legislative provisions, measures" are composed of extracts from 65 country reports. They illustrate how Member States have made noteworthy advances in addressing discrimination that traditionally impede the right to education for persons with disabilities and ways that they have increased opportunities available to these persons, in order to fully achieve the principles of equity and equality of educational opportunities. As these sections are solely composed of extracts from country reports, no language editing has been made. The factsheets are available in English. For Member States submitting their reports in other languages, the extracts have been translated by UNESCO.

Afghanistan

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 18/09/2012
- **UNESCO Convention against Discrimination in Education:**
State Party since 25/01/2010

Legislative provisions

“In 2012, the Ministry of Higher Education approved a by-law on the scholarship distribution, which foresees ... 7% for disabled students at the undergraduate level.”³³

Measures

“Distance education has broadened access to higher education to insolated parts of the country, to those who are unable to travel because of disabilities ...

In order to train teachers for learners with disabilities, blind as well as intellectual, learning and adaptive behavior difficulties, the Ministry of Higher Education has established the Faculty of Special education at the Shaheed Rabbani Education University. This faculty encompasses a blind department, a deaf department, and a mentally retarded student department. From 2012 to 2015, it has trained about 300 teachers and university lecturers, who serve in the schools with programs for the deaf, blind and mentally disabled students.

...

All school graduates who wish to enroll at the university must pass the university entry exam. In order to provide equal opportunity to disabled candidates, the disabled students obtain their exam questions in a way that accommodates their particular disabilities.”³⁴

Difficulties experienced: “the limitation of financial resources has minimized the opportunities to provide special assistance, in particular to disadvantaged groups. The lack of professional of qualified lecturers on special education (blind, deaf, and mentally retarded departments) resulted in disabled students not obtaining appropriate higher education”³⁵

³³ Afghanistan. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p.2. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/AFG.pdf>

³⁴ Ibid. pp. 1-2.

³⁵ Ibid. p.3.

Argentina

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 02/09/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 30/10/1963

Measures

“In Argentina, since 2009, the Universal Child Allowance (AUH) has been allocated to vulnerable families with children under 18 years old. Its allocation requires annual school certification and health checks for the children. The allowance is paid for a maximum of five children under 18 years old per family, prioritizing the youngest children and those with disabilities. ...

The Special Needs Education Modality aims at ensuring the right to education for people with disabilities, whether temporary or permanent, at all levels and modalities of the education system. Special Needs Education is governed by the principle of educational inclusion.

Within the socio-educational action implemented by the Ministry of Education, the Support for Special Needs Education promotes and provides resources for the development of socio-educational school projects, focused on teaching with the objective of achieving the enrolment, attendance, promotion and graduation of pupils with disabilities who are in vulnerable socio-educational situations. To this end, it provides a financial contribution for the proposal of all schools to develop the Special Needs Education Modality managed by the Government.”³⁶

³⁶ Argentina. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp. 1-2. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/ARGENTINA.pdf>

Armenia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 22/09/2010
- **UNESCO Convention against Discrimination in Education:**
State Party since 05/09/1993

Constitutional provisions

“The first Constitution of the Republic of Armenia was adopted on 5 July 1995, in which fundamental rights and freedoms of persons and citizens are enshrined. For the purpose of implementing in recent years comprehensive reforms, amendments to the Constitution of the Republic of Armenia were adopted on 6 December 2015. The following provision on discrimination is enshrined in Article 29: "Discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, world view, political or other views, affiliation to a national minority, property status, birth, disability, age, or personal or social circumstances shall be prohibited." The right to education is enshrined in Article 38: “Everyone shall have the right to education. The programmes of compulsory education and the duration thereof shall be prescribed by law. Secondary education in state education institutions shall be free of charge. Everyone shall, in the cases and in the manner prescribed by law, have the right to free of charge education on a competitive basis in state higher and other vocational education institutions. Higher education institutions shall, to the extent prescribed by law, have the right to self-governance, including academic freedom and freedom of research”.³⁷

Legislative provisions

“A number of concepts and principles have been prescribed by the Law of the Republic of Armenia "On Social Support" (HO-231-N) adopted on 17 December 2014, which exclude discrimination, ensuring equal opportunities of provision of social assistance to persons in a *difficult life situation*. The latter, pursuant to the law, are considered persons who are in an objective situation obstructing their vital activity, conditioned by one of the circumstances — or any combination thereof — related to loss of independent living skills resulting from disability, disease, age, remaining without parental care, poverty, unemployment, conflicts in the family, cruel treatment, violence, being subjected to exploitation (trafficking) in human beings, helplessness, solitude, social isolation, pernicious habits, experiencing an accident or emergency situation, being in a place of imprisonment or return from those places, that an individual cannot overcome himself or herself. Their *basic needs* have been prescribed as "the complex of minimum living conditions necessary for a natural person

³⁷ Armenia. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp. 4-5. Report accessible at <http://www.unesco.org/education/edurights/media/resources/file/ARMENIA.pdf>

(food, clothing, accommodation, medical assistance and service, secondary education or primary vocational (handicraft) and secondary vocational education, housing and utilities services)".³⁸

"The Law of the Republic of Armenia "On social protection of persons with disabilities in the Republic of Armenia" (H.N.-0800-1-HO-57) adopted in 1993, the Law of the Republic of Armenia "On general education" (HO-160-N) adopted in 2009, and the Law of the Republic of Armenia "On education" (HO-297) adopted in 1996 regulate the issues of education of children and youth with disability."³⁹

"Steps have been taken to introduce the universal inclusive education system, in particular: On 1 December 2014, the Law of the Republic of Armenia "On making amendments to the Law of the Republic of Armenia 'On general education'" (HO 200 N) was adopted, which provides that the universal inclusive education system shall be introduced in the Republic of Armenia until 1 August 2025. For the purpose of ensuring implementation of the Law, "Action plan and the timetable of the universal inclusive education system introduction activities" have been approved by point 1 of Protocol Decision No 6-12 of the Government of the Republic of Armenia of 18 February 2016. According to the Action Plan and the Timetable, a number of special institutions of general education of the Republic will be reorganised into pedagogical and psychological assistance centres. As a result of implementation of the system, children in need of special conditions for education will receive a pedagogical and psychological assistance service at 3 levels: in the school of general education, in the territorial and republican pedagogical and psychological assistance centres. A new form of funding will be introduced in schools of general education and a vacancy for a teaching assistant will be made available. The introduction of the system will be carried out step by step, starting from marzes and gradually covering the whole territory of the Republic. The process is envisaged to start in 2016. The US Agency for International Development, the Office of the United Nations Children's Fund in Armenia, "World Vision Armenia" International Development and Charitable Organisation, "Bridge of Hope" NGO assist in the implementation of the Programme. The newly-established system will allow to organise the education and upbringing of children in need of special conditions for education without separating children from their families, ensuring their comprehensive social development and enrolling them in an institution of general education. Through the policy pursued in the field, it is envisaged to promote the opportunities of receiving quality education for children in need of special conditions for education by introducing an inclusive education system in all schools of general education."⁴⁰

Measures

"Steps have been taken to ensure involvement of children — in need of special conditions for education — of vulnerable groups in the system of primary and secondary vocational education, facility conditions of some institutions have been adapted for persons with disabilities. Increased funding for financing the provision of education for children in need of special conditions for education and state non-commercial organisations of the Republic of

³⁸ Ibid. p. 26.

³⁹ Ibid. p. 28.

⁴⁰ Ibid. p. 29.

Armenia implementing primary vocational (handicraft) education has been established and introduced according to point 1 of Decision of the Government of the Republic of Armenia No 884-N of 15 July 2010. Livelihood Improvement through Fostered Employment (LIFE) for People with Disabilities programme, implemented in 2012 by “Save the Children” and partner organisations “Unison”, “Full Life”, “HDP” with the support of US Agency for International Development, highly contributed to the development of physical accessibility of institutions of secondary vocational education and institutional capacities in working with persons with disabilities. Thanks to the programme, at least 1200 young people with disabilities had an opportunity for short term or long term training.”⁴¹

“During 2012-2015, implementation of a number of annual measures in the field of education, aimed at the fight against corruption, protection of children's rights, gender policy, social protection of disabled persons, has been ensured, as well as the development of the education sections of periodic national reports of the Republic of Armenia on application of the provisions of the UN Convention on the Elimination of All Forms of Discrimination against Women, Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities, Convention on the Elimination of All Forms of Racial Discrimination, UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the European Charter for Regional or Minority Languages, etc.”⁴²

“The state also ensures the provision of learning support materials. During the last three years, nearly 40 educational and methodical manuals and other instruction materials have been developed, printed and procured for the purpose of organising the education of children in need of special conditions for education. Schools of special and inclusive education have been provided with these material.

Besides, in the Armenian State Pedagogical University after Kh.Abovyan, specialists are trained to work with persons with disabilities within the framework of the educational programmes of "Surdopedagogy" and "Tiflopedagogy.

Pursuant to point 105 of the Procedure for admission to state and non-state higher education institutions (according to the educational programme for the Bachelor’s degree) approved by point 1 of Decision of the Government of the Republic of Armenia No 597-N of 26 April 2012, citizens disabled while performing their duties during compulsory military service, in case of successfully passing the examinations, shall be admitted on an out-of-competition basis, at the expense of the funds of the State Budget of the Republic of Armenia.

Besides, pursuant to point 106 of the mentioned Procedure, persons of the first or second groups of disability and children with disabilities under the age of 18 who have scored enough points to get admitted under the fee paid system, shall be admitted to free of charge system at the expense of the funds of the State Budget of the Republic of Armenia.

⁴¹ Ibid. p. 19.

⁴² Ibid. p. 22.

The mentioned procedures are of a continuous nature, and in order to receive funding, a higher education institution must submit an application to the Ministry of Education and Science of the Republic of Armenia

Furthermore, measures are being implemented to adapt the buildings of educational institutions to the needs of persons with disabilities. The 5th and 9th blocks of the National Polytechnic University of Armenia have been adapted to the needs of persons with disabilities. A programme converting the existing literature into audio books was installed in one of the computers in the reading hall of the Armenian State Pedagogical University after Kh.Abovyan for visually challenged visitors. The lecture halls on the first floors of the blocks of Yerevan Brusov State University of Languages and Social Sciences are adapted to the needs of persons with movement disorders, therefore classes for students with movement disorders are conducted on the first floor. In the future, the higher education institution envisages to procure special devices for disabled students with visual and hearing problems. Since 2014, "Unison" NGO has been implementing a programme aimed at introducing an inclusivity policy in higher education institutions. Currently, the inclusivity standards of higher education institutions are being developed. All the stakeholders, including the representatives of higher education institutions have been involved in the process of policy development, and some of them have already expressed willingness to facilitate the inclusivity process.

Besides, the buildings of educational institutions, namely 2 kindergartens, 12 schools of general education, 1 special school of general education, and 2 colleges have been adapted to the needs of persons with disabilities (construction of wheelchair ramps, renovation of sanitary facilities, installation of platform lifts) at the expense of the funds allocated from the 2015 State Budget."⁴³

"Regulation of disability issues is based on the priority of defence of human rights. Everyone must be protected from the legal perspective, and the policy implemented must be aimed at exclusion of discrimination and full integration of everyone into society. Currently, determined efforts are being made by the Ministry of Education and Science of the Republic of Armenia; based on the ideology of the International Classification of Functioning, Disability and Health (hereinafter referred to as "International Classification of Functioning or ICF" created by the World Health Organisation), principles of and approaches to the assessment of special conditions for children's education are being reviewed with the support of the UN Children's Fund.

With this regard, as presented by the Ministry of Labour and Social Affairs of the Republic of Armenia, "creation of a background for introducing the comprehensive personality assessment model of defining disability based on International Classification of Functioning (ICF)" was enshrined as a priority issue for the Government of the Republic of Armenia for the years 2013 and 2014. For the purpose of regulating the problem, "Concept paper for introduction of comprehensive personality assessment model of defining disability based on WHO International Classification of Functioning" with new approaches and instruments was approved by point 1 of Protocol Decision No 1-8 of the sitting of the Government of the Republic of Armenia of 9 January 2014.

⁴³ Ibid. pp. 29-31.

If previously the definition of disability was mainly conditioned by a permanent function disorder caused due to a disease, injury or maim, which leads to the limitation of one of the vital activities of a person or a combination thereof, according to the new model, as a result of comprehensive personal assessment, equivalent to his or her individual capacities and needs, it is necessary to provide relevant social services to ensure their participation and social integration.

The previously functioning standards did not take into consideration the role of social and environmental factors in the circumstance of disability, while the participation of an individual in public life is not so much conditioned by his or her state of health, but by all those circumstances surrounding him or her, which have a positive or negative influence on his or her activities.”⁴⁴

“The procedures for the implementation of such programmes as the provision of prosthetic and orthopaedic and rehabilitation appliances, including prosthetic and sound-generating devices, hearing aids, wheelchairs, provision of medical and social, as well as mental health rehabilitation services, performance of such services as the printing of books in special fonts designed for people with visual problems and recording of "talking books" and the procedures for ensuring the accountability thereof have been developed and clarified.”⁴⁵

“One of the 12 annual programmes carried out by the State Employment Agency through the State Budget of the Republic of Armenia within the scope of state employment support programmes is the programme "Organising of Professional (Vocational) Instruction for Unemployed Persons and Job Seekers Facing the Risk of Dismissal", the goal of which is to ensure stable employment by preparing specialists in accordance with the demands of the labour market and by raising the level of their competitiveness in the labour market. Beneficiaries of the programme are unemployed persons and job seekers facing the risk of dismissal. Professional (vocational) preparation (primary vocational preparation and handicraft instruction) is organised within the framework of the programme for up to 6 months, and re-specialisation and raising of qualification – for up to 3 months. A stipend is paid to the job seeker engaged in the professional (vocational) training courses every month during the whole period of the training. At least 11% of those included in the programme are expected to be persons with disabilities.”⁴⁶

⁴⁴ Ibid. p. 27-28.

⁴⁵ Ibid. p. 28.

⁴⁶ Ibid. p. 49.

Australia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 17/07/2008

- **UNESCO Convention against Discrimination in Education:**

State Party since 29/11/1966

Legislative provisions

“In Australia, anti-discrimination laws make it unlawful to discriminate on the basis of a number of protected attributes including age, disability, race, sex, intersex status, gender identity and sexual orientation in certain areas of public life, including education.”⁴⁷

Measures

“In addition the Australian Government specifically supports the right of students with a disability to have the same educational opportunities as other students through the Australian Government Disability Discrimination Act 1992 (the DDA) and the Disability Standards for Education 2005. The Standards clarify and make more explicit the obligations of education and training service providers under the Act. The Standards seek to ensure that students with disability can access and participate in education on the same basis as other students. All education and training providers, both government and non-government, must comply with the Australian Government legislation and any relevant discrimination legislation of their State and Territory.

Education providers have obligations under the Standards, which include making reasonable adjustments; consultation with the student and the student’s family; and eliminating harassment and victimisation towards students with disability. These obligations are described under four categories: enrolment; participation; curriculum development, accreditation and delivery; and student support services.”⁴⁸

“The Australian Government’s reform agenda for school education is designed to ensure that every school is a great school and that every child is supported to reach his or her full potential. Key reform elements include greater transparency and accountability through improved collection, analysis and use of data; a focus on quality and improvement through the introduction of greater national consistency in areas such as teaching and curriculum; and investing in high quality online and physical learning environments.

⁴⁷ Australia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015), p. 4. Report accessible at: [http://www.unesco.org/education/edurights/media/resources/file/AUSTRALIA\(1\).pdf](http://www.unesco.org/education/edurights/media/resources/file/AUSTRALIA(1).pdf)

⁴⁸ Ibid.

The Australian Government's reforms have also focused on boosting fairness and opportunity for all students, particularly those from disadvantaged cohorts such as regional and remote students, students with disability, low socioeconomic status (SES) students, and Indigenous students. In addition to national initiatives such as the Smarter Schools National Partnerships and additional funding for students with disability, states and territories also offer a range of programs to address the learning needs of all students, including students with intellectual and physical disability, behaviour disorders, special learning needs, for gifted students, and for migrant students particularly those with low numeracy and literacy skills or from non-English speaking backgrounds."⁴⁹

"Under the Disability Standards for Education 2005 schools are required to make reasonable adjustments to assist students with disability to participate on the same basis as other students. Schools can draw upon a broad range of resources to provide reasonable adjustments including targeted disability programmes and resources, as well as ongoing school funding and utilisation of general school resources to address the needs of students with disability.

In addition, all states and territories offer a range of specific programs to address the individual needs of students, including those for students with intellectual and physical disability, autism spectrum disorder, dyslexia or other learning difficulties.

The Australian Government is committed to working with state and territory governments and non-government education authorities to support the ongoing implementation of the Nationally Consistent Collection of Data on School Students with Disability (NCCD). Through this annual data collection, schools and governments are reporting for the first time in a nationally consistent way on the number of students in Australian schools requiring an educational adjustment (as required under the Disability Standards for Education 2005) to access education because of a disability. After three years of progressive implementation, nearly all schools (99.9 per cent) participated in the NCCD in 2015.

The *National Disability Strategy 2010–2020* is Australia's national policy framework for disability reform, and an important mechanism to ensure that the principles underpinning the United Nations Convention on the Rights of Persons with Disabilities are incorporated into policies and programmes affecting people with disability, their families and carers. One of the central outcomes of the strategy is to ensure that people with disability achieve their full potential through their participation in an inclusive high quality education system that is responsive to their needs, and that people with disability have opportunities to continue learning throughout their lives. There are a range of actions and initiatives under the strategy designed to reduce barriers, simplify access, and improve inclusion and support for students with disability within the Australian curriculum."⁵⁰

"In higher education, the following groups have been identified as targets for Government support on the basis of their history of relative disadvantage in accessing higher education:

⁴⁹ Ibid. p. 6.

⁵⁰ Ibid. pp. 12 -13.

Aboriginal and Torres Strait Islander people, people from low socioeconomic backgrounds, people with disabilities, and people from regional and remote areas.”⁵¹

“The Disability Support Program (DSP) was established in 2004 to increase access and participation in higher education by domestic students with disability. The DSP funds eligible higher education providers through three components: Additional Support for Students with Disabilities (ASSD), Performance-based Disability Support Funding and the Australian Clearinghouse on Education and Training (ADCET). The ASSD component is a payment providing partial reimbursement of the cost of educational support services and/or equipment for students with disability who have high cost needs. The Performance-based Disability Support Funding component provides funding for each institution based on the number of students with disability enrolled, adjusted for their retention and success ratios. The Australian Disability Clearinghouse on Education and Training (ADCET) component is a website that provides information and other resources designed to promote inclusive teaching and learning practices for people with disability. Between 2011 and 2014 the number of commencing students with disability increased by 41 per cent from 14,480 to 20,405.”⁵²

⁵¹ Ibid. p. 22.

⁵² Ibid. p. 23.

Bangladesh

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

Stater Party since 30/11/2007

- **UNESCO Convention against Discrimination in Education:**

Not yet a State Party

Legislative provisions

“02.06 Non-Formal Education (NFE) Act-2014

The Government has adopted Non Formal Education Act 2014 prepared by the Ministry of Primary and Mass Education. The main motto of the Act is providing literacy for mass people who were deprived of their right to education, creating opportunities for lifelong learning, technical and vocational trainings for livelihood, developing skilled human resources and self-employment as well as creating second chance for educating children who were dropped out and out of schools. The Act provided a whole new dimension of non-formal education in Bangladesh in adult literacy as well as in providing Basic Education. The main features of Act is following:

...

- Creating scope of education for children and person with disabilities and the population from different socio-economic status and geographically remote areas i.e. children from ethnic minority group, haor-char areas, coastal areas or tea garden who were deprived of their right to education.”⁵³

Measures

“02.11 National ICT Policy 2015

National ICT Policy 2015 aims at building an ICT-driven nation comprising of knowledgebased society. In view of this, a country-wide ICT-infrastructure will be developed to ensure access to information by every citizen including people from low income, disadvantaged group, women and persons with disabilities to facilitate empowerment of people and enhance democratic values and norms for sustainable economic development by using the infrastructure for human resource development, governance, e-commerce, banking, public utility services and all sorts of on-line ICT-enabled services.”⁵⁴

“Education Stipend for children with disabilities

⁵³ Bangladesh. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp. 8-9. Report accessible at : <http://www.unesco.org/education/edurights/media/resources/file/BANGLADESH.pdf>

⁵⁴ Ibid. p. 10.

In order to establish constitutional rights for children with disabilities who are from poor families and disadvantaged families, an education stipend has been formulated since 2007-2008. Under this programme each children with disability will get 300 Taka in primary level, 450 Taka in secondary level, 600 Taka in higher secondary level and 1000 Taka for Higher Education level under the umbrella of Ministry of Social Welfare. In 2015-2016 year, 60,000 children with disabilities received stipend and the total amount was 4.2 million in Taka.”⁵⁵

⁵⁵ Ibid. p. 120.

Bolivia (Plurinational State of)

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 16/11/2009
- **UNESCO Convention against Discrimination in Education:**
State Party since 17/08/2017

Measures

“Equal opportunities in education are guaranteed through preventive action (education fairs, reflection and information guides), normative action (laws and regulations) and punitive action; aiming at a comprehensive view of the protection of rights, the following provisions are presented which, year upon year are promulgated in a Ministerial Resolution 001 [A Ministerial Resolution 001 is issued every year for the opening of school administration] ; by way of example, see the following terms of Ministerial Resolution 001/2015:

Article 45. (Care for children with disabilities and learning difficulties).

- I. *Educational institutions have an obligation to enrol all those with disabilities, without discrimination.*
- II. *Educational institutions must include in their curricula awareness raising and inclusion of people with disabilities, a process that shall be supported in special education centres in the corresponding fields, in coordination with the general education subdirectorate.*
- III. *Educational institutions with pupils that have disabilities and/or learning difficulties must develop methodological curricula adjustments relating to the characteristics and needs, in coordination with the special education centres.*
- IV. *Teachers of educational institutions must not stigmatize or give nicknames to pupils with disabilities and/or learning difficulties, which shall be considered as an act of discrimination.”⁵⁶*

⁵⁶ Bolivia (Plurinational State of). Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp. 4-5. Original version accessible at:

http://www.unesco.org/education/edurights/media/resources/file/Reporte_-_Convenci_n_relativa_a_la_lucha_contra_las_discriminaciones_en_la_esfera_de_la_ense_nanza-1960.pdf

Bosnia and Herzegovina

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 12/03/2010
- **UNESCO Convention against Discrimination in Education:**
State Party since 12/07/1993

Within the framework of the 9th Consultation, Bosnia and Herzegovina answered that the report it submitted for the 8th Consultation was still up to date. Therefore, the following information are extracted from the report submitted for the 8th Consultation.

Legislative provisions

“The Framework Law on Higher Education in BiH, Article 4, paragraph 2, item 5, provides that higher education is based on “respect for human rights and civic freedoms, including ban of all forms of discrimination.” Access to higher education is defined in Article 7, paragraph 2, “Higher education within the scope of which the licensed higher education institutions operate in Bosnia and Herzegovina shall not be restricted, either directly or indirectly, based on any realistic or assumed basis such as: sex, race, sexual orientation, physical or other disability, marital status, colour of skin, language, religion, political or other opinion, national, ethnic or social origin, affiliation with an ethnic community, property, birth, age or any other status.” Article 38, subparagraph 3 defines the Rights and Obligations of Students “The statute or another equivalent core document of any higher education institution shall contain the provisions that protect students against discrimination on any basis, such as: sex, race, sexual orientation, physical or other disability, marital status, colour of skin, language, religion, political or other opinion, national, ethnic or social origin, affiliation with an ethnic community, property, birth, age or any other status.”

... The Framework Law on Primary and Secondary Education in BiH regulate the Role and Obligations of Schools as follows: ... “Schools shall not exert discrimination in the children’s access to education or their participation in the education process, based on race, color, sex, language, religion, political or other opinion, ethnic or social origin, based on the children being those with special needs, or on any other basis.” (Article 35, paragraph 1)”⁵⁷

Measures

“For children with special needs, the legislation regulates a wide range of rights in terms of discrimination in relation to other students, so that such children are

⁵⁷ Bosnia and Herzegovina. 2012. Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011). pp. 6-7. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/BOSNIA.pdf>

provided with the education according to their individual needs which adapt to their abilities and skills. Professional mobile teams are established, and the public call for the enrollment in the first grade of secondary school provides for the right of direct enrollment of students with special needs in secondary schools. A number of additional activities are implemented to include children from economically and socially disadvantaged groups in the school system (especially children with disabilities, Roma children, children from remote and isolated areas, children from socially and economically disadvantaged families). In practice, schools include children with disabilities and Roma children and children from socially disadvantaged families are provided with textbooks and school supplies in accordance with the budget available and in partnership with donors. School activities are also organized in relation to education of children to accept diversity, as well as for the prevention of all forms of violence involving children.”⁵⁸

⁵⁸ Ibid. pp. 11-12.

Brazil

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 1/08/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 19/04/1968

Constitutional provisions

“According to the Constitution and the National Education Guidelines and Framework Law (LDB), education is the "right of all and a duty of the State and the family" (Federal Constitution, Art. 205 and LDB, Art. 2) and shall be "promoted and fostered with the cooperation of society, with a view to the full development of the person, his preparation for the exercise of citizenship and his qualification for work" (Federal Constitution, Art.205).

...

The duty of the State towards public schooling is wide-ranging (Article 4) and is to be fulfilled in the following terms:

...

III - Free specialized education for students with disabilities, global development disorders, and those with high abilities or who are exceptionally gifted, at all levels, stages and modalities, preferably within the regular school system (amended by Law No. 12,796, 2013)⁵⁹

Measures

“Special Inclusive Education

The National Policy on Special Education in the Perspective of Inclusive Education aims to promote access for students with disabilities, global development disorders and those with special skills or who are "gifted", to attend regular classes in the public school system, as well as to provide specialized education for them to complement or supplement their normal schooling, plus ensuring mainstreaming special education throughout all the educational stages, levels and modalities.”⁶⁰

“The main SECADI [Department for Continuing Education, Literacy, Diversity and Inclusion] programs and actions related to the Special Inclusive Education policy are as follows:

⁵⁹ Brazil. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 7. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Relatorio_0448308_UNESCO_ENGLISH_9TH_CONSULTATION_13_OCTOBER_2016_003_certo_0000002.pdf

⁶⁰ Ibid. p. 21.

- **School Access Program:** This program aims to promote opportunities to access teaching/learning and ICT (information and communications technology) resources in the regular public schools. The program provides financial support to public schools that already possess multifunctional facilities and "special education" category students enrolled. 9948 schools were targeted in this way in 2012, 9036 in 2013, and 10,790 in 2014 (none in 2015). In the period 2012-2015 [sic] a total of 29,774 schools were allocated funds for purchasing assistive technology and/or improving facilities.
- **BPC in School Program:** This program aims to promote access and school retention of students with disabilities. It is an intersectorial initiative by the Ministry of Education in partnership with the Ministries of Social Development (MDS), Health (MOH) and Human Rights (SDH). MEC's role, in addition to monitoring the educational inclusion of people with disabilities in the 0-18 year age group and beneficiaries of the government's BPC (Continuous Cash Benefit Program) is to give priority to providing Special Education resources and services for schools.
- **Accessible School Transport:** This program supports the provision of affordable school transport under the Way to School Program (FNDE / MEC) in order to promote educational inclusion and retention of BPC beneficiaries. The National Household Survey (PNAD) is used to identify any barriers to beneficiaries' access to and retention in school. ...
- **Multifunction Resource Areas:** This initiative aims to support the organization and supply of Specialized Education (AEE), for complementing or supplementing education for students with disabilities, developmental disorders, and those with exceptional abilities who are enrolled in regular classes in the ordinary public school network, ensuring them conditions of access, participation and learning through the provision of services, equipment, furniture, teaching materials, access facilities and strategies that eliminate the barriers to their full inclusion in society and educational development. MEC's policy for schools possessing multifunctional facilities is to provide continuing education courses for 'special education teachers', financial assistance for ensuring accessibility to the school buildings and the procurement of assistive technologies.
- **Continuing Special Education Teacher Training:** This program aims to support the continuing education of teachers to work in multi-functional facilities and regular classes for the benefit of students with disabilities. The program is implemented under the aegis of the National Network of Continuing Professional Training (Renaform) partnered with the Education Secretariats and Public Higher Education Institutions (HEI). In 2007-2015, the program led to the creation of 90,000 places in the following specialization/enhancement courses:
 - Teaching of Brazilian Sign Language in the Perspective of Bilingual Education for the Deaf;
 - Teaching of Braille in the Perspective of Inclusive Education;
 - Pedagogical Use of Assistive Technology resources;
 - Physical Activities Accessibility in Schools;
 - Specialized Education in the Perspective of Inclusive Education;
 - Inclusive Development Management in schools;
 - Teaching English as a Second Language;

- Using the FM (Frequency Modulation) system in schools

- BPC (Continuous Cash Benefit) in Schools: An intersectorial initiative by the Ministry of Education in partnership with the Ministries of Social Development (MDS), Health (MOH) and Human Rights (SDH), this program aims to promote access and school retention of students with disabilities. MEC's role, in addition to monitoring the educational inclusion of people with disabilities in the 0-18 age group and beneficiaries of the BPC (Continuous Cash Benefit Program) gives priority to providing Special Education funding and other services for schools.

In 2007, 78,848 BPC beneficiaries with disabilities (representing 21% of the total number of beneficiaries in the 0-18 age group) were enrolled in school. In 2013, there were 319,146 enrollments in this group, amounting to 64.11% of the total number of beneficiaries in the same age group. Between 2007-2013, the enrollments increased in absolute terms by 305%, and by 434.11% in percentage terms.

- Accessibility to higher education: The Incluir Program was established in 2005, and implemented jointly by the Secretariat for Higher Education and Federal Higher Education Institutions (HEIs) with the aim of promoting the inclusion of students with disabilities in higher education, and ensuring their accessibility to HEIs. The Program supports actions for eliminating physical and pedagogical barriers to ICT in different environments, facilities, communities and teaching materials. By 2015, 63 HEIs had received funding for the implementation of this program.

- Special Education Support Program (PROESP): This program was developed jointly with CAPES (Coordination for the Improvement of Higher Education Personnel) aimed at supporting research and training projects in the area of special education in the perspective of inclusive education in postgraduate studies. The program supported the production and evaluation of benchmarks, methodologies and funding accessibility in education and other teaching and training processes involving specialized education for students with disabilities, global development disorders and unusual skills (gifted). Up to the end of 2000, 1348 projects had received support under this program.

- Accessible Book Program (Programa Livro Accesível): Under the aegis of the National Textbook Program (PNLD) and the National School Library Program (PNBE) this program aims to promote access by students with visual disabilities enrolled in public schools to books printed in accessible formats. The program is implemented jointly by Secadi, ENDF, the Benjamin Constant Institute and the various Education Secretariats, together with the Educational Support Center for People with Visual Impairment (CAP) and the Braille Educational Resource Center (NAPPB). Under the national textbook program, 114 titles have been made available in Braille and 523 in accessible digital format for 6090 blind students enrolled in public school basic education. Furthermore, 13 titles in bilingual digital format (LIBRAS/ Portuguese Language), and 11,000 copies of the Trilingual Dictionary - LIBRAS/ Portuguese / English, have been delivered, benefiting 22,945 deaf students. From 2015, the public announcements for National Textbook Programs require all books to be presented in EPUB 3 in order to facilitate accessibility by visually impaired students.

- Programa Prolibras: The goal of this initiative is to award proficiency certificates on the basis of nationwide tests in the use, teaching, translation and interpretation of LIBRAS (Brazilian Sign Language). The Program, established by Decree No. 5,626 / 2005, regulating Law No. 10.436 / 2002, had qualified a total of 7,940 professionals in this specialized area by 2015.
- Center for Training and Resources (CAP, CAS and NAAHS): These centers are devoted to training and educational services, and to producing materials for those with visual or hearing deficiencies or with unusually high skills or are particularly gifted. The CAP/ NAPPB (Support Center for Assistance to People with Visual Impairment) supports the continuing education of Special Education teachers and the production of accessible materials for the visually impaired. A total of 55 CAP/NAPPB have been established. The CAS (Center for Training Professional Educators and Providing Services to People with Impaired Hearing) promotes bilingual education based on the continuing training of Special Education teachers for students who are either deaf or have impaired hearing. The 30 centers established by education secretariats supported by the MEC also produce teaching aids for this target group. Meanwhile, the NAAH/S (Activity Centers for students with high skills or who are gifted) support continuing training for Special Education teachers for unusually gifted students. At present, each of Brazil's 27 Federative Units possesses an NAAH/S unit or center. The Belo Horizonte (MG) and Recife (PE) units are managed by the local government and the remainder are linked to State Education Secretariats.
- Brazilian Braille Commission: Established in 1999, this commission is devoted to developing policies containing guidelines and rules for the use, teaching, production and deployment of the Braille System in all its forms, related mainly to Portuguese language, mathematics, sciences, music and information technology. Special efforts are focused on ongoing technical/scientific developments in Braille that require systematic evaluation, alterations and modifications to the various codes and symbols adopted in Portuguese- and Spanish-speaking countries. The objectives of the Braille Commission are the following:
 - Propose guidelines and standards for the use, teaching, production and distribution of the different Braille System modalities;
 - Monitor and evaluate the implementation of standards, international agreements, conventions and regulatory actions relating to the Braille System;
 - Provide technical assistance to state, municipal and district education secretariats in the use of the Braille System;
 - Continually evaluate the Braille Symbology adopted in Brazil, and maintain the system up to date as a result of technical and scientific developments, and to make efforts to ensure that the symbology is compatible whenever possible with that adopted in Portuguese- and Spanish-speaking countries;
 - Maintain permanent contact with Braille Commissions in other countries in response to the recommendations for unifying the system at international level;
 - Recommend (based on research studies, treaties and conventions) procedures involving content, methodology and strategies to be adopted in

Braille training courses at three levels: extension, improvement or specialization;

- Propose criteria and establish strategies for implementing new Braille symbologies that amend or replace the codes used in Brazil, and arrange systematic reviews to address procedural changes whenever necessary;
- Produce catalogs, manuals, tables and other materials to facilitate the teaching and use of the Braille system throughout Brazil.”⁶¹

“ II.5.2. National Program to Integrate Vocational Education with Youth and Adult Basic Education (PROEJA) ... Theoretical support for the development of Pronatec EJA is based upon the following principles that consolidate the idea of integrating EJA vocational training with secondary education. These principles have been developed from general theories of education and specific studies conducted in this area: ... e) comprehensive care for people with disabilities, specific behavior patterns, high skills, or giftedness, and fostering social intervention through educational processes ...”⁶²

⁶¹ Ibid. pp. 22-28.

⁶² Ibid. pp. 71-73.

Bulgaria

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 22/03/2012

- **UNESCO Convention against Discrimination in Education:**

State Party since 04/12/1962

Legislative provisions

“Pursuant to Art. 17, it. 2 of Integration of Persons with Disabilities Act, Ministry of Education and Science provides supportive environment for integrated education of children with disabilities.

PEA regulates the integrated education in schools of children with special educational needs and/or chronic diseases. Only by exception, when all other possibilities for training and education in the public schools are exhausted, and by written expressed desire of the parents or guardians, the children with special educational needs and/or chronic diseases can enter the special schools and supporting units (Art. 27, Paragraph 4 of PEA [Public Education Act]). Kindergartens are obliged to accept children with special educational needs and/or chronic diseases (Art. 21, Paragraph 2 of PEA).

Pursuant to Art. 27, Paragraphs 1 and 2 of PEA, children with special educational needs and/or chronic diseases are educated in integrated schools. Schools are obliged to accept children with special educational needs and/or chronic diseases.

The opportunity for integrated education of children with sensory, physical disabilities, multiple disabilities, mental retardation, with linguistic and speech disorders is guaranteed through creating a supportive environment in kindergartens and schools, according to their health status (§ 3a, it. 2 of supplementary provisions of IRPEA [Implementing Regulations of the Public Education Act]).”⁶³

“Pursuant to Art. 17, it. 2 on Integration of Persons with Disabilities Act, Ministry of Education and Science provides a supportive environment for integrated education of children with special educational needs.

Public Education Act (PEA) in Art. 4, Paragraph 1 recognizes the right of every citizen to acquire education and guarantees its implementation without any discrimination (Art. 4, Paragraph 2). There are no restrictions or privileges based upon race, sex, ethnic or social origin, religion or social status.

⁶³ Bulgaria. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 10. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/National_Report_of_the_Republic_of_Bulgaria.pdf

Within the framework of PEA is regulated the integrated education in kindergartens and schools of children with special educational needs and/or chronic diseases. It determines the opportunity for integrated education of children with special educational needs by creating a supportive environment in kindergartens and schools.

Ensuring equal access to education for children with special educational needs and/or chronic diseases and their inclusion in comprehensive schools will also continue to be realized after the entry into force of the Pre-school and School Education Act, from 1 August 2016.”⁶⁴

Measures

“Under the conditions and under the Council of Ministers Decree No 33 of 15.02.2013, scholarships are awarded to students of daily and individual form of education, who have completed primary education. According to the decree, monthly scholarships are provided for achieved educational results, to support access to education and prevent dropping out of school, to support students with permanent disabilities and students without parents. One-time grants are also provided to a student, to overcome single social circumstances related to his/her access to education, as well as for achieved excellence in school or extracurricular activity.”⁶⁵

“Bulgarian State makes efforts, so that the main initiatives in the field of pre-school education to produce results for socially disadvantaged children, for the children whose mother tongue is not the Bulgarian language, the children of inaccessible regions and children with special educational needs (including children with disabilities) who are at the greatest risk of exclusion from pre-school and school education.”⁶⁶

“Policy to ensure equal access to education for all children up to the age of 18 and until completion of secondary education, is also implemented by ensuring scholarships for students after completing primary education. Under the Council of Ministers Decree No 33 of 15.02.2013, monthly scholarships are provided for achieved educational results, to support access to education and prevention of dropping out of school, to support students with permanent disabilities and students without parents. One-time grants are also provided to a student, to overcome single social circumstances related to his/her access to education, as well as for achieved excellence in school or extracurricular activity.”⁶⁷

“Inclusive education is an integral part of the right to education. To be successful, the process of inclusive education as a systemic change, it is necessary to modify the principle of educational assistance, which could be provided to every child who might need it at some point in their lives. This means that the individual support is a responsibility of kindergartens and schools and it is provided not only for children with special educational needs. This way, the educational system will be able to faster, more flexible and more adequate respond to the emerging needs for support in a harmonized and connected way.”

⁶⁴ Ibid. p. 18.

⁶⁵ Ibid. p. 8

⁶⁶ Ibid. p. 9.

⁶⁷ Ibid. p. 12.

“In 2015 was realized an intensive process of integrated education of children and students with special educational needs: for comparison, in 2004, at the early integrated education, were educated only 717 children and students with special educational needs, and in 2015 - 14 950 children and students. Today, they are assisted by 2000 resource teachers, psychologists, speech therapists, teachers of children with impaired vision and rehabilitators of hearing and speech. At the same time, has increased the number of schools and kindergartens for integrated education of children and students with special educational needs - in 2015 there were 2394 such schools and kindergartens.

Supportive environment is ensured for participation in the national external evaluation and in the state matriculation examinations of students with special educational needs, including extended time for attending these examinations.

For every child and student with special educational needs is ensured access to education, under the curricula of the kindergarten and school, and depending on their educational needs is providing training on individual educational program and a team of specialists. Work continued on the approved in 2012 educating programs for children and students with multiple disabilities, based upon which specialists in comprehensive schools and special schools are able to develop individual educational plans for every child depending on the assessment of his educational needs.

To ensure the education-upbringing process of students with multiple disabilities, who are educated in special schools, in 2015 were approved new curricula for their training.”

“Until Pre-school and School Education Act and the Standard on inclusive education entry into force, were required certain amendments to Ordinance No 1 of 2009, on training the children with special educational needs and/or chronic diseases (S.G., issue 59 of 08.04.2015).

Texts have been specified, related to the application of the combined form of training into practice. Some changes have been made in the regulation on the activities of the teams, assessing and assisting the education of children and students with special educational needs, and of the Expert committee in the Ministry of Education and Science, that review and make analysis of the documents submitted by children and students who have recommendations, by the teams for complete educational assessment at the regional education inspectorates, to be trained in a special kindergarten or educated at a special school.”

“This aims at optimizing the time for targeting and accepting the children and students in special kindergartens and special schools and decentralizing the process of targeting the children and students to integrated education or integrated training in special schools and kindergartens.

Changes have been made in the assessment methodology, and introduced new applications:

- Methodology for assessing the educational needs of children and students and a Card on the assessment of the educational needs of a child or a student;
- Minutes on the meeting of specialists’ team;

- Framework of a report on the work of the specialists team in the kindergarten/school.

Thereby, was introduced a unified methodology on assessing the needs of children and students with special educational needs, was optimised the work of the teams and was regulated the manner of educational assessment, was made a functional assessment of the needs of children and students. The manner of education of students accommodated in community social services is regulated and facilitated.”

“Every year, under the National Program ‘Modernization of the material base in schools’, Module ‘Accessible architectural environment’, Ministry finances repairs in public schools in the system of Ministry of Education and Science, Ministry of Agriculture and Forestry, Ministry of Youth and Sports and Ministry of Culture.

Since 2008 to date annually are financed projects totalling 800 000 Levs The total value of completed activities under the National Program ‘Modernization of the material base in schools’, Module ‘Accessible architectural environment’ for 2014 amounted to 919 168 Levs and for 2015 are envisaged funds of 1 million Levs.”

“Until 31 December 2015, the Ministry of Education and Science was a Beneficiary on the project BG051PO001-4.1.07 ‘Inclusive Education’ under the Operational Program ‘Human Resources Development’, financed by the ESF.

This project is of exceptional public and social significance because it supported one of the most vulnerable groups - children and students with special educational needs. Through the project were built and probated good models and practices in the field of inclusive education, which are in accordance with the Pre-school and School education Act. The analysis of the results showed that for the implementation period of the project ‘Inclusive education’ in the six basic activities were involved totally over 3000 children and students with special educational needs and pre-school children at risk of learning disabilities and the total number of involved specialists and teachers was over 1000. The project was implemented in partnership with national representative organizations of/for people with disabilities. Activities were carried out on six components, one of which, for the first time, focused on early recognition and early impact of children in kindergartens with a view to prevent the training difficulties. Model was built to increase the capacity of comprehensive schools for implementing the inclusive education; model was approbated for reforming the special schools for children with sensory disabilities, with the purpose to transform them into institutions, supporting the process of inclusion in general educational environment.”

“On a new model was relied for organization and functioning of the auxiliary boarding schools; through this model was closed the boarding school to an auxiliary school, was provided modern education and comprehensive support to children with multiple disabilities. In the process of building supportive educational environment in the pilot kindergartens and schools, under the project, were created the necessary conditions, through appointing additional educational specialists, attending training courses to enhance the professional skills of teachers, developing manuals, handbooks, instructions, etc. As a result of the project implementation, was built a model of inclusive education with the active participation of all stakeholders, which must be gradually multiplied. In connection

with the process of deinstitutionalization, through one of the project activities 'Provision of supportive environment by psychologists, resource teachers and other specialists for children and students, deprived of parental care and benefiting the residential-type services, involved in the process of deinstitutionalization', were selected and approved pilot kindergartens and schools near the new residential-type services - centres of family-type accommodation and protected homes.

Under the above project were conducted external monitoring and compliance analysis of the activities on the project 'Inclusive Education' with strategic documents in the field of equal access to education and the inclusive education. The project will implement systems that ensure efficiency and effectiveness in achieving the set targets. The project activities established working models and systems of partnership and attitude towards the problems of the children with special educational needs - by seeking the best solution, bound to the forthcoming reform of the education system, and by achieving the set targets."

"In the field of secondary education, the operation 'Provision of conditions and resources for building and developing a supportive environment in kindergartens and schools to implement an inclusive education', under the Operational Program of Ministry of Education and Science, 'Science and education for smart growth' is aimed at building educational environment that promotes the potential of each child and student for personal development, and successful career and socialization. It aims at higher quality and better access to education by creating a supportive environment for early prevention of training disabilities and for inclusive education of children and students with special educational needs. Through the project 'Support for equal access and personal development', under the same operational program, is being developed the achieved, under the project 'Inclusive Education' of the Operational Program 'Development of Human Resources' and aims not only at promoting the quality and improving the access to education by constantly creating supportive environment for inclusive education, but also expanding the coverage of the included kindergartens and schools.

Models of organization and operation will be upgraded by setting a new activity - for implementing the Concept of regulatory changes, relating to the application of Art. 21 on introducing the sign language, namely: 'Improving the access to information and communication for children and students with impaired hearing by introducing the sign language'. For a start, this measure is connected to the provision of financing for conducting research of Bulgarian sign language with a view to its implementation as natural language and conduct trainings on the use and popularization of the sign language in Bulgarian society.

This project has a modern and contemporary sounding, because through it will be upgraded the best practices in the field of the inclusive education that are in accordance with the new Pre-school and School education Act.

Today is being finalized the work on preparation of the state educational standard for inclusive education. This standard regulates the principles of inclusive education and the process of their implementation. It sets the mandatory requirements for the institutions in the system of pre-school education and training of each child and student in a general

educational environment and establishes the mandatory requirements for all participants in the process of inclusive education and everyone's responsibilities, according to their functions.

New functions are being regulated to the special schools for children with sensory impairments, requirements are being defined to mandatory documentation in relation to the inclusive education, the role of parents and their participation in the process of inclusion is being determined. Transformation is forthcoming for special schools into centres for special educational assistance, and the children who are assisted will be students in the respective school."

"In the centres will be carried out diagnostic, rehabilitative, corrective and therapeutic work with students with mental retardation and multiple disabilities, by appeal of their parents, and in case the diagnosis has been confirmed by the regional centres to support inclusive education. It is envisaged the establishment of support centres for personal development, part of which will provide resource assistance to children and students with special educational needs; will be realized pedagogical and psychological support and will be implemented programs on support and education of the families, whose children and students have disabilities. Resource centres will be transformed into regional centres to support the process of inclusive education. Rules of procedure to define their new functions and Rules of procedure of the centres for special educational support are at a preparatory stage.

Starting point of the policy for inclusive education are two fundamental human rights - the right to be different and the right to choose ..."68

⁶⁸ Ibid. pp. 18-23.

Burkina Faso

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 23/07/2009

- **UNESCO Convention against Discrimination in Education:**

State Party since 04/09/2012

Measures

"Decree 2012-829 /RES/PM/MASSN/MEF/MJFPE/MTPEN adopting social measures in favor of persons with disabilities in vocational training, employment and transport of 22 October 2012, grants in Articles 2, 3, 6, 7, 8 and 9 respectively, benefits in terms of free tuition fees, 25% reduction of registration fees, push back of 2 years of the age of enrolment in training centers, the right to 2 repeats in vocational training institutions, the possibility to get an extra-time on examinations and competitions and the implementation of measures to access school infrastructures for people with disabilities, including pupils and students."⁶⁹

"Popularization of texts: For the promotion of inclusive education, the MENA [Ministry of National Education and Literacy], with financial support from UNICEF, has begun a process of popularization of texts. This activity was intended for the knowledge and application of texts in favor of the education of vulnerable children and to encourage the legislator to read again those texts that discriminate against them. For this purpose, a collection of texts has been prepared in the form of a leaflet and the popularization is in progress. Advocacy is continuing for the rereading of discriminatory texts. ...

" ... National strategy for development of inclusive education (SNDEI) is currently being adopted. In this sense, the following actions have been carried out: ...

- ✓ Awareness raising for actors and social partners on inclusive education in terms of equal access, attendance, success, development of vulnerable children.
The right to education for all children in Burkina Faso is confronted by some very influential sociocultural factors, hence the need for a change of mentality especially on the representations of certain groups (disability, sex). To attain this goal, our country is focusing on awareness raising using a number of strategies to engage communities in the fight against discrimination in education. ...
- ✓ Training sessions for education stakeholders on the psychoeducational care of all children without discrimination. These courses guarantee equal opportunities because they enable teachers to meet the special educational needs of each student.

⁶⁹ Burkina Faso. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 1. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/BURKINA.pdf>

- ✓ Adaptation of infrastructures: the application of texts on architectural standards is not always effective, the MENA, in collaboration with its partners, is undertaking the construction of Transitional Classes of Inclusive Schooling (7th grade of an ordinary school, initially 6 classes), adaptation and rehabilitation of infrastructure to comply with the principles of non-discrimination.
- ✓ Collection of statistical data on disabled and / or socially disadvantaged children and annually on the different cases of violence at school (primary, post-primary and secondary);

...

Establishment of inclusive education mechanisms that promote inclusive education ... and ensure equal opportunities of access, school attendance and success for vulnerable students. This consists of raising the awareness of the populations, the identification, consultation, orientation and enrollment of children with disabilities, the training and the follow-up and support of the actors. ...

Development of specific modules for inclusive pedagogy: the MENA in partnership with LIGHT FOR THE WORLD and UNICEF is developing a truly inclusive pedagogy through the development of three modules: the module on inclusive sport, intellectual disability and low vision. These modules fill an institutional gap for the first (module on inclusive sport) and the two others complete and enrich the reference framework of competences in the field.”⁷⁰

⁷⁰ Ibid. pp. 1-3

Canada

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 11/03/2010

- **UNESCO Convention against Discrimination in Education:**

Not yet a State Party

Legislative provisions

“Legislation of the government of Canada :

The *Canadian Human Rights Act* puts into practice the principle that all individuals should have equal opportunities. In this act, discrimination is prohibited on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and conviction for which a pardon has been granted. In defining discriminatory practices, the act states that it is illegal, for any of the reasons listed, to deny, or deny access to, any good, service, facility, or accommodation to any individual or to differentiate adversely in relation to any individual. Access to education is included in this prohibition.

The *Canadian Charter of Rights and Freedoms* clearly states that “every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.” It further ensures that this guarantee of rights “does not preclude any law, program, or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.

... In March 2010, the Canadian government ratified the UN Convention on the Rights of Persons with Disabilities, an international human rights instrument of the United Nations intended to protect the rights and dignity of people with disabilities. The core obligations relate to nondiscrimination and reasonable accommodation, with specific provisions for education.”⁷¹

“Provincial and territorial legislation ... The human rights acts or codes provide protection from discrimination or denial of service, with variations by jurisdictions, for such reasons as age; colour; race; ancestry; ethnic or national origin; citizenship; criminal conviction; political belief; sex; sexual orientation; gender identity and gender expression; association; creed or religion; family and marital status; physical and mental disability, including

⁷¹ Canada. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 11. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/CANADA.pdf>

addiction; and source of income. The federal and provincial/territorial legislation is inclusive in terms of individuals, businesses, and services to which they apply.”⁷²

“Most provinces and territories have targeted specific learner groups in their adult-learning and skills-development policies. All include a focus on youth, Indigenous learners, the unemployed, and people with disabilities. Most focus on immigrants. Learning materials for adult education are developed in various ways by different provinces and territories. Almost all provinces and territories track learner-level information and data on learning outcomes.”⁷³

“School systems reflect the values of the legislation cited by creating and maintaining conditions that foster success and equitable treatment for all. The education acts also address the provision of reasonable accommodations to meet the learning needs of students with special needs. Codes of conduct in some jurisdictions refer to the standards of behaviour that are expected from all members of school communities related to safe and positive learning environments and respecting the rights of others.”⁷⁴

Measures

“Diversity: ... Further, almost 3.8 million Canadians (14%) aged 15 or older reported having a disability according to the 2012 Canadian Survey on Disability (CSD). The prevalence of disability increased with age, ranging from 4 per cent among 15 to 24 year olds to 43 per cent for Canadians aged 75 years or older.

It is within this context of a pluralistic society that Canadian educators, government officials, nongovernmental organizations, and civil society work to eliminate discrimination and provide equitable and fair access to quality education for all.”⁷⁵

⁷² Ibid. p. 12.

⁷³ Ibid. p. 24.

⁷⁴ Ibid. p. 12.

⁷⁵ Ibid. p. 9.

Chile

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 29/07/2008

- **UNESCO Convention against Discrimination in Education:**

State Party since 26/10/1971

Legislative provisions

“In this regard, current education legislation, in a number of laws, prohibits any form of arbitrary discrimination, as defined in article 1 of the Convention against Discrimination in Education, among which the following should be highlighted:

... Act No. 20,422, of 2010, which establishes rules on equality of opportunities and social inclusion of persons with disabilities. It provides that any person or institution, public or private, that provides educational services must take the necessary steps to adapt selection mechanisms, procedures and practices as required to safeguard equality of opportunities for disabled persons who participate therein.”

“Act No. 20,609 of 2012, setting out anti-discrimination measures, which provides for action on grounds of arbitrary discrimination for those whose right not to suffer discrimination is affected, including in school. It introduces a judicial mechanism which allows effective restoration of the right whenever an act of arbitrary discrimination is committed. This is stated explicitly in its **article 2**: “Definition of arbitrary discrimination. For the purposes of this Act, arbitrary discrimination means any distinction, exclusion or restriction which lacks reasonable justification by agents of the State or individuals which causes privation, interference or threat in the legitimate exercise of the fundamental rights established in the Political Constitution of the Republic or international treaties on human rights ratified by Chile and which are in force, in particular when based on motives such as race or ethnicity, nationality, socioeconomic status, language, ideology or political opinion, religion or belief, trade union membership or participation or otherwise in trade union organizations, sex, sexual orientation, gender identity, civil status, age, parentage, personal appearance and illness or disability”.⁷⁶

“Act No. 20,529 on the National Education Quality Assurance System for pre-school, primary and secondary education and its supervision establishes that the functions of the Inspectorate of Education include issuing justified instructions of general application in the

⁷⁶ Chile. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp. 2-3. Unofficial translation. Original version accessible at : <http://www.unesco.org/education/edurights/media/resources/file/CHILE.pdf>

sector subject to supervision. With respect to arbitrary discrimination, the Inspectorate has issued various resolutions aimed at eliminating acts of discrimination, such as:

- Exempt Resolutions Nos. 25/2013 and 963/2014, which provide that discrimination in the school environment falls within the jurisdiction of the Inspectorate in relation to the following: a) pregnancy and maternity; b) attention deficit; c) physical characteristics and personal appearance; d) physical and/or intellectual disability; e) religious beliefs; f) sexual orientation; g) health problems or state of health; h) immigrants of a different racial origin.

...

- Orders Nos. 118/2013, 519/2014 and 787/2015 on admission processes which prohibit discriminatory practices which may arise in admission of students to education establishments, such as:
 - Requirement of medical, ophthalmological, audiometric, psychiatric, psychological, psycho-pedagogical or other records to ascertain the state of health or disability of the student.”⁷⁷

Measures

“The Ministry of Education is responsible for promoting access, participation and progress in the school system for boys, girls, young people and adults who have special educational needs, adapting rules and actions to promote a balance between girls and boys. One of the aims of the education policies driven by the Ministry of Education is improving the quality of education, creating greater educational opportunities students needing special education.

MINEDUC [Ministry of Education] provides education to students with disabilities, respecting the decision of the families, in the following ways:

- In educational establishments which provide specialist support through the **School Integration Programme (PIE)**, at pre-school, primary and secondary level, and for young people and adults.
- In special schools, which have support professionals, from 0 to 26 years.
- Hospital schools and classrooms for boys, girls and young people who are ill, hospitalized or receiving outpatient and/or home treatment.”⁷⁸

“The benefits of financing provided by the Ministry of Education have systematically encouraged more women than men, in part because a greater proportion of them enter higher education. The foregoing occurred in previous years in grants and loans, and is replicated in the recently implemented free education, in the framework of the educational reform.

In addition, financial support has been provided to various initiatives since 2013, through the Department of Institutional Financing in the Higher Education Division. The projects funded, the number of students and the total amount of resources have risen. In addition, there are disability grants for higher education which have been provided since 2013, and

⁷⁷ Ibid. pp. 5-6.

⁷⁸ Ibid. pp. 16-17.

these have also been growing in number in terms of beneficiaries and resources allocated, as can be seen in the table below.⁷⁹

“As regards the inclusion of persons with disabilities, over the period covered here, the Ministry of Education, through the Higher Education Division, has collaborated on the dissemination and budgetary support of activities organized by the Inclusive Higher Education Network. In addition, it has created four technical forums, divided by type of disability (visual sensorial, auditive sensorial, psychological, physical and others) which are aimed at producing a technical proposal of minimum standards for the treatment of disabled students in the country’s higher education institutions.”⁸⁰

“The purpose of the Education Quality Agency, formed in October 2012, is to evaluate learning attainment, other quality indicators and school performance, in order to be able to guide them in their institutional and educational work and inform the school community about these processes. For its part, the Inspectorate of Education, in general terms, has the task of monitoring the use of resources and compliance with educational legislation, deal with complaints and claims, and imposing sanctions, so that schools satisfy the minimum needs required by students.

Since 2010, the Agency includes students with a sensorial disability (they have a visual or auditive impairment) who are enrolled in an educational establishment officially recognized by the State in national education assessments. As an inclusion policy, the Agency has been making adjustments to the Education Quality Measurement System (Simce) so that students with sensorial disabilities can access information independently, facilitating conditions for more inclusive evaluation.

The Agency also coordinates national participation in various international evaluations which assess learning such as PISA, TIMSS, PIRLS, TERCE and ICCS.

Through these evaluations, socioeconomic gaps have been identified in students’ learning, both in national and international tests, observing that advantaged socioeconomic groups show significantly higher results than less advantaged groups. The introduction of the recent Inclusion Act has led to policies aimed at reducing inequality and segregation in the Chilean school system.”⁸¹

“Plan of education in human rights

This will be defined as the set of teaching, training and information activities aimed at creating a culture of respect for human rights, the full development of the human personality and sense of dignity of the human being, promoting understanding, respect and equality without discrimination between genders, indigenous peoples, migrants, disabled persons, among others. It means facilitating the effective participation of all persons in a free and democratic society governed by the rule of law, fostering and maintaining peace,

⁷⁹ Ibid. pp. 21-22.

⁸⁰ Ibid. p. 23.

⁸¹ Ibid. pp. 25-26.

and promoting cross-cutting and sustainable development centred on people and social justice.”⁸²

⁸² Ibid. p. 30.

Cook Islands

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 8/05/2009
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Measures

“There are educational facilities that cater beyond compulsory schooling age for the members of our society who live with disability. The Creative Centre functions as a private school that runs learning and rehabilitation programmes for those people with a medium to high level of disability that are beyond compulsory school age, and as such the Centre receives funding from the Ministry of Education to support personnel and programmes. There has been some success in finding part time supported employment for some participants of the programme which aids integration and acceptance in the wider community. Unfortunately this service is only available on the main island of Rarotonga although Disability Centres, which provide a level of respite care, are available on other islands.”⁸³

“The direction of Inclusive Education in the Cook Islands continues to be guided by the Ministry of Education’s Inclusive Education Policy (2011). The policy requires stakeholders to recognize and meet the needs of the diversity that all children bring with them. The policy focuses on the rights of all children to have a successful education and on developing an understanding of inclusivity and the promotion of inclusive practices. In order to operationalise this policy, schools are provided with specialist services (including early intervention diagnostic services), advisory support in developing individual education plans for the students concerned and, where required, additional classroom staffing to support identified students. The policy reinforces a holistic approach to child development through collaboration between the Ministry of Education, Ministry of Internal Affairs (responsible for children and youth as well as people with a disability), the Ministry of Health and other stakeholders.

In some communities, particularly those that are isolated, there remains a degree of reluctance by parents with children with a higher level of need or disability to allow them to attend school. As enrolment and attendance is a legislative requirement, and the compulsion is on the Ministry to ensure all children have access to and participate in education, the Ministry still needs to meet the challenge of supporting these parents and

⁸³ Cook Islands. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 4. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Convention_on_Elimination_of_Discrimination_in_Education_Cook_Islands_Status_Report_2012_2015_Final.pdf

families to overcome any barriers that may be preventing them from ensuring the participation of their child in education

While the policy document guarantees and promotes inclusivity for all children, the document recognises that there are children and their families for whom the system is still unable to meet their educational needs. The Inclusive policy therefore, sees the need to focus and recognize these children as having “special needs” due to any one of a range of differences or deviation from the biomedical definition of the ‘norm’. The Ministry has in place assistive technologies providing students with tools to help them work around their challenges and provide a wider range of pathways for these students can access learning.

The Inclusive Education Policy also ensures that all children who are seen as “special needs” or “at risk” are catered for by the enrolling school Principals. Principals are encouraged to organise programs that are relevant and beneficial in regards to these children’s individual learning needs. Schools must have intervention plans that include the monitoring, evaluation and review of special needs and/or at risk students’ progress. Such plans need to be developed in partnership with the child, parents and other stakeholders (Towards an Inclusive Society, 2011: 10).⁸⁴

“Significant multi-sectoral partnerships exist in the Cook Islands to support young people both operationally and in learning. The Ministry of Education has a longstanding partnership with the Ministry of Internal Affairs, Family Welfare and the Ministry of Health. These agencies work alongside Education and help address the needs of those children with disability or living in extreme hardship and provide advice and guidance to young people and their families.”⁸⁵

“There are still challenges that the Cook Islands Ministry of Education face. One major challenge is an issue of equity in physical and human resources to the Pa Enua due to geographic isolation. Our ability to meet the specific needs of all of those with different requirements is also a challenge for the Cook Islands. Physical disability is often easier to address than the wider range of behavioral, intellectual and emotional needs we seem to be dealing with.

There is also a need to further build resilience in our teenagers to deal with the impact of social media and the global world which change the mindsets of people in regard to supporting the disabled community and their access to education and other social services.”⁸⁶

⁸⁴ Ibid. pp. 5-6.

⁸⁵ Ibid. p. 14.

⁸⁶ Ibid. p. 15.

Costa Rica

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 01/10/2008

- **UNESCO Convention against Discrimination in Education:**

State Party since 10/09/1963

Measures

“Special education schools and adult education centres for persons with disabilities have been established to impart education and learning for persons with disabilities.

... Curricula have been adapted for students with learning difficulties. ... Access to all levels of education is guaranteed for students with disabilities.

... Classes are taught to students with disabilities in special education centres.”⁸⁷

⁸⁷ Costa Rica. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 1. Original report available at: http://www.unesco.org/education/edurights/media/resources/file/COSTA_RICA.pdf

Cote d'Ivoire

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 10/01/2014
- **UNESCO Convention against Discrimination in Education:**
State Party since 24/11/1999

Legislative provisions

"For learners with special needs, Côte d'Ivoire has adopted Law No. 98-594 of 10 November 1998, the Disability Orientation Act. This law, whose decrees of application remain to be adopted, provides in its Chapter 2, Article 6: "People with disabilities have the right to education, either in ordinary schools or in specialized institutions according to the particular needs of each of them. Special education combines pedagogical, psychological, social, medical and paramedical actions". However, it is worth pointing out that, in the absence of implementing decrees, this law is not yet effectively implemented. "⁸⁸

" ... through the law n°98-594 of November 10th, 1998 in favor of the persons with disabilities, the Government strengthened the fight against discriminations by favoring the vulnerable persons with greater access to teaching, vocational training and employment. In this law, the Government protects the disabled during their apprenticeships. The state extends its support to vulnerable people through social services by the allocation of rooms for persons with disabilities and assistance to the economically disadvantaged."⁸⁹

In 2014, Côte d'Ivoire renewed its commitment in favor of people with disabilities by ratifying on January 10, 2014, the International Convention on the Rights of Persons with Disabilities, which in its Article 24 demands that "persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live."⁹⁰

Measures

"Decree No. 0111 / MENET / CAB of December 24, 2014 adopting the code of good practice for staff of public and private structures under the Ministry of National and Technical Education, creates good learning conditions for pupils in the school environment in particular in its article 5 paragraph 6 which prohibits «any form of discrimination, in

⁸⁸ Côte d'Ivoire. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 7. Original report available at:

http://www.unesco.org/education/edurights/media/resources/file/RAPPORT_FINAL_CADE-CI.pdf

⁸⁹ Ibid. p. 17.

⁹⁰ Ibid. p. 7.

particular based on ethnicity, religion, race, social situation, gender and/or disability of the student" Paragraph 7 adds to these prohibitions "any form of insulting, humiliating, discriminatory or racist language about the student."⁹¹

"To these regulatory measures, were added strategic and political options such as:
... The research action aimed at school enrollment of children with sensory disabilities, materialized by the integration of deaf children into the education system.

...

The strategies and programs implemented with the aim of guaranteeing equal opportunities in the field of education (access, participation and completion of studies) and in which [Schools Management Committees] participate are numerous: (...) The establishment of assisting programs for vulnerable groups, including mentoring and support for Orphans and other Vulnerable Children (OVC), girls; scholarships and housing for students with disabilities. ...

To ensure inclusive education for all learners throughout the learning process, Côte d'Ivoire has opted for the 'Child and Girls Friendly School' approach in 2006/2007. The process initiated led to the adoption of National EAE Standards in 2013, a frame of reference that progressively transforms the first targeted schools into a protective, friendly, peaceful and tolerant space for learners.

One of the still embryonic parts that needs to be developed for inclusive education is the school enrollment by the Ministry of National Education of children with disabilities other than those with mobility impairment. This question is the subject of a research action called "Inclusive pilot schools" since the beginning of the school year 2013-2014 in five public primary schools. It allows deaf children to attend the same classes as "normal" children. Started with twelve deaf children from the Ivorian School for the Deaf (EclS) at the CE1 level, the project currently supervises 44 perfectly integrated children. It tends to reach other localities, strengthen the technical monitoring cells installed in the few secondary schools for children with sensory disabilities but also and above all, to take into account other types of sensory disabilities."⁹²

"... despite the legal and political environment favorable to universal access to free and compulsory primary education, the country faces a number of challenges such as inadequate school capacity and coverage of the educational demand, often at the root of the refusal of children entering CP1 in public or private primary schools or in the two specialized public institutions for children with sensory disabilities. It has to be emphasized that compulsory education remains dependent of the educational coverage capacity. The lack of support services (facilities such as canteens, latrines, water points) for the proper functioning of schools, the persistence of sociocultural and religious influences and linguistic, technical and environmental barriers to the supervision of children with special needs *ie* children with disabilities are difficulties to overcome."⁹³

⁹¹ Ibid. p. 7.

⁹² Ibid. pp. 9-11.

⁹³ Ibid. p.14.

“With regard to professional working conditions, with the aim of offering quality education, the State of Côte d'Ivoire has set up training centers that are:

...

- The National Institute of Social Training (INFS), for its part, trains social workers, preschool educators and specialized educators whose role is to supervise people with special needs (people with disabilities).”⁹⁴

"Despite these progress, much remains to be done, which demands that the major constraints identified below be removed: (...) the lack of technical skills for the supervision of children with special needs, in this case children with disabilities.”⁹⁵

⁹⁴ Ibid. p. 23.

⁹⁵ Ibid. p.5.

Croatia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 15/08/2007
- **UNESCO Convention against Discrimination in Education:**
State Party since 06/07/1992

Measures

“Main policy measure for improving access and completion of students of lower socio-economic status and students with disabilities are state scholarships for full-time students of accredited higher education institutions in the Republic of Croatia. The programme is funded from the State Budget of the Republic of Croatia. The criteria for awarding a scholarship related to the lower socio-economic status is that an average monthly income per member of the household is lower than 60% of the basic amount (determined annually by a special regulation).”⁹⁶

“The education system in the Republic of Croatia affords all children, students and young people including children with developmental disabilities, children who are members of national minorities, gifted students and children and young people in a disadvantaged position- inclusion in the education system on all levels, as well as further education through adult education and lifelong learning programmes. The Ministry of Science, Education and Sports, together with competent agencies, ensures the necessary programme, professional and expert aid, which enables successful inclusion for everyone in the education system in the area where they live.

... Primary education in the Republic of Croatia lasts eight years and is free and compulsory for all children aged six to fifteen, with the exception of primary education for students with extensive developmental disabilities, which can last until the age of twenty-one.”⁹⁷

“The Strategy for Education, Science and Technology of the Republic of Croatia (2014) includes objectives and measures to address social dimension of higher education and specifically to develop a programme for improvement of social dimension, to analyse access and progress of under-represented groups, to broaden accommodation facilities for students, build new and renew existing capacities, to ensure minimum standards of accessibility for students with disabilities and to promote facilities and programmes that enrich the cultural, sporting and social life of students.

In the reporting period Croatia has improved its data collection, gathering relevant data on the social and economic conditions of student life (as part of the international EUROSTUDENT surveys}, examining factors influencing access, retention and completion of

⁹⁶ Croatia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 3. Report available at:

<http://www.unesco.org/education/edurights/media/resources/file/9Croatia.pdf>

⁹⁷ Ibid. p. 4.

higher education or student financial support (Tempus project ACCESS2: Towards Equitable and Transparent Access to Higher Education in Croatia, 2010-2013) and defining minimum standards of accessibility for students with disabilities (EduQuality project3 - Education for Equal Opportunities at Croatian Universities)."⁹⁸

"Student accommodation is supported by the Ministry, as well as student meals. Students with disabilities (an impairment rating of 50% or more) are automatically granted a place in the student dormitory. Transportation costs are (partially) covered by local governments of towns and cities, in which the HEI is located.

According to the Decision on full subsidy for participation of full-time students in costs of their study and co-financing material costs to public higher education institutions in the Republic of Croatia in the academic year 2015/2016, 2017/2017 and 2017/2018 adopted by the Government of the Republic of Croatia in July 2015, full-time students at undergraduate and graduate study programmes carried out by public higher education institutions accredited in the Republic of Croatia are entitled to full subsidy of their tuition fee. The subsidy refers to the first year of undergraduate or graduate study programmes and all subsequent years in which the student accumulates at least 55 ECTS. The exemption are students with disability of 60 per cent or more. They receive full subsidy once they accumulate least 30 ECTS."⁹⁹

⁹⁸ Ibid. p. 5.

⁹⁹ Ibid. pp. 5-6.

Cuba

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 6/09/2007

- **UNESCO Convention against Discrimination in Education:**

State Party since 02/11/1962

Measures

“Particular attention is given to students with special educational needs, with and without disabilities; thus, special education is conceived as a system of institutions, modalities of care, legal and social services, outreach routes, professional support, special services and resources provided to students with special needs by risk group, and to their families and teachers and their environment in general.

There are currently 365 special education centres, covering the whole country and providing education for special-needs students aged between 0 and 20 years.

The specialities covered include intellectual disability, delayed mental development, hearing impairment, amblyopia and strabismus, visual impairment, deaf-blindness, autism, speech disorders, physical-motor disability and emotional and behavioural problems.

Since the beginning, this special education has essentially aimed to maximize the development of the students’ abilities, preparation for life and full enjoyment of social integration for children and adolescents with special needs with or without disabilities ...

Special education in Cuba transcends the traditional concept of special education. In the current historical, economic, political and social conditions, it focuses on achieving the highest possible integrated development for persons with special needs with or without disabilities in all contexts, to enable them to enjoy social inclusion with various degrees of independence. It recognizes that caring for special-needs students in whatever context they are in requires didactic methods, ways of teaching, enriched by the use of all necessary resources, support, the creativity required in every case, and enriching because it leads and transforms, develops at each student’s individual rate, but in a lasting manner and optimizing his or her opportunities ...

The special schools focus their efforts on carrying out four main functions:

- **Prevention.** The pedagogical process conducted in these schools places particular emphasis on preventing secondary or tertiary impairments or deviations, which may arise from the aforementioned primary impairments, from arising or on attenuating their impact if they are already established.
- The transitional nature of most of the special schools is among their fundamental characteristics. They have multiple functions which relate to transit, from the design

of the process and the preparation of students, family members and teachers to the monitoring and assessment of their results.

- The support function is strongly related to their outreach to the entire national education system and its working strategy for family- and community-based education.
- Integration, rather than a function, is a major goal of special education. A variety of activities take place in order to ensure that these schools achieve the noble purpose of integrating all their students into active social and working lives.

The same basic curriculum is used in special-education schools as in the general education system, with some adaptations. The most significant of these are those which cater for children with intellectual disabilities but, in every case, the approaches taken are those best adapted to the student's characteristics. Children with severe physical-motor disabilities are taught at home by mobile teachers; there are also special classrooms in hospitals.

The whole network of special-education centres has also benefited from the introduction of information and communications technology (ICT). Currently, computers have been installed in all the centres, with adaptations and special programs where needed; these include touch screens, smart boards, switches, Braille printers and voice recognition software for schools serving blind students.

In Cuba, psychological and pedagogical analysis for special-needs students is the responsibility of Analysis and Guidance Centres with multidisciplinary teams consisting of six specialists. These Centres' approach to their work is adapted to their teams' tasks, seeking to provide quality analysis with a preventive perspective, through guidance, monitoring and specialized assessment, with well-trained specialists leading methodological teams at the various levels of education."¹⁰⁰

¹⁰⁰ Cuba. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp.12-14. Original version available at: <http://www.unesco.org/education/edurights/media/resources/file/CUBA.pdf>

Czechia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 28/09/2009

- **UNESCO Convention against Discrimination in Education:**

State Party since 26/03/1993

Legislative provisions

“Act No. 82/2015 Coll., amending the Education Act, which will come into effect as of 1 September 2016, significantly amends the education of children, pupils and students with special educational needs (Section 16). In the past, this group of children, pupils and students was divided into those with a health disadvantage, those with a health disability and those with a social disadvantage.

Pursuant to the Amendment, a child, pupil and student with special educational needs shall mean a person who needs auxiliary measures in order to fulfil his/her educational possibilities and pursue his/her right to education on an equal basis with others. Auxiliary measures include necessary adjustments in education and educational services that reflect a pupil’s state of health, cultural environment and/or different living conditions. Children, pupils and students with special educational needs have a right to have auxiliary measures provided by the school and school facility free of charge.

Auxiliary measures comprise the following:

- a) counselling assistance provided by the school or school counselling facility;
- b) adjustment of the organisation, content, assessment, forms and methods of education and educational services including the instruction of remedial teaching subjects and prolongation of the duration of secondary or tertiary professional education by up to two years;
- c) adjustment of terms and conditions governing admission and completion of education;
- d) use of assistive devices, special textbooks and special teaching texts, use of communication systems of the deaf and deaf-blind, Braille and auxiliary or substitute communication systems;
- e) adjustment of expected educational outcomes as determined by Framework Educational Programmes and by accredited educational programmes;
- f) education pursuant to an individual educational plan;
- g) use of a teacher’s assistant;
- h) use of another teacher, interpreter of the Czech sign language, transcriber for the deaf or possibility of involving persons who provide support to the child, pupil or student during his/her stay in a school or a school facility pursuant to special legal regulations; or

i) provision of education or educational services in structurally or technically adjusted premises.”¹⁰¹

Measures

“Action Plan for Inclusive Education for 2016 – 2018 : In 2015 the MEYS [Ministry of Education, Youth and Sports] approved the Action Plan for Inclusive Education for 2016 – 2018.

The Action Plan for Inclusive Education for 2016 – 2018 (APIE) follows up on the Education Policy Strategy of the Czech Republic by 2020 and the Long-term Plan for Education and Development of the Education System in the Czech Republic for 2015 – 2020.

The Action Plan contains measures to support equal opportunities and equitable access to high-quality education including prevention and remedy of early leaving. The document also reflects the legislative changes contained in the Amendment to the Education Act. A system of auxiliary measures is going to be introduced in the period of 2016 to 2018 for children, pupils and students with special educational needs. Besides, precise record-keeping and statistics of pupils educated in an inclusive environment is going to be introduced and diagnostic methods are going to be specified and unified so as to offer adequate support to pupils with any disadvantage or disability in the education system, and a new review system is going to be introduced in diagnosis performed by counselling facilities.

...

Subsidy and development programmes of the MEYS

The MEYS promotes the integration of Roma children, pupils and students in the education system in the Czech Republic through four subsidy programmes and one development programme.

... Development programme:

1) A development programme that supports the funding of teacher’s assistants for children, pupils and students with a health disability and for children, pupils and students with a social disadvantage.”¹⁰²

“This development programme promotes equal approach of schools to providing education to children, pupils and students with special educational needs who are educated with the support given by a teacher’s assistant.

The post of a teacher’s assistant is an auxiliary measure that significantly contributes to the promotion of inclusive education. Without this support, education of persons with certain kinds of health disabilities may not be guaranteed in accordance with the right to equal access to education.

The programme is announced in two modules. Each module is pursued separately and so is the funding. The programme is announced in two rounds. The first selection round is for the period of January to December, whereas the second selection round is for the period of September to December. The second round is designated for pupils who start their education as of 1 September or pupils whose health has deteriorated over the year.

Modules:

¹⁰¹ Czechia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 10. Report available at:

http://www.unesco.org/education/edurights/media/resources/file/Report_by_the_Czech_Republic.pdf

¹⁰² Ibid. pp. 6-7.

A. Support for the funding of teachers' assistants for children, pupils and students with a health disability (for church and private schools).

B. Support for the funding of teachers' assistants for children, pupils and students with a social disadvantage.¹⁰³

"The accreditation process of study programmes, which is based on standards applied by the Accreditation Commission, also guarantees equality of access to higher education (as of 1 September 2016 this service shall be rendered by the National Accreditation Office for Higher Education pursuant to Amendment No. 137/2016 Coll.). The above standards contain a set of requirements for a study programme, in particular its content, graduate's profile, technical knowledge and vocational skills of graduates in the given field of education, staffing, financial, material and other resources necessary for the study programme including requirements related to ensuring equal access to higher education for applicants and students with a health disability and scope of international cooperation as well as cooperation with those who provide professional experience.

...

Besides, equality of access to higher education is discussed in a strategic document of the Ministry of Education, Youth and Sports, namely the "Long-term Plan of Educational, Scientific, Research and Development, Innovation, Artistic and Other Creative Activities for Higher Education for 2016 – 2020". The document contains parts dedicated to equal access to education and fight against discrimination in higher education. Equal access to education of students with a health disability is laid down in priority objective No. 2 "Diversity and Accessibility" (especially the following passages: "financially support disadvantaged students", "provide financial support to schools that allow access of specific groups of students", "assess strategies of higher education institutions related to access to studies and success rate as part of applications for institutional accreditations", "introduce systematic monitoring of access to studies and study progress", "evaluate access of individual disadvantaged groups to education in a given higher education institution", "provide high-quality counselling services about study issues, professional career, personal and social situation and other issues").

Furthermore, the Ministry of Education, Youth and Sports provides special-purpose financial support to reimburse extra costs incurred by higher education institutions that are related to the provision of study conditions for persons with specific needs (in 2015 the Ministry granted CZK 51.3 million, which is a y-o-y increase by 10%) and it also provides support to implement investments in this area.

Financial instruments to support measures that facilitate accessibility of higher education include development programmes of the Ministry of Education, Youth and Sports and EU Structural Funds."¹⁰⁴

¹⁰³ Ibid. p. 9.

¹⁰⁴ Ibid. pp. 15-16.

Democratic Republic of the Congo

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 30/09/2015

- **UNESCO Convention against Discrimination in Education:**

Not yet a State Party

Legislative provisions

“The State ensure the democratization of education by guaranteeing the right to quality education, equal opportunities of access and success for all, including persons living with disabilities (Article 12, Framework Law, point 2).”¹⁰⁵

Measures

“Taking into account the situation of the person living with disabilities in the development of health infrastructures.”¹⁰⁶

¹⁰⁵ Democratic Republic of the Congo. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.4. Original version available at:

<http://www.unesco.org/education/edurights/media/resources/file/DRC.pdf>

¹⁰⁶ Ibid. p.6.

Denmark

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 24/07/2009

- **UNESCO Convention against Discrimination in Education:**

State Party since 04/10/1963

Legislative provisions

“ ... a bill amending the Public School Act introduces a new definition of special education and other special educational assistance. The changes provide greater flexibility in the organization and alignment of support for students with special needs to enhance and optimize the inclusion of students with special needs in mainstream classes and to a general strengthening of teaching in the public school.”¹⁰⁷

Measures

“Inclusion of students with special needs

Although it is a fundamental value of the Danish school system that there will always be room for all children in the ordinary public school system, many pupils have been separated from the ordinary classroom teaching. To meet this challenge the Government has agreed with Local Government Denmark (the local government’s organization) on a range of initiatives moving towards greater inclusion.

...

The municipalities are expected to prioritize the resources formerly tied to special education in the inclusion of children with special needs in the elementary schools.

In order to support local conversion towards inclusion a national corps of ‘learning consultants’ has been established together with a public school resource center to support and supplement the corps of learning consultants. Differentiated teaching, division of the pupils into smaller groups, supplementary teaching and other types of academic support can be used in order to support pupils’ learning and development in the classroom.

Additionally, a municipality and school principal can decide to provide either personal assistance to a pupil with disabilities or to provide a supplementary teacher for the entire class. Decisions regarding supplementary teaching or other types of support are made by the school principal, who must include both the pupil and parents in the decision.

In order to support a targeted and better in-service training of teachers in general, the government has reserved 1 billion DKK, which also can support in-service training in relation to inclusion.

¹⁰⁷ Denmark. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 7. Report available at: http://www.unesco.org/education/edurights/media/resources/file/Report_on_the_application_of_the_1960_Convention_DENMARK_300616_final.pdf

The government set up in November 2015, a group of experts to carry out an inspection of the inclusion area. The group has delivered its almost hundred recommendations to the Minister. One of the expert group's recommendations is that the government should move away from the 96 percent target and instead focus on the individual student's academic progress and well-being . The expert group will also provide recommendations on how the approach to inclusion needs to be changed from a focus solely on students with special needs to include all children and all the school's learning environment."¹⁰⁸

“Survey on education results and patterns for children and youth with disabilities

A study published in January 2015 ‘Education Results and patterns for children and youth with disabilities’ showed that there are big differences in the educational achievements of students with disabilities and peer students without disabilities. The study was launched in cooperation with the disability organizations. The study showed that young people with disabilities to a lesser extent accomplish 9th grade, perform worse at the final exams in school, to a lesser extent start secondary education, often are older, when they do, and take longer to accomplish it.

Compensatory support such as special educational support makes it possible for disabled people to participate in upper secondary education and VET-programs. However there are still barriers in relation to conduct training entirely on an equal footing with citizens without disabilities. The Danish Ministry for Children, Education and Gender Equality is considering how to approach this challenge.

Current initiatives

- Council of Youth Education

In June 2014 The Danish Parliament passed an act on the Council of Youth Education. The Council is an independent council which has the task of advising the Minister for Children, Education and Gender Equality on transversal and common issues and challenges in post compulsory education. The council must ensure a holistic approach to the social and political mission that all young people should accomplish a post compulsory education. The council has initially chosen to focus on early school leavers.

- Special Educational Assistance (SEA)

Students with disabilities are included in the mainstream setting and eligible for special educational assistance along with the possible support described above. The educational legislation ensures that students in need of special educational assistance are entitled to have this provided by the educational institutions through the National Agency for Education and Quality.

Best possible transitions

The Ministry for Children, Education and Gender Equality has been working to create better transitions between education programs and occupation throughout the last three years in a project called ‘Best possible transitions’. The objective is to promote seamless transitions for pupils and students with disabilities. The project involves the loan of an ‘IT backpack’ which is a computer with specialized software. The IT backpack is made available to the student through state-sector schemes and may be brought along to other education. It means support will continue uninterruptedly.

¹⁰⁸ Ibid. p. 7.

The initiatives in the project also involved the development of an integrated dyslexia screening approved for use throughout the educational system, so that a student can use the screening as documentation for dyslexia at all educational levels from primary school grade 3 throughout lower secondary school, youth education and further and higher education.

Integration in the labor market

The transition project involved an analysis of the transition to and integration in the labor market for students with disabilities. The analysis shows the proportion of people with disabilities with a completed education who are attending further education or working compared to persons without disabilities. The study gives the first detailed and nation-wide picture of integration in the labor market. 24 per cent of the persons with a mental health disorder have a job, while the number is 45 percent with a mobility disability, and 64 per cent who have a sensory and communication disability.

The higher degree of education completed the better integration in the labor market. This goes for people with disabilities too. The proportion of employment is lower though for virtually all levels of education for persons with disabilities compared to persons without disabilities.

Among the initiatives in the best possible transitions project was also 'network conferences' for counsellors with the purpose to develop and further support networking between educational institutions and job centers hoping that this will lead to more young people participating in education and being integrated in the labor market, respectively."¹⁰⁹

"... Students in higher education with permanent physical or mental disabilities are awarded a supplementary, monthly grant if their disability is causing significant limitations in their ability to take on paid work besides their studies. Accordingly, this group of students is able to focus on their education while their living costs are covered even though their disability prevents them from being employed during their studies.

Altogether the rules make for a flexible system. Students have the option of organizing their studies according to their personal preferences and earning possibilities. However, they also incur a measure of personal accountability for managing their financial situation.

At the same time, the support scheme is contributing to ensure that students who become parents, students who get sick during their studies and students with disabilities can enter and complete their studies by taking into account their personal situation and earning possibilities."¹¹⁰

¹⁰⁹ Ibid. pp. 17-18.

¹¹⁰ Ibid. p. 25.

Ecuador

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 03/04/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 05/03/1979

Constitutional provisions

“Persons with disabilities

The Constitution recognizes the right to education of persons with special needs, whether or not such needs are associated with disability; Article 47, nos. 7 and 8, refer to the education of persons with special needs associated with a disability, who must be integrated into the education system and who, in special cases, must be placed in to specific education centres.”¹¹¹

Legislative provisions

“**Disabilities Act**, Official Bulletin, Supplement 796, 25 September 2012.

Aims: “Art. 1. – Aim. – *The purpose of the present Act is to ensure the prevention, timely identification, care and rehabilitation of disability and to guarantee the full effect, dissemination and exercise of the rights of persons with disabilities, set forth in the Constitution of the Republic, international treaties and instruments, as well as those rights deriving from related laws on gender, generational issues and intercultural matters.*”

...

Ministerial Agreement 295-13. Official Bulletin No. 93. Issued on 15 August 2013.

Aim: Standards for “Care of students with special educational needs in regular schools or in special education schools.”¹¹²

“The Organic Law on Intercultural Education recognizes this thrust and provides that both formal and non-formal education must take into consideration of the individual’s special educational needs in the emotional, cognitive and psychomotor areas, making it a duty of the State to guarantee the inclusion and integration of such individuals in schools, thereby eliminating any obstacles to their education. Furthermore, the Organic Law on Intercultural Education provides that gifted children, adolescents, youth and adults have the right to

¹¹¹ Ecuador. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.26. Original version available at: <http://www.unesco.org/education/edurights/media/resources/file/ECUADOR.pdf>

¹¹² Ibid. pp. 5-6.

special education corresponding to their abilities and to their cultural and linguistic membership (Art. 48).”¹¹³

Measures

“Education for school leavers with special educational needs

Equality of opportunity must be guaranteed for persons with disabilities, taking into consideration their emotional, cognitive and psychomotor needs, and ensuring that special needs do not become a barrier to entering and remaining in the school system. Efforts are therefore being made to promote early detection and assessment of and attention to special learning needs and related learning issues that put such children and adolescents at risk; credit recovery, academic support and tutoring is provided, on the basis of need, in order to prevent these children from lagging behind or being excluded from school; in addition, teachers receive training in specific methodological and evaluation tools to be used for teaching children with disabilities, which ensures quality and humane care.

Educational establishments must provide flexible and alternative educational opportunities that enable the inclusion and retention of individuals needing priority attention, in particular persons with disabilities, and pregnant adolescents and young people ...

The Undersecretary of Special and Inclusive Education is preparing a ministerial agreement to establish standards and regulations governing the processes of identification and evaluation, educational provision, academic assessment and promotion applicable to especially gifted students in the national education system.

In respect of physical space, schools are being supervised and monitored to ensure that they are inclusive and comply with standards of accessibility for the disabled and provide adequate architectural, technological and communication conditions to that end.

Educational inclusion

To ensure the retention, participation and school completion of students with special educational needs and vulnerable persons, including victims of sexual, physical or psychological abuse, migrants, undocumented persons or drug addicts, the State has created the Toolbox Project, an innovative strategy based on research and action, which seeks to renew the right to education in real time. The methodology involves identifying the most vulnerable children and adolescents through a door-to-door search, determining why they are not in school, and taking action based on the reasons for their exclusion. The project is characterized by the principle of non-discrimination since it is open to individuals aged 3 to 29. It also generates social pedagogical techniques and collective efforts to overcome obstacles to education. Throughout the country, District Inclusion Units are now in the process of registering and evaluating children and adolescents with disabilities and, on the basis of a psycho-educational assessment, will place each student in the appropriate type of education setting, be it regular or specialized.”¹¹⁴

¹¹³ Ibid. p. 24.

¹¹⁴ Ibid. pp. 24-25.

“The Ministry of Education endorses the guiding principle of the Framework for Action on Special Needs Education, adopted by the World Conference on Special Needs Education: Access and Quality, held in Salamanca in June 1994, which declares that “schools should accommodate all children regardless of their physical, intellectual, social, emotional, linguistic or other conditions. This should include disabled and gifted children, street and working children, children from remote or nomadic populations, children from linguistic, ethnic or cultural minorities and children from other disadvantaged or marginalized areas or groups”.

The scope of the phrase “special educational needs not associated with disability” includes all children and adolescents who require support or temporary or permanent adjustments that provide them with access to quality services appropriate for their condition. Schools are therefore responsible for identifying ways of successfully educating all children and adolescents. Furthermore, the term “special education needs associated with disability” covers physical-motor, auditory, visual and mental disabilities, multiple disabilities and general developmental disorders. ...

Inclusive regular education for special needs students with disabilities is available for children and adolescents with minor intellectual disabilities; students with physical or sensory disabilities are gradually mainstreamed as appropriate, and given the support and teachers needed to ensure learning. In the past year, there has been a substantial rise in the number of students wishing to enter mainstream education in public schools. ... Regular schools must therefore be provided with the technology required to ensure equal opportunity education and to that end, consideration was given to providing 140 regular educational establishments with funding to support teachers working with this population.”

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“Inclusive Education Support Units

Decentralization and coordination at the national level has boosted the impact of inclusive education policy. Inclusive Education Support Units are being set up nationwide in every district; using an integrated approach, such units provide quality care and service to the education community. The multidisciplinary team has been restructured and is now composed of three professionals (a clinical psychologist and two psychologists in the field of education or a related area) since the team does not provide therapy but instead guidance and evaluation. The team members’ specific objectives are:

- To implement action to ensure the entry of all students with educational needs, with or without disabilities, into the national education system;
- To give consideration to the individual educational needs of each student through evaluation and follow-up for entry into the system;

¹¹⁵ Ibid. pp. 27-28.

- To coordinate, on the basis of evaluations, the placement or re-placement of students with educational needs, with or without disabilities;
 - To ensure the continuity and quality of education for students in various educational settings (hospital classrooms, centre for adolescent offenders), in accordance with the student's age, home location, and personality, with a view to change;
 - To promote and ensure equality in the national education system for children and adolescents with educational needs, with or without disabilities;
 - To provide follow-up and assistance to educational establishments to ensure retention of students with educational needs, with or without disabilities;
 - To build educational skills for promotion of student diversity through adjustments to the curriculum, meaningful learning experiences and methodological strategies;
 - To provide ongoing support, at all levels, and for all types of settings and care (hospital classrooms, centre for adolescent offenders) within the national education system ...
- Special Education

In order to ensure quality education for students with special educational needs, with or without disabilities, who attend special education establishments, the National Office for Special and Inclusive Education, in coordination with the Technical Secretariat for Disabilities, decided to establish a baseline for special and inclusive education establishments nationally, with a view to determining action to take in response to the situation on the ground in each zone, in the following five areas: strategic planning and organization, curricular education, getting along together at school, relations between school, family and community, and administrative management. To that end, the national office devised a characterization procedure for use with 98 special education establishments nationwide. Institutional characterization is a qualitative assessment of the educational establishments concerned to determine their strengths and weakness in the implementation of inclusive policies, practices and cultures.

Determining the actual situation of those special education establishments made it possible to focus on policies to strengthen them, for example: 250 teachers in special education establishments were trained in sign language, under an agreement with the Federación Nacional de Sordos del Ecuador (FENASEC); legal instruments were drafted, including Agreement 295-13 supporting the roadmap for special education; profiles were created for occupational therapist, teacher, language therapist, clinical psychologist, educational psychologist and, in the case of students with hearing difficulties, profiles were created for linguistic models and Ecuadorian sign language interpreters. Such instruments will be useful in the development of special education competitive examinations.

- Teaching staff

It is important to bear in mind the development of the special education teaching pool, the members of which provide a specialized service in educational centres and deal exclusively

with children and adolescents whose level and kind of disability prevents them from attending ordinary educational establishments. With a view to achieving quality education in this area, work is being done on a management model for special education institutions, the aim of which is to provide a valid management and work model for the schools and the education community, which will govern action and enable all stakeholders involved to coordinate and work jointly on activities to benefit students with disabilities.

- Bicultural bilingual education

The term “bilingual” refers to the natural and permanent state of deaf students, who use sign language and who live in a world where the majority of people speak a language which, in Ecuador, corresponds to written Spanish. Ecuadorian sign language is the primary language of deaf students and it is therefore the language that underpins all their interactions as well as their acquisition of knowledge and experience at school. The written form of Spanish functions as a second language for deaf students and helps them to find motivation, meaning and social value in the school environment.

The model of bicultural bilingual education is designed to:

- Foster a change in knowledge and values in reference to the use of sign language;
- Promote the use of the primary language, sign language, at all educational levels and sublevels;
- Disseminate sign language and the culture of deaf persons to the educational community as a whole;
- Provide access to information about cultural themes and contents that are relevant to the needs of deaf students;
- Define and endow with significance the role of a second language in education for deaf students.

- Toolbox

The toolbox has provided guidelines to ensure that the education system knocks on the door of every home (territorial tracking) and has had an impact, by virtue of its mandate and leadership function. Within the framework of the Toolbox, mechanisms have been implemented to promote participation, co-responsibility and protection have been promoted, and positive development for children, adolescents and young people has been fostered. The Toolbox for Educational Inclusion is divided into four parts designed to ensure the inclusion of all students:

1. Raising interest in and awareness of the Toolbox for Educational Inclusion;
2. Territorial tracking relating to inclusion/exclusion;
3. Systematization of exclusion data;
4. Social interaction and dissemination of exclusion data, through inter-institutional roundtables.

The Toolbox consolidates all the conceptual and methodological efforts made by the Ministry of Education, with the support of UNICEF and FEPP, to identify cases of exclusion

and to include children, adolescents and young people in the education system using a set of tools. To date, this strategy has been used exclusively in zone 1.

- Intercultural Bilingual Education

The subsecretariats of inclusive education, educational innovation and “living well” have worked jointly to ensure educational provision within the framework of the Inclusion Support Units, with a view to: guaranteeing access, retention, participation and learning to children and young people who have special educational needs, with or without disabilities, and who belong to the peoples and nationalities of Ecuador; guaranteeing access to the Student Counselling Departments in order to provide students with integrated care and psychological, psychoeducational, emotional and social support and assistance, through the implementation of these initiatives in various intercultural bilingual districts and in establishments offering intercultural bilingual education. This practice will be implemented shortly, in line with the State’s determination to ensure gender equality, since education guarantees equality of conditions and opportunities for men and women, and affirmative action measures to ensure the exercise of the right to education without discrimination of any kind are also guaranteed.”¹¹⁶

¹¹⁶ Ibid. pp. 28-32.

Egypt

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 14/04/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 28/03/1962

Constitutional provisions

“Article 80 [of the constitution] states: “The State guarantees the rights of children who have disabilities and ensures their rehabilitation and incorporation into society. Article 81 of the constitution states: “The State shall guarantee the health, economic, social, cultural, entertainment, sporting and education rights of dwarves and people with disabilities. The state shall provide work opportunities for such individuals and allocate a percentage of these opportunities to them, in addition to equipping public utilities and their surrounding environment. The state guarantees their right to exercise political rights, and their integration with other citizens in order to achieve the principles of equality, justice and equal opportunities.””¹¹⁷

“There is no discrimination in education. Article 9 of the Constitution states that the State ensures equal opportunity for all citizens without discrimination. Article 53 states that citizens are equal before the law, possess equal rights and public duties and may not be discriminated against on the basis of religion, belief, sex, origin, race, colour, language, disability, social class, political or geographical affiliation or for any other reason. The Constitution further states that incitement to hate is a crime punishable by law. The State shall take all necessary measures to eliminate all forms of discrimination and the law shall regulate the establishment of an independent commission for this purpose.”¹¹⁸

Legislative provisions

“Integration of those with special needs: Everyone has the right to education. It is no longer possible to ignore the right of any child to receive an education and take an active part in life regardless of gender, age or capacities. Everyone has become aware that children with special needs have the same rights. ...

Article 76 of Act no. 12 (1996), on protection of the child, states that a handicapped child has the right to enjoy special social, health and psychological care in order to develop self-reliance and facilitate integration and participation in the community.

¹¹⁷ Egypt. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 1. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/EGYPT.pdf>

¹¹⁸ Ibid. p. 5.

Article 77 states that a handicapped child has the right to rehabilitation, by which is meant the provision of the necessary social, psychological, medical, educational and vocational services to enable a handicapped child and his/ her family to overcome the effects of disability.

Article 78 stipulates that the Ministry of Education shall establish schools or classes to teach handicapped children in a manner commensurate with their capacities and abilities. The implementing regulation will specify terms of admission, curricula and examination systems.”¹¹⁹

Measures

“Discrimination is forbidden in all types and at all levels of education in both private and public schools. If discrimination exists in a school, a team from the Ministry of Education is sent to investigate the problem, identify its causes and take action to resolve it.

If discrimination between one person and another or one group and another continues, a number of steps can be taken by the victim, such as:

- File a complaint with the police against the person who committed the crime of discrimination;
- File a civil complaint with the court, claiming financial compensation from the person who committed the crime of discrimination;
- Submit a complaint against the person who committed the crime of discrimination to the minister of education, requesting him to intervene; the minister has the right to refer a person who committed discrimination for investigation or to close the school;
- Note that not all differential treatment of students is discrimination; there may be internationally-recognised reasons for such treatment, including: ... Special needs pupils with severe or moderate handicaps, making it hard for them to integrate with ordinary students, may be placed in special schools or classes.”¹²⁰

“Qualitative dimension: It is expected that the following goals will be achieved by the end of 2016/2017, in line with the strategy for technical education: ... Equipping buildings with facilities for those with special needs in accordance with proper standards and the regular maintenance thereof.”¹²¹

“Egypt’s higher education system permits the integration of persons with disabilities in higher education, in a manner appropriate to their disabilities; this includes persons with motor disabilities, vision disabilities and hearing disabilities. The theoretical faculties, which do not require a great deal of physical effort, have seen a substantial increase in the admission of such students. A few faculties have begun equipping buildings to admit such students.”¹²²

¹¹⁹ Ibid. p. 4.

¹²⁰ Ibid. pp. 5-6.

¹²¹ Ibid. pp. 13-14.

¹²² Ibid. p. 15.

“The Teachers’ Syndicate seeks to improve the living standards of its members, including teachers and school administrators working in educational directorates and departments, by providing a range of services, including: ... Old age, disability and death pensions, paid to a member’s surviving family, in accordance with the terms set out in the syndicate’s statutes, including:

- Payment to a member in the event of termination of service due to death or total disability: an amount of 35 times basic monthly salary at last contribution, up to a maximum of EGP 15,000; ...
- Payment to a member in the event of permanent partial disability: an amount of 16 times basic monthly salary, up to a maximum of EGP 13,000. ...”¹²³

¹²³ Ibid. pp. 26-27.

Estonia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 30/05/2012

- **UNESCO Convention against Discrimination in Education:**

Not yet a State Party

Measures

“For the implementation of the Estonian Lifelong Learning Strategy 2020 the Study and Career Counselling Programme has been prepared. As children and youth have different abilities, needs and interests many of them need counselling and support at different stages of their lives in order to unlock their potential and, in many instances, overcome challenges in their education path. There is a growing number of children in kindergartens and schools who need help from support specialists to a various extent in order to achieve the goals of the curriculum. The goal of study counselling is to better understand everyone's individual needs and provide support to students with special needs for participating in learning that corresponds to their abilities. ...

Activities: 1) Providing study counselling and career services to youth (the 1.5-26 age group): ... Study counselling services are provided free of charge (special pedagogical, logopedic, psychological and social pedagogical counselling) to children and youth. On average, 7,500 cases are addressed annually. The work of counselling commissions is organised that give recommendations to educational institutions and parents regarding the organisation of studies for children with special needs and the implementation of support measures. ...”¹²⁴

“In 2016, the Estonian Ministry of Education and Research will also start updating the concept of inclusive education, taking into account the needs of the Estonian education system and international trends. The aim is to agree, in cooperation with stakeholders, on actions supporting the implementation of the principles of inclusive education in general and vocational education. According to the concept of inclusive education, students with special educational needs should form an integral part of the student body of a mainstream school, be included in the learning process to the best of their abilities and provided adequate support to succeed both academically and socially. The inclusion of students with special educational needs means ensuring the relevant learning environment, support systems as well as teaching adapted to their individual needs and abilities. The Government will continue to run 18 special schools for children with special educational schools and to

¹²⁴ Estonia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 16. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Estonia_9th_consultation_discrimination_Nov2016.pdf

improve the learning conditions there. This will be done by involving European funds for which specific conditions have been established.

One of the goals of the School Network Programme that has been prepared for the implementation of the Estonian Lifelong Learning Strategy 2020 is to modernize special education schools.

Existing special education schools will be renovated and if necessary, school places are created for students with special education needs in regions where there is a demand for such places. To guarantee inclusion of students with special education needs in regular schools, local governments will receive financing for the acquisition of small-scale solutions in their school buildings. Eligible projects are lifts, ramps, required IT solutions and other things that enable the participation of children with special needs in school work."¹²⁵

"The planned cost of the School Network Programme of the Estonian Lifelong Learning Strategy 2020] until 2020 is 231 million Euro. The amount of financing is adjusted annually during the discussion of the national budget strategy and national budget.

Goals:

- 1) All capable youth can get a high-quality upper secondary education with a broad selection of choices in an upper secondary school available at least in their home county centre.
- 2) Basic schools that are close to student homes operate in renovated energy-efficient buildings.
- 3) Renovated school buildings are available for children with serious educational special needs in areas where the need in such school places is the greatest.
- 4) Conditions are created in municipal schools to include children with less serious special needs in a regular learning process."¹²⁶

"Estonia has implemented measures to simplify access to higher education to every groups in society to ensure that every capable person could study in university. For example, need-based student support system was introduced at 2013/2014. Students from less privileged families can apply for study allowance (75€-220€ per month) when studying full time. Plus, grant for students with special needs (disability) are implemented. The amount of the grant (60€-500€ per month) depends on the type of the disability. Also some special cases are introduced like students with moderate, severe or profound disability, are entitled to complete the curriculum during the period of academic leave. Also counseling service is able for everyone, including students with special needs, in higher education."¹²⁷

¹²⁵ Ibid. p. 10.

¹²⁶ Ibid. p. 12.

¹²⁷ Ibid. p. 13.

France

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 18/02/2010

- **UNESCO Convention against Discrimination in Education:**

State Party since 11/09/1961

Legislative provisions

“Equality of educational opportunities: Two decrees have amended the regulations in order to facilitate the implementation of personalized education projects for these pupils:

- Decree No. 2014-1485 of 11 December 2014 relating to the schooling of pupils with disabilities specifies the competences of the Commission on the Rights and Autonomy of Disabled Persons with regard to the definition of the personalized schooling project. It introduces the Guide for evaluation and decision-making (GEVA-Sco) in the form of a formal document contributing to the evaluation of the student's situation, it also specifies the recipients of this document;
- Decree No. 2015-085 of 28 January 2015 on the composition and functioning of the multidisciplinary team mentioned in article L. 146-8 of the Code of Social Action and Families; it specifies the composition and functioning of the multidisciplinary team of the *Maisons départementales des personnes handicapées (MDPH)* [regional agencies of persons with disabilities]. Thus, when the multidisciplinary team decides on issues related to schooling, it includes a primary or secondary school teacher.”¹²⁸

“Higher education: With the adoption of the law of 11 February 2005 on equal rights and opportunities, participation and citizenship of persons with disabilities, higher education institutions are responsible for enrolling and training students with disabilities or with a disabling health condition, in the same way as other students, by implementing the necessary support arrangements given their disabilities in the training context. In addition, the University-Handicap 2007 and *Grandes Ecoles-Handicap* 2008 charters, specified the procedures for implementing these obligations.”¹²⁹

“... In March 2016, 25 universities adopted a disability master plan as the law of July 22 ESR 2013 requires them, which represents 34% of universities. In addition, it should be noted that there is an increase in the number of universities declaring that they are in the process of formalizing actions already started for an adoption before the end of 2016.”¹³⁰

¹²⁸ France. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 11. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/FRANCE.pdf>

¹²⁹ Ibid. p. 13.

¹³⁰ Ibid. p. 15.

Measures

“The ULIS

The *Unités localisées pour l'inclusion scolaire (ULIS)* [Localized Units for Inclusive Education] are units in ordinary school settings. Their way of functioning has been reformed in order to be more inclusive. A new ULIS circular, published on August 27, 2015, provides for the harmonization of the name of these devices, which will now be called: ULIS-school, ULIS-high school, ULIS-vocational high school. This harmonization will allow for better inclusion of students with disabilities in mainstream schools. Depending on their needs, their inclusion within ordinary classes is reinforced with the units supporting their schooling. Finally, the terminology to mention the medical disorders is harmonized and the reference to learning disorders is added.

Kindergarten teaching units (*UEM*) and teaching units (*UE*).

Teaching units may be located in an institution or a medico-social service, in a hospital or in a school or an educational institution. They are still the responsibility of the director of the institution and medico-social service.

The measures taken reinforce the inclusiveness of these institutions:

- Creation and opening of teaching units in kindergarten for students with autism spectrum disorders in the framework of the autism plan. Sixty teaching units for autism spectrum disorder students were opened in kindergartens, with 30 at the start of the school year 2015. Each unit has seven pupils full-time. ...¹³¹

“Training

ESPEs for initial training: With the creation of the Higher Schools of Teaching and Education (*ESPE*) in 2013, teachers are specifically trained to better take into account pupils with special educational needs in their classrooms. ... From their creation, the *ESPEs* have set up specific courses and modules within the core curriculum of first-level, second-level and *CPE* [principal educational adviser] masters, in initial training but also in continuing education in connection with the rectorate. Specific courses around the school adaptation and school enrollment of students with disabilities are proposed in the context of the mention "first-level".

A *Magistère* in December 2016 for teacher training

The *M@gistère* platform dedicated to the in-service training of teachers offers training courses devoted to disability. Thus, in the first trimester of the 2016-2017 school year, a *M@gistère* training course entitled "school enrollment of students with special educational needs and disabilities" will be available.

Continuing joint training: Regarding the necessary collaboration with all the actors in the schooling of students with disabilities, the French Ministry of Education signed on 22 January 2016 a multi-year partnership agreement (2015-2017) with the National Solidarity Fund for Autonomy (*CNSA*), National Center for Territorial Public Service (*CNFPT*) and Unifaf

¹³¹ Ibid. p. 11.

[...]. As part of this agreement, national education staff and staff of institutions and medico-social services, regional agencies of persons with disabilities, and regional health agencies are trained together to work on the personalization of the schooling pathways of students with disabilities, for an even more inclusive educational system. This plan is now deployed throughout the country until 2017. "¹³²

"Some universities propose to obtain the D.A.E.U. by validation of the acquired experience (V.A.E.) or remote preparations. To register for the DAEU, the candidate must be at least 20 years old on the 1st of October of the year of the examination and must prove two years of paid professional activity or an activity giving rise to two years of contribution to the Social security or be 24 years of age or older on October 1 of the year of the examination. Disabled candidates may request an exemption from all or part of the requirements for the examination."¹³³

"The framework of the master's training

The training framework is defined by the decree of August 27, 2013. ... Thus, concerning the teachings of the core curriculum, the decree of 27 August 2013 defines the following areas: the process of student learning, taking into account the diversity of the public and in particular pupils with disabilities, the methods of differentiated instruction and support for pupils in difficulty, knowledge of the common core and the competency-based approach, the process of pupil guidance, the methods of student assessment, the teaching of the values of the Republic, the fight against discrimination and the culture of gender equality, class conduct and the prevention of school violence. ... "¹³⁴

¹³² Ibid. p. 13.

¹³³ Ibid. p.39.

¹³⁴ Ibid. p.45.

Gambia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 06/07/2015

- **UNESCO Convention against Discrimination in Education:**

Not yet a State Party

Constitutional provisions

“Section 217 (4) of the constitution says, “The state shall take measures to create an adult literacy programme, rehabilitative vocational training for the disabled, and continuing education programmes.”¹³⁵

Measures

“The Government of the Islamic Republic of The Gambia, through a strong pronouncement in the 2016-2030 education policy, is committed to providing adequate and appropriate support services at all levels in order to facilitate the inclusion of children with disabilities in the existing system based on non-differential treatment of students.”¹³⁶

“In terms of the strategies being implemented to ensure that there is equality in education in the areas of access, participation and completion, there is a physical facility provision programme that focuses on the provision of new classrooms, sanitary facilities, furniture, water points and customised school transport. Under this programme, equity has been the cornerstone with interventions and initiatives closing the gaps that exist between rich and poor, male and female, rural and urban and also cater for people with special needs.

The special needs education programme is another example of equality in education with special attention paid to inclusiveness in access, participation and completion. The consideration given to the physically challenged to use school buildings with ease through the creation of ramps is a clear testimony to this commitment.”¹³⁷

“The implementation of education policies and programmes is guided by a sector-wide strategic plan that incorporates in detail programme areas, targets, strategies, a results-chain and a monitoring framework. Within some of the programme areas, there are key strategies that support gender equity and equality in education and educational needs of the poor, economically and socially marginalized, including children with disabilities. ...

¹³⁵ Gambia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 6. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/Gambia.pdf>

¹³⁶ Ibid. p. 7.

¹³⁷ Ibid. p. 9.

In addressing the needs of children with disabilities, the government has demonstrated a strong commitment that supports their inclusion in educational provision. There is a two-pronged approach that focuses on both mainstreaming of these students in ordinary schools and the use of special schools for children whose needs cannot be met in mainstream schools.”¹³⁸

¹³⁸ Ibid. pp. 9-10.

Georgia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 13/03/2014
- **UNESCO Convention against Discrimination in Education:**
State Party since 04/11/1992

Constitutional provisions

“Inclusive education. Article 35th of the Constitution of Georgia, adopted on August 24, 1995 (Last amendment 27.12.06) states that everyone shall have the right to receive education and the right to free choice of a form of Education.”¹³⁹

Legislative provisions

“Special education in Georgia is regulated by the Law on "General Education" and the National Curriculum for the years 2011-2016. It should be noted that in 2010, significant changes were introduced in both regulatory documents to provide quality education for the persons with Special Education Needs in Georgia. Meaning of Special Education Needs, Inclusive Education, Individual Learning Plan, Multidisciplinary Team and Special Teacher has been redefined in the “Law of Georgia on General Education”. The issues such as process of providing Inclusive Education at schools, importance of presence of Individual Education Plan, integration of persons with Special Education Needs into learning process, assessment of their academic progress were fully reflected in National Curriculum.

In December 2013, the Parliament of Georgia ratified “the Convention on the Right of People with Disability” and the document got formal confirmation in 2014, March 13.¹⁴⁰

Measures

In 2014, the decree #41 “Technical Regulation of Space Construction and Architectural Design for People with Special Needs” was approved by the Prime Minister of Georgia.”¹⁴¹

“In 2013, with the support of EU, the Vocational Education Reform Strategy for 2013-2020 was developed and approved by the Prime Minister of Georgia (26 December 2013, N-300 Resolution). The objectives of the strategy include creation of a nationwide flexible VET

¹³⁹ Georgia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 15. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/REPORT_MOES_GEORGIA.pdf

¹⁴⁰ Ibid. pp. 15-16.

¹⁴¹ Ibid. p. 16.

network, promoting excellence in skills development that will equip the current and future economically active population with professional skills. Vocational education in Georgia integrates the full and equal inclusion of all target groups of the population in order to provide opportunities for professional and personal development. ...

Below are listed a few selected goals from the Strategy: ... Improving physical environment of the vocational education institutions taking into account the needs of people with disabilities and special needs and based on the universal standards of inclusion; adapting educational resources. ...

As regards access to Vocational education for Vulnerable Groups, within the frame of a project “Inclusive Education in VET Sector” by the Ministry of Education and Science (MoES), a research was conducted and a report was released on the “VET Access to Vulnerable Groups – Situational Analysis” in 2015. The report presents information and analysis of the access to VET covering eight types of vulnerable groups. The report also provides recommendations on necessary improvements to increase access to vocational education for vulnerable groups.

The MoES initiated and supported the compilation of 400 signs by the Union of the Deaf of Georgia to develop the Georgian sign language and support the ease of a learning process. These signs were uploaded on the web space. There is more work to be done in this direction; in 2015 the learning process of hearing impaired students was facilitated by the translators. Besides, the Ministry of the Education and Science collected a list of technical equipment and instruments necessary for the students with hearing impairment throughout a learning process. The purchases will be made next year. One audio book was created to support the use of Braille alphabet.”¹⁴²

“Inclusive Education Development Division has been formed under the Ministry of Education and Science of Georgia in order to develop Inclusive Education policy and strategy in compliance with international Inclusive Education models; the Unit is also responsible for coordinating and monitoring of ongoing activities in the field of Inclusive Education. In its capacity the division collaborates with the international, national and nongovernmental organizations.

Under the frame of Inclusive Education Development Division Multidisciplinary Team was formed, which is comprised with psychologists, special education teachers, speech therapists and occupational therapists. The tasks of the team include the following: identification and assessment of students with special education needs (SEN) and support their integration into mainstream educational environment, together with peers at schools, provision of assistance to classroom teacher in development and implementation of individual education programs for students with SEN; assessment of academic and social achievements of students with SEN, participating in the projects; provision of assistance to the schools in the implementation of the inclusive education projects. The multidisciplinary teams work in all municipalities of Georgia.”¹⁴³

¹⁴² Ibid. pp. 7-8.

¹⁴³ Ibid. p. 16.

“Programs implemented for the Professional Development of special education teachers in Georgia. Special education teachers in Georgia represent a small group of specialists; they are working with pupils with special education needs in both, regular and special schools. The majority of special teachers are employed as assistant teachers; the rest are coordinators of inclusive education. (Qualification of special teachers are as follow: Bachelor Degree in so called “Defectology” or Special Needs Education; Bachelor/Master Degree in Pedagogy, Psychology and so on; and additional trainings and courses in special education).

To promote continual professional development of special education teachers, professional standard of special education teachers was elaborated by the National Center for Teachers Professional Development (TPDC) - a LEPL under the Ministry of Education and Science and approved by the Ministry in 2010.

Special training course for special teachers was developed and piloted in 2012. The special course is provided by the National Centre for Teachers Professional Development (TPDC) under the MoES. The course consists of 120 contact hours. The main topics are as follow:

- Developmental disorders;
- Learning difficulties and effective teaching strategies;
- Development of individual education plan;
- Behavior disorder and classroom management.

The training course is accessible for all specialists working at school (regular teachers, special teachers, inclusive education coordinators, psychologists, occupational therapists, speech therapists etc.) Since April 2013, five courses in special education have been organized; the number of participants in each group varied from 15 to 25. Teachers have an opportunity to register for the course throughout the whole academic year.

Other Courses:

1. Teaching and Learning Autistic students;
2. Teaching methodology for Blind and visual impairment students;
3. Sign Language
4. Teaching and Learning methodology for Deaf and hard of hearing students;
5. Special courses for parents with deaf children.”¹⁴⁴

“Inclusive Vocational Education. Ministry of Education and Science of Georgia started implementation of Inclusive Education in Vocational Education and Training system in 2013. This new approach is supported by Norwegian Ministry of Education and Research in the frames of a project, “Introduction of Inclusive Education in Vocational Education and Training (VET) System in Georgia”. The aims of the project are as follow: formulating recommendation necessary for introduction of changes on legislative level; increasing role of social partners in the process; increasing capacity of human resources in VET; preparing

¹⁴⁴ Ibid. p. 18.

physical environment for people with special needs in VET; recruiting of Special Needs Children and their involvement in VET centers.

The Ministry of Education and Science created and approved special procedures of Vocational assessment. In 2013, 51 persons with Special Education Needs were enrolled at 11 Vocational Education centers and their performance was assessed by multidisciplinary team. In 2014 the number of students increased to 44.

In 2015, 215 students were registered and 185 enrolled in different Vocational Institutions.”¹⁴⁵

¹⁴⁵ Ibid. pp. 18-19.

Germany

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 24/02/2009
- **UNESCO Convention against Discrimination in Education:**
State Party since 17/07/1968

Constitutional provisions

“As set out in the German Basic Law (Grundgesetz, GG), “No one may be disadvantaged or favoured as a result of their gender, parentage, race, language, home country and origins, faith, religious or political views. No one may be disadvantaged because of their disability” (Art. 3 (3) GG). The Basic Law and the constitutions of the Länder include a number of fundamental provisions relating to schools (inspection, parents’ rights, compulsory schooling, religious instruction, privately-maintained schools).”¹⁴⁶

Legislative provisions

“The General Equality of Treatment Act (*Allgemeines Gleichbehandlungsgesetz*) which entered into force on 18 August 2006 relates among other things to the access to all forms and all levels of career guidance, vocational education, including vocational training, vocational further training as well as retraining and practical occupational experience. The law aims to prevent or remove disadvantages due to race or ethnic background, gender, religion or philosophy, disability, age or sexual orientation.”¹⁴⁷

Measures

“In recent years the Länder have made intensive efforts to establish diagnostic procedures as a basis for individual promotion. These include assessing language levels prior to enrolment at school, examining learning backgrounds of pupils who are starting school, establishing learning levels, comparative and orientation work, and competence analyses in different primary and lower-secondary-level grades.

Children and young people with special educational needs are required to attend school, just as their non-disabled peers are. They may attend mainstream schools, provided they are given the required special educational assistance and practical support, as well as an adequate physical environment. When a child reaches school age, his/her parents or legal guardians enrol the child either at a regular primary school (Grundschule) or, if he or she is found to have special educational needs, at a special school (Förderschule). Special education teachers are employed at Förderschulen and at mainstream schools in order to

¹⁴⁶ Germany. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 2. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/160629-CADE_9_Staatenbericht_DEU_FINAL.pdf

¹⁴⁷ Ibid. p. 3.

meet special educational needs, e.g. by providing mobile assistance and advice and cooperative instruction with another teacher in inclusive or cooperative classes. Implementation of the United Nations Convention on the Rights of Persons with Disabilities is under way, and there are currently varying regulations in the Länder, also concerning the rules on transferring pupils who attend a general school but are identified to have special needs in the course of their schooling.

In December 2012, the Standing Conference adapted the framework agreements on training and examination for the different types of teaching careers, bringing these in line with the requirements of inclusive education. The aim is to better prepare future teachers to deal with heterogeneity and inclusion and to meet the requirements of support diagnostics. Courses for the teaching career in special education at universities and equivalent higher education institutions are to be geared toward the requirements of inclusive education at all school types. Within the context of ratification by Germany of the UN Convention on the Rights of Persons with Disabilities and the equality legislation in the Länder, pupils with special educational needs may be integrated into mainstream schools.”¹⁴⁸

“Together with the Federal Employment Agency (Bundesagentur für Arbeit), Länder organisations and social partners, the Federal Government set up an Alliance for Vocational Training and Further Learning (Allianz für Aus- und Weiterbildung) in December 2014. Among other goals, the Alliance has pledged to strengthen dual training and continuing vocational training, and to thus support economic development and employment opportunities of the people concerned. Alliance members set out their support for a high-quality dual training system which also integrates young people with poor starting opportunities, with a migration background, or with a disability into company-based training. These efforts include a number of additional vocational opportunities, better coordination of federal, regional and local initiatives (e.g. Bildungsketten – a systematic succession of assistance tools offered by different agencies), and finally the introduction of new support schemes (e.g. Assistierte Ausbildung – the possibility of a mentored transition from school to vocational training for young people as well as support for small and medium-sized enterprises). The Alliance will revise its goals and measures by mid-2016 and is planning to formulate activities for the years 2016-2018.”¹⁴⁹

“Germany ratified the UN Convention on the Rights of Persons with Disabilities in 2009. DUK [German Commission for UNESCO] has consistently worked to promote the ongoing implementation of inclusive education in Germany. Together with the Bertelsmann Foundation and the Federal Commissioner for the interests of disabled people, DUK has established the Jakob Muth prize for inclusive schools. Since 2009 the prize has annually been awarded to schools that offer equal educational opportunities to all students and promote diversity in an exemplary way. Exposing best practice examples encourages other schools to start the process of implementing inclusive education.

DUK founded the Expert Committee “Inclusive Education” in 2010. The committee is a network of 30 important stakeholders (foundations, ministries, schools, social associations,

¹⁴⁸ Ibid. p. 5-6.

¹⁴⁹ Ibid. p. 8.

universities, etc.) that are dedicated to promoting the implementation of inclusive education in Germany. Since 2010 they have continuously been acting as multipliers to advance inclusive education in Germany.

In 2012, DUK published the guide “Regions of Education on the move - Inclusive Education in Aachen, Hamburg, Wiesbaden and Oberspreewald-Lausitz” following the project “Counselling of Educational Regions” which promoted inclusive education at the community level.

In 2014 DUK, together with a number of partners and supporters, hosted the national summit on “Inclusion - The Future of Education” in Bonn. The aim of the event was to compile an inventory of inclusive education in Germany, and to further strengthen implementation in Germany. During the summit, the “Bonn Declaration on Inclusive Education” (2014) was adopted.”¹⁵⁰

“DUK was actively involved in discussing and shaping the Education 2030 agenda. In September 2015, the General Assembly of DUK adopted a resolution regarding the implementation of the Education 2030 agenda in Germany. In this resolution, the General Assembly welcomes the United Nations’ adoption of a global Education 2030, along with its focus: to ensure inclusive and equitable quality education and to promote lifelong learning opportunities for all. The resolution identifies the following focus areas for implementation: tackling inequalities, implementing inclusive education in formal and non-formal settings, embedding ESD [Education for Sustainable Development] consistently in formal and non-formal education, and ensuring access to quality education for all.”¹⁵¹

“Activities of the German ASP network. National coordination requires the German ASP network with nearly 250 member schools in 2016 to implement human rights, sustainable development, and awareness of the need for fair distribution between rich and poor in school curricula. The UNESCO Roadmap for Implementing the Global Action Programme on ESD is a key element of the schools’ pedagogic concepts. ...

Activities for students with special needs:

- Integrating students with special needs into regular classes at primary and secondary level;
- International workshops created by „Engagement Global“, a partner of ASPnet;
- Workshops during Germany’s annual ASPnet conference to improve skills and create new pedagogical materials for various levels (primary, secondary);
- Participation of school coordinators in several national and regional conferences or workshops on the topic of inclusion.”¹⁵²

¹⁵⁰ Ibid. p. 20.

¹⁵¹ Ibid. pp. 20-21.

¹⁵² Ibid. p. 21.

Guatemala

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 07/04/2009
- **UNESCO Convention against Discrimination in Education:**
State Party since 04/02/1983

Legislative provisions

“Law for the Comprehensive Protection of Children and Adolescents pursuant to Decree Number 27-2003 of the Guatemalan Congress: Article 36 establishes “Comprehensive education” Article 37 ratifies, free, secular and compulsory public education up until the last grade of upper secondary (diversified secondary). Article 46 covers the right of children and adolescents with disabilities, stipulating that all children and adolescents with physical, sensory and mental disabilities have the right to enjoy a full and dignified life. Article 47 regulates the State’s duty to guarantee the right of all disabled children and adolescents to free special care.”¹⁵³

“National Education Law:... ARTICLE 48. Purposes. The purposes of Special Education are: 1. To promote the integral development of people with special educational needs. 2.Promote the integration and normalization of people with disabilities. ... ARTICLE 51. Orientation and Special Occupational Training. The Ministry of Education will promote and support the creation of centers and programs for occupational orientation and training for the disabled, in order to promote their personal independence and integration into the workplace.”¹⁵⁴

Measures

“ ... the Government Agreement No. 52-2015, dated February 4, 2015, ... contains the Regulation for the authorization and operation of private educational centers, which regulates the authorization and operation of the Private educational centers providing the requirements and procedures to regularize the procedures related to authorization, revalidation, changes, updating of information or closure of educational centers, defines those responsible for its implementation and how to carry it out. ... Another important point to highlight in relation to the Convention and Recommendation is the content of Article 22 of the Regulation, in which private educational centers are required to comply with current regulations regarding educational inclusion for students with special educational needs

¹⁵³ Guatemala. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation, p. 7. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/GUATEMALA.pdf>

¹⁵⁴ Ibid. p. 46.

associated or not to disability, including giftedness. Private schools of special education have a very high cost that prevents the registration of the majority of the population because they do not have the financial resources.”¹⁵⁵

“Among the measures adopted by the Ministry of Education through its General Directorate of Special Education -DIGEESP-, to eliminate and prevent discrimination against students with special educational needs, are : Since 2014 at the national level, all the documents are generated within the framework of the "Strategy for Integral Education in Sexuality and Violence Prevention and all forms of Elimination of Discrimination towards The Population with Disabilities enrolled in schools. Since 2009 there has been a series of awareness-raising campaigns for the education community with the aim of giving disabled people in the community equal opportunities. Nevertheless, in some schools there is still an attitude of discrimination and exclusion when trying to get disabled people accepted into regular schools.”¹⁵⁶

“In 2009, the Scholarship Program for Students with Disabilities enrolled in regular schools began, so that year the attention to the population with disabilities increased.”¹⁵⁷

“Within the structure of the Ministry of Education, the Directorate General of Special Education -DIGEESP-, is the governing body of special education and is responsible for delivering technical and administrative guidelines to all schools that have students with special educational needs, population vulnerable to be excluded from private and official schools. Its legal basis is the Special Education Law for People with Special Capacities, Decree No. 58-2007 dated November 13, 2007. In each department of the country, there is a Departmental Coordination of Special Education, which is responsible for giving accompaniment through permanent and itinerant staff working with the Educational Community providing pedagogical strategies to support students who have barriers to learning and participation, in order to be included and have equal opportunities than the rest of their peers.”¹⁵⁸

“In the Extracurricular Education Subsystem, there are young people and adults, in the framework of inclusive education that is also facilitating access to students with disabilities, in this way, in the 2014-2015 period, 477 students with disabilities were participating.”¹⁵⁹

“Buildings of mainstream schools were repaired and renovated. The percentage of students with learning and participation barriers who continue to study at a medium level is minimal, especially students with intellectual disabilities because teachers are not prepared to do reasonable accommodations to make education accessible to them. In addition, the socioeconomic level of the student urge them to look for a job and leave their studies.”¹⁶⁰

“Regarding the population with disabilities, it is 4% that has access to higher education. There is no accessibility in infrastructure or access to the curriculum in higher education.”¹⁶¹

¹⁵⁵ Ibid. p. 44.

¹⁵⁶ Ibid. p. 14.

¹⁵⁷ Ibid. p. 15.

¹⁵⁸ Ibid. p. 19.

¹⁵⁹ Ibid. p. 21.

¹⁶⁰ Ibid. pp. 29-30.

¹⁶¹ Ibid. p. 32.

Haiti

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 23/07/2009
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Constitutional provisions

“In Article 32.8 [of the Constitution], the State guarantees education, as well as other means to ensure their autonomy, education and independence, to persons with special needs.”¹⁶²

Measures

“Many efforts have been made by the Haitian state and households. However, school exclusion still affects the most vulnerable groups, such as street children, children in domestic service ("Restavèk"), people with disabilities, rural populations, girls, etc. In addition, we note that the classical dichotomies student/students with special educational needs, morning schools/evening schools, rural schools/urban schools, Creole/French, boys/girls are striking. Likewise, it has been established that children living in rural areas or far from major learning centers cannot fully and effectively enjoy their right to quality education. In addition, the lack of training for teachers represents a major challenge for the promotion of inclusive education. Only 5.8% of teachers say they have completed inclusive education training (UNESCO / MENFP and UNDH, 2016, "Diagnostic Study - Inclusion in Teacher Education and Training"). According to data collected in 2013-2014 by the Ministry, only 1.4% of registered schools indicate that they have classes for children with disabilities. In addition, very few school infrastructures now have access ramps adapted to the needs of these children in accordance with the requirements of the Operational Plan (MENFP, 2015).

Although interventions in the field of special education are limited, as the number of children with disabilities is estimated at about 120,000 by the Haitian Institute of Statistics and Informatics (IHSI), the State has nevertheless made efforts to enable some children with physical or intellectual disabilities to enter the school system. Currently, out of 120,000 children with reduced mobility, only 2,919 are in school. Facilities are very limited. The

¹⁶² Haiti. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 5. Original version accessible at:

http://www.unesco.org/education/edurights/media/resources/file/Version_finale_9e_consultation_Ha_ti_1_960.pdf

report of the [Working Group on Education and Training] notes that before the earthquake of January 12, 2010, only 298 of the 46,919 teachers identified in the first two cycles of the fundamental had received training in special education. Some schools in the country are starting to be aware of the need to include children with disabilities, especially motor-based disability, in their structures. A lot has to be done to integrate these children, who have the same rights as everyone else, into existing schools, which are designed for children without disabilities. Innovative and effective educational strategies, combining traditional and vocational education, must be put in place to respect the rights of children and adolescents with disabilities. The goal of a quality education for all, set for the 2030 horizon, will not be achieved if the Haitian State does not make additional efforts to increase the educational offer for this special category of the population. It should be noted that the enrollment rate of children with disabilities has increased from 1.7% to 4% in the last ten years.”¹⁶³

“At the level of governance, in 2010, the Haitian State drew up an Operational Plan as a document for the strategic management of the entire system (preschool, basic, secondary, vocational, special education) and the evaluation made it possible to elaborate a new plan for the period 2015 - 2030 in the context of the implementation of the SDGs, including SDG 4. Other policies are being evaluated and revised.”¹⁶⁴

“Adoption and publication of laws to ensure persons with disabilities’ rights; creation of the Secretariat of State for the Integration of People with Disabilities (SEIPH); creation of a structure at the Ministry of Education for the care of children with special educational needs.”¹⁶⁵

¹⁶³ Ibid. p. 12.

¹⁶⁴ Ibid. p. 24.

¹⁶⁵ Ibid. p. 25.

Honduras

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 14/04/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 05/09/2013

Constitutional provisions

“... The Constitution of the Republic, ... in chapter IV on the Rights of the Child, articles 119, 120 and 123 set up that the State has the obligation to protect children and that children will enjoy the protection provided in international agreements that ensure their rights. In this way, physically or mentally deficient minors, those with irregular behavior, orphans and the abandoned, are subject to special legislation on rehabilitation, surveillance and protection. Every child should enjoy the benefits of social security and education. In Chapter VIII concerning Education and Culture, articles 151 and 169 establishes that education is an essential function of the state for the conservation, promotion and dissemination of culture, and that the state should project its benefits to society without discrimination of any nature. The State will sustain and promote the education of the disabled. ...”¹⁶⁶

Legislative provisions

“Law for the Establishment of a Country Vision and the Adoption of a Nation Plan for Honduras “ Article 29 : ... For the General Administration of the country, the Constitution of the Republic confers to the Executive Power and the Secretariats of State the following powers: ... 4) Development and Social Inclusion: Regarding the formulation, coordination, execution and evaluation of public policies in the field of development, social inclusion and poverty reduction; as well as the planning, administration and execution of the programs and projects deriving from those policies and aimed at vulnerable groups, children, youth, indigenous and Afro-Honduran people, people with disabilities, people with special needs and old people.”¹⁶⁷

“Rules of the Basic Law on Education. ... Article 58. The Special Basic Education has an inclusive approach and addresses, at all stages, levels, modalities and programs of the National Education System, towards people with special educational needs, associated or

¹⁶⁶ Honduras. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp. 49-50. Original version accessible at: <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

¹⁶⁷ Ibid. pp. 4-5.

not with disabilities and those who present exceptional talents, in order to achieve their integration and participation in society.”¹⁶⁸

“Taking into account the constitutional mandate, the general legal system includes special legislation for the protection and development of people with disabilities. It should be noticed that these laws precede the Convention on the Rights of the Child, which entered into force on September 2, 1990 and took force with the Honduran Code of Children and Adolescents in 1996. Below is their detail: ...

The Code of Children and Adolescents of Honduras Decree 73-96 includes the content of article 4 of the Convention on the Rights of the Child, as expressed in Article 17: “The State will rationalize the use of its financial resources in order for children to have comprehensive maternal and child health services, committing to allocate as a priority, resources for social spending, especially for the areas of health and education.” ...

The Law of Equity and Integral Development for Persons with Disabilities, Executive Decree 160-2015 in section II on Education, in articles 17, 18 and 19 establishes that the State, through the education system, guarantees access to education at all levels for people with disabilities, both in the public and private systems. It also provides that the governing bodies for education must formulate and incorporate into the National Education System the programs that are necessary to meet the requirements of technical assistance and support service for special educational needs and ensure that these people will receive their education in the regular educational system, counting for it with the necessary support services. ...

In 2010, the Ministerial Decree No. 2525-SE-2010 was approved by the Curriculum Adjustment Regulations whose aim is to realize the right to education for all children and young people with disabilities, special educational needs and exceptional talents with the purpose of fulfilling the objectives of Education for All. It defines the principles, procedures and responsibilities in the realization of the Curriculum Adaptations for the education of the population with disabilities, special educational needs and with exceptional talents within the framework of the Policy of awareness to Diversity.”¹⁶⁹

Measures

“The Ministry of Education in compliance with the international provisions and commitments signed by the Honduran State and current national regulations, promotes inclusive education in the country, with the firm intention to provide quality inclusive education, considering as a priority the provision of the resources and support services necessary for the access, permanence and development of all students with disabilities, individual educational needs and exceptional talents, enrolled in educational institutions without discrimination of any kind. As of 2014, a positive impact was achieved in the development of the awareness of the directors and teachers working in educational institutions to develop inclusive educational processes, which favor the learning and participation of students with disabilities, individual educational needs and exceptional talents such as established by the Regulation of Inclusive Education and the Basic Law on

¹⁶⁸ Ibid. pp. 19-20.

¹⁶⁹ Ibid. pp. 49-52.

Education, which aim to make the principles of integrality, equity, non-discrimination and inclusion effective for disabled people.

Similarly, employment is provided to persons with disabilities, in compliance with the Law on Equity and Development for Persons with Disabilities.

Within the framework of the implementation of the Basic Law on Education, the Sub General Directorate of Education for People with Different Capacities or Exceptional Talent is created, (...) its purpose is to guarantee the access, permanence, success and discharge of students with disabilities, individual educational needs and exceptional talents at all levels and modalities of the National Education System."¹⁷⁰

"The Ministry of Education, through the Special Education Unit, carried out, since 2005, actions aimed at disseminating the international and national legal framework with the purpose of realizing the right to education of children with disabilities and special educational needs.

In 2010, the Ministry of Education conducted a statistical investigation in pre-primary and primary educational schools nationwide, with the purpose of knowing the impact of the Policy of awareness to Diversity in the population with disabilities and special educational needs. The report yielded that 45,536 children enrolled in regular educational centers. Among them, 3,608 were reported at the level of pre-primary Education (including CCEPREB [Methodological Guide of the Community Centres of Pre-Primary Education]), which represents 2% of the total population at this level (232,330). However, only 5% of this population has additional support to address their special needs arising from disability."¹⁷¹

"In April 2004, the Master Plan for the Development of Educational Infrastructure in Honduras was launched by the Minister of Education. Although it does not explicitly refer to children with disabilities, it incorporates substantial improvements related to the construction of buildings with spaces and furniture appropriate to the number and age of children served, which will result in the well-being of all Honduran children."¹⁷²

"Public Policies for the Exercise of the Right to Education of Persons with Disabilities and their Social Inclusion. The area corresponding to access to education aims at guaranteeing the exercise of the right to education to people with disabilities by carrying out the modifications and adaptations of physical infrastructures as well as pedagogical and curricular adjustments necessary to achieve transformation."¹⁷³

"The Honduran Sign Language Law LESH0 approved by Legislative Decree 321-2013 aims to recognize the Honduran Sign Language LESH0 as the language used by deaf People, people with hearing impaired and blind deaf people, who freely decide to use it as a means or linguistic system to understand and (be) understood (by) other people."¹⁷⁴

¹⁷⁰ Ibid. pp. 46-47.

¹⁷¹ Ibid. pp. 47-48.

¹⁷² Ibid. p. 49.

¹⁷³ Ibid. p. 52.

¹⁷⁴ Ibid. p. 53.

“In 2010, the Curriculum Adequacy Regulations were approved and an intensive training process was carried out for teachers of the pre-primary and primary education levels in educational centers as a pilot phase in four departments of the country. It led to the implementation of adjusted curricular as a teaching action strategy to guarantee an effective learning and participation of students with disabilities, individual educational needs and exceptional talents.

With the implementation of the Inclusive Education Regulation for Persons with Disabilities, special educational needs and exceptional talents, the implementation of the following Inclusive Education Support Services is legalized to guarantee the fulfillment of the right to education with equal opportunities for all students without discrimination of any kind.

- Organization of 18 departmental Psychopedagogical Teams (one per department), responsible for implementing, monitoring, supervising and evaluating inclusive education actions in all departments of the country.
- Operation of the National Resource Center for Educational Inclusion of people with visual disabilities basically oriented to the training of human resources, production of adaptive teaching resources and provision of the necessary technical aids for students with visual disabilities.
- Creation of Educational Services of Attention to Diversity in 40 educational centers of Francisco Morazán, of which two are non-governmental.”¹⁷⁵

“Since 2008, programs and projects whose aim is to promote the rights to education for all children have been implemented, with an emphasis on the population with disabilities, particularly in-service teachers training, including: ...

- Institutional Strengthening Project “Attention to the diversity of students in Honduras” with support from the Ministry of Education of Spain through the OEI-Honduras in educational centers in the department of El Paraíso and the improvement of educational services offered under the Rights Approach from 2010 to 2012.
- The South Project for Attention to Diversity with emphasis on the inclusion of the deaf population, supported by the National Institute of the Deaf INSOR, Colombia.
- The Friendly Schools Program, supported by UNICEF, which includes training activities for in-service teachers on diversity care methodologies with an approach on inclusive education.
- Training program for teachers, departmental director of education of the 18 departments of the country, supported by CARE International in Honduras.
- Project of Access to a Quality Education of the Secretariat of Education sponsored by UNICEF will be implemented in 7 departments (Ocotepeque, Lempira, Copán, Intibucá, Santa Bárbara, Cortes and Francisco Morazán).

Implementation of strategies that favor inclusive education (educational inclusion strategy of the SE and School Management for Universal Accessibility) for the development in the offer of services, the identification of barriers to learning and participation aimed at improving school contexts in 7 departments of the country, as pilot experiences that will later be implemented nationwide.

¹⁷⁵ Ibid. p. 54.

Civil society institutions and organizations working with and for people with disabilities develop educational integration and inclusion programs and projects since the first decade of 2000. These programs and projects focus on the integration and inclusion process with teachers of methods and resources who belong to special schools and provide advice and technical-pedagogical support to teachers who work with integrated students An aspect of particular importance is the creation of an NGO Network - COMCORDÉ - which has inclusive education as one of its lines of action.

Systematized training manuals and modules constitute a great resource for teacher capacity development. Their average duration is two years, using semi-face-to-face methodology with monthly half-day sessions. In the case of the Educational Center, the entire educational community participates and provides information on support resources and preliminary diagnosis. ...

Financing: The programs and projects developed to promote educational inclusion processes are funded from international organizations such as UNICEF, OEI, CARE International, World Vision, FOAL, Perkins Foundation, CBM and ICEVI. The contribution of the Ministry of Education consists of paying staff, providing some basic resources for the operation of the previous Special Education Unit, now General Subdirectorate of Education for People with Different Capabilities or Exceptional Talent in application of the Basic Law on Education. ...

Currently, 42 institutions are identified as working in the area of Special Education with Educational Integration programs who are gradually moving towards increasingly inclusive education in compliance with the Inclusive Education Regulation of the Basic Law on Education. These institutions are transforming into Resource Centers for Inclusive Education. Their coverage in education of people with disabilities is approximately 30% nationwide.

As part of their boarding strategies, these institutions carry out immersive workshops prior to the start of the school year with follow-up and support to teachers, fathers and mothers whose children will be integrated. This is fundamental for the success of the process since, in addition to providing them with timely information, they feel involved and safer. It has resulted in the signing of a mutual cooperation agreement.

Country Achievements

- Public Policy for the Integral Development of Early Childhood approved in 2014.
- Program for the timely detection of disabilities, special educational needs and pathologies of high neurological risk. Early detection in early childhood of factors of neurological risk and disability are detected in hospitals and health centers and subsequently sent to specialized centers for diagnosis and treatment. The Ministry of Health establishes a mechanism through the health controls of the mother and the child, which allows the prevention and early detection of disabilities.
- The Risk Management Campaign for people with visual disabilities in coordination with PEAS and National Working Group (GTN) led by the Secretary of State in the Education Office through the Special Education Unit.

- Flexible, inclusive and meaningful official curriculum, which ensures the acquisition of basic skills for the integral development of boys and girls at the level of pre-primary education.
- Creation and operation of the National Center of Educational Resources of the Ministry of Education, for the development of the population with visual disability that provides advice to children and families and transcribes texts to facilitate educational inclusion and attends teacher training in aspects of functional rehabilitation and training in techniques for the blind, such as orientation and mobility, braille literacy, use of abacus in the teaching of mathematics, visual stimulation, and work with families.
 - Programs aimed at training the educational community in the management of LESHO sign language and facilitated or alternative communication techniques for the deaf population.
- Awareness and training campaigns for regular teachers regarding educational integration / inclusion processes.
- Diversity Attention Projects to facilitate access, permanence and promotion of children in educational centers.
- Organization and Strengthening of Departmental Psychopedagogical Support Teams to support teachers in the attention of special educational needs in educational centers nationwide as part of the implementation of the Inclusive Education regulations for People with Disabilities, Special Educational Needs and Talents Exceptional and the Educational Inclusion Strategy of the Ministry of Education.
- Organization of networks to strengthen alliances with the various associations that promote attention to diversity.
- Development of community-based rehabilitation programs.
- Realization of physical and environmental adaptations in several educational centers in five departments to improve conditions of physical accessibility of students with disabilities
- Detection of visual problems in 94 pre-primary and primary educational centers, training of 375 teachers in coordination with the institutions that make up the National Working Group (GTN).¹⁷⁶

“Special Education Institutions that promote the process of integration or educational inclusion throughout the country have worked in isolation with policies, procedures and records appropriate to their needs. As a consequence there is no uniformity in the information available which makes it difficult to account for the overall work done.”¹⁷⁷

“The increase in the participation of families and the organized civil society, especially the Organization of Networks of People with Disabilities, as well as the strengthening of sectors working in Education will result in a greater well-being of people with disabilities, family and community.

¹⁷⁶ Ibid. pp. 55-60.

¹⁷⁷ Ibid. p. 63.

In order to keep statistical information updated in 2010, the system used to capture information on the student population with special educational needs associated or not with disabilities integrated in centers is incorporated into the national statistical system of the Ministry of education. In 2012, the statistical system reported a total of 47,596 children with disabilities and special educational needs integrated in educational centers nationwide. In 2013, statistics amounted to a total of 58,336. In 2014, the Education Center Administration System (SACE) reported a total of 42,008 students who, taking into account the school population reported in 2013, showed a difference of 16,318 less than those reported in 2013.”¹⁷⁸

¹⁷⁸ Ibid. p. 64.

Hungary

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 20/07/2007

- **UNESCO Convention against Discrimination in Education:**

State Party since 16/01/1964

Measures

“In order to the prevention of unreasonable classification as disabled (ie. unreasonable classification and segregation of multiply disadvantaged (including Roma) children) and develop the access to quality education of children with special educational needs, modern diagnostic tests and diagnostic protocols (1 basic protocol, 10 specified protocols, 5 ECEC-specified protocols) have been developed in 2013-2015. For the sake of replacing outdated IQ tests the WISC-IV test has been standardized, inter alia, the Hungarian adaptation of one of the tests of this internationally known and widely used group of tests. 13 new assessment and development procedures were standardised and adapted. Experts (1036 people) who conducted diagnostics have been prepared in trainings. The content of this scheme was determined with regards to remarks of civil partners and the recommendations of the UN Disability Committee. The developments to combat unjustified classification are continuing. Due to continuous developments, ratio of students who classified with mild intellectual disability decreased from 2% (2005/2006 school year) to 1,5% (2015/2016. school year).”¹⁷⁹

“Based on the Higher Education Act - preferential treatment in the form of a given number of additional points available in the admission procedure (in 2015: 40 additional points) have been introduced for specific categories of persons, including applicants with disabilities, (socially) disadvantaged/multiply disadvantaged applicants, persons on unpaid leave for childcare purposes or in receipt of pregnancy-maternity benefits, childcare allowance, child-rearing allowance or childcare benefits.”¹⁸⁰

“National Disability Program Hungary has in the recent years and decades taken significant legislative steps to improve the quality of life of people with disabilities and to promote their independent living and social integration. One of the key features of the disability portfolio is that it equally affects each area of life and thus almost each administrative sector; therefore, the National Disability Program and its medium-term action plan addresses several Ministries and State Secretariats. The State Secretariat for Education is

¹⁷⁹ Hungary. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 4. Report accessible at:

<http://www.unesco.org/education/edurights/media/resources/file/HUNGARY.pdf>

¹⁸⁰Ibid. p. 14.

addressed by the objectives of the special education assistance service and pedagogical assistance service, which are as follows: To establish a system for children/students with special educational needs that is capable of identifying individual needs and characteristics and, in the light of them, offer extra services. To strengthen the role of institutions of common special education and conductive education methodology as supporters of integrated education. To support measures that help develop severely and multiply disabled children the most successfully, compared to their capabilities. To develop pedagogical assistance services that fall in line with differentiated needs. To train and prepare a large number of professionals in order to extend on a qualitative basis early childhood services and to meet the demands that may arise in the institutional system. To offer career development; to operate further-educational and career guidance at system level; to disseminate individual transition programmes in practice.”¹⁸¹

“A significant test development related to access to quality inclusive education of children with special educational needs and related to the unjustified qualifying of these children as disabled has been made. In order to exchange outdated IQ tests the WISC-IV test was standardized, amongst others, through the Hungarian adaptation and widespread application of internationally acknowledged tests. One of the developments is the new registration system (in operation since September 2013) that is designed to monitor the access to education of children with special educational needs and to follow up their development. The register contains sensitive information, such as ethnic data that is important for preparing further analyses in order to prevent qualifying as disabled.

During the expert inspection of a multiply disadvantaged child, an expert of equal opportunities from the assistance services is obliged to be present, unless the parent expressly waives the presence of such an expert. Within fifteen days after the day the application for the launch of an inspection was received and at least ten days before the date of the inspection, the expert committee contacts the Educational Authority for the purpose of the appointment of an expert of equal opportunities from the assistance services and, at the same time, gives information on the place and date of the expert inspection. Within eight days after the receipt of the request, the Educational Authority appoints the expert of equal opportunities from the assistance services. After the expert inspection is closed, the parent shall be informed of the findings of the expert inspection, of the expected content of the expert inspection, and of parents' rights and obligations. The fact that such information was provided and that the information obligation was fulfilled is recorded in writing and is undersigned by the parent. If an expert of equal opportunities from the assistance services participates in the procedure, he or she shall be present when the parent is provided with information. The expert of equal opportunities from the assistance services may express his or her opinion of the committee's work and findings, and may recommended the parent to use his or her right to initiate a review. Moreover, if during the expert committee procedure the procedural rules of the inspection are not complied with, the expert of equal opportunities from the assistance services is obliged to initiate an administrative proceeding.

¹⁸¹Ibid. p. 7.

The expert committee may establish the fact of mild mental disability only if the data of the medical data sheet (regulated by a specific legislation) or the data obtained during the continuous monitoring of the child confirms this condition.

If on the basis of the data of the medical data sheet and the medical expert opinion prepared during the procedure of the expert committee, as well as on the basis of the primary ability estimation produced in the course of the pedagogical and psychological examination, the fact of mild mental disability is probable, the child must undergo a continuous monitoring. During such a continuous monitoring, the child/student participates in kindergarten education or in school education in the kindergarten or school of his or her place of residence, or in his or her selected kindergarten or school, together with the other children/students. The continuous monitoring starts in the month following the pedagogical or psychological examination, and – if there are at least seven months until the end of the given educational year/school year – it lasts until the end of the school year, or – if there is less than seven months until the end of the given educational year/school year – it lasts until the end of the first half of the educational year/school year that follows the year of the examination. At the beginning of the continuous monitoring, the expert committee defines the tasks of the teacher who participates in the monitoring. During the continuous monitoring, the representative of the expert committee monitors the child during kindergarten activities or class at least two times. At the end of the continuous monitoring, the expert committee examines the development of the child/student and, on the basis of its findings and as a result of the summary of examinations, prepares its expert opinion. During the continuous monitoring, the teacher – as instructed by the expert committee – prepares a detailed report on the development of the child/student regularly, but at least once every two months. During the continuous monitoring, the teacher informs the parent of his or her findings at least once in a month, offering assistance to education at home. At the end of the continuous monitoring, the teacher submits a detailed assessment to the expert committee.

Networks of travelling special education teachers and travelling conductors: As a result of the measures taken in recent years, the number of children/students with special needs who are educated in segregated institution types has decreased dramatically, while the dominance of integrated education has grown. The professional opinion (expert opinion) of expert committees serve as guidelines when it needs to be decided if, in the case of a given child/student service can be provided more efficiently together with other students or in a separate group or class. Obviously, the extension of the scope and efficiency of the integrated forms of service provision remains to be a priority objective. The promotion of integration is the task of the networks of travelling special education teachers and travelling conductors. Nevertheless, this relatively new legal institution still needs to be backed up; the territory of Hungary is covered unevenly, and the professional standards are not unified. In order to regulate the networks of travelling special education teachers and travelling conductors, a working groups has been set up where government stakeholders, institutions of higher educations and professional organisations were represented. Currently, the codification recommendations have been submitted.

The rate of children who qualify as children with mild mental disability to the total number of children or students diminished year by year: in school year 2003/2004, the rate was 2.1%, while in school year 2015/2016 it was 1.5%. Nevertheless, the proportion of students

with mild mental disability educated within an integrated system is steadily increasing; it is currently 38%. Taking account every area of special education needs altogether (except for the severely and multiply disabled students) the proportion of children with special educational has significantly increased: it was only 42% in the 2004/2005 school-year but, based on the data from the 2015/2016 school-year, it has grown to 69%.”¹⁸²

¹⁸² Ibid. pp. 9-10.

Iraq

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 20/03/2013
- **UNESCO Convention against Discrimination in Education:**
State Party since 28/06/1977

Constitutional provisions

“The 2005 Iraqi Constitution holds education to be fundamental to the progress of society and the Constitution includes a number of paragraphs dealing with the right to education which the State guarantees to all. Education is free at all stages and compulsory at the primary stage, scientific research and innovation are encouraged and education for persons with special needs is guaranteed. Education thus represents a strong foundation that can be built upon, developed and expanded as required. ...

The 2005 Iraqi Constitution contains provisions relating to rights and freedoms. Thus article 16 stipulates that equal opportunities are guaranteed to all Iraqis and the State guarantees to take the measures necessary to achieve this. Article 32 stipulates that the State cares for the disabled and those with special needs and guarantees their rehabilitation in order to integrate them in society; this shall be regulated by law.”¹⁸³

Measures

“The Iraqi State is concerned with vulnerable groups of students and those with special needs, as follows:

1. Special education classes have been opened in a number of primary schools for those with special needs, including slow learners and those with poor hearing or sight or other disabilities. In school year 2010/2011, there were 938 such schools, 10,599 pupils and 1,345 teaching staff, rising in 2013/2014 to 1,249 schools, 15,208 pupils and 1,713 teaching staff.
2. The ministry seeks to fulfil its duties pursuant to the provisions of Act no. 38 (2013), on caring for special needs.
3. Special needs students sit examinations in special examinations halls.

¹⁸³ Iraq. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp. 7-8. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/IRAQ.pdf>

4. Numbers of qualified special needs supervisors and counsellors are available.”¹⁸⁴

“The fundamental premises for achieving the goals stated in the National Strategy for Education and Higher Education (2012-2022) are identified as:

- Education that provides equal opportunities;
- High quality education;
- Education that contributes to sustainable development;
- Education that meets the demands of civilized society;
- An education system that is effective.

On the basis of this system, the Ministry of Education is working to modernise the curricula and keep them up-to-date with global scientific developments, improve the standard of examinations, assessment and evaluation, qualify teaching staff and ensure that they receive continuous training. Furthermore, the system has been designed to ensure that those with special needs have the opportunity of education, that gifted students are given care and attention and that those who cannot read or write have access to education and are integrated into the education system.”¹⁸⁵

¹⁸⁴ Ibid. p. 8.

¹⁸⁵ Ibid. p. 17.

Ireland

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 20/03/2018
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Legislative provisions

“Ireland has recognized a range of international legislation - e.g. Salamanca Statement and Framework for Action on Special Needs Education (1994), Council of Europe, Political Declaration (2003) and Action Plan (2006) and United Nations International Convention on the Rights of Persons with Disabilities (2006). Ireland continues to work towards guaranteeing equal access to all levels of education. ...

Ireland has faced challenges in terms of schools admissions rules, not least because the majority of schools are under the patronage of religious institutions, although the curriculum, funding and teachers' salaries are the responsibility of the State. The State has been working on legislation, particularly since 2013, aimed at making school admissions more inclusive, tackling challenges of school policies which could discriminate against admission of students on religious or special needs grounds, or where applicants are not children of former students. The State is due to publish a new School Admissions Bill as we approach the end of 2016. The State is due to publish a new School Admissions Bill as we approach the end of 2016.

This bill will increase the transparency and fairness of school admissions. It makes clear that every school must be welcoming of every young person – regardless of their colour, their abilities or disabilities. It will help to end the soft barriers that some of our schools erect in the way of children with special needs. Publication of this Bill reflects a commitment contained in the Programme for Government to publish new School Admissions legislation taking account of current draft proposals and addressing issues including publication of school enrolment policies, an end to waiting lists, introduction of annual enrolment structures, and transparency and fairness in admissions for pupils and their parents.”¹⁸⁶

Measures

“DEIS (Delivering Equality of Educational Opportunity in Schools: An Action Plan for Educational Inclusion) was introduced in 2005. This plan addresses the educational needs of children and young people from disadvantaged communities, from pre-school to the end of post-primary education (age three to eighteen years). A primary motivating factor for the

¹⁸⁶ Ireland. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 1. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/IRELAND.pdf>

introduction of the plan is the fact that the rates of educational under-achievement and early school-leaving remain much higher for students from disadvantaged communities than for other children. ...

Actions to Increase Access to Higher Education

Achieving a more equitable higher education system has been a long-standing priority for the Department of Education and Skills (DES) and the Higher Education Authority (HEA). The commitment in policy and legislation to tackling social inclusion through education has been followed through with a large investment of resources in student support and third level access measures.

Setting targets to increase participation by under-represented groups in higher education has been at the core of three National Access Plans for Higher Education. The third National Access Plan 2015-2019 was published last year and was developed by the HEA in partnership with the DES and following a wide consultative process. The Plan is cognisant of equality principles and sets out the goals, objectives, actions required to increase representation in higher education by members of target equity groups. These include students from low-participating socio-economic groups; learners with disabilities, mature student new entrants, members of the Irish Traveller community and entrants on the basis of further education qualifications.

The National Access Plan is being implemented in the context of a National Strategy for Higher Education to 2030 and system objectives for higher education that have been framed by the Department's Higher Education System Performance Framework 2014 – 2016 and by the Action Plan for Education 2016-2019. A first report of progress on higher education system performance was published by the HEA in 2015 Higher Education System Performance Report 2014-2016 . This report includes an overall evaluation of the current position on indicators to increase access by under-represented groups. This report is supplemented with more specific objectives, actions and targets for equity of access to higher education which are being implemented as part of the National Access Plan 2015-2019. A second report on performance will be published shortly. ...

In addition to the Student Grant Scheme, a number of other funding schemes support increased equity of access to and participation in higher education including: ... The Fund for Students with Disabilities supports participation by students with a disability in full-time programmes of further and higher education. The aim is to ensure that these students can participate fully in education, on an equal basis with their peers. The supports and services that are funded include assistive technology, personal/academic support and transport. €10.3m is being allocated in 2016-17. This programme supported almost 10,450 students in 2015/16. A review of this programme is underway as part of the implementation of the National Access Plan."¹⁸⁷

"Ireland has acknowledged a need to reform its curricula in order to better ensure inclusion of all learners in the learning process. Among the measures taken in recent years are: ... The National Council for Curriculum and Assessment has produced a range of guidelines and

¹⁸⁷ Ibid. pp. 2-3.

teacher supports, on behalf of the State, to enhance inclusion of all learners in the learning process. In addition to its central role in developing the Junior Cycle Framework outlined below in Section 3.2, the NCCA has done the following: To support the teaching and learning of students with special educational needs guidelines for teachers of students with general learning disabilities and exceptionally able students are available. ...

Ireland has acknowledged a need to reform its curricula in order to better ensure inclusion of all learners in the learning process. Among the measures taken in recent years are:

- Under the Education for Persons with Special Educational Needs Act 2004 (the EPSEN Act) each child assessed with a special educational need should have a personal education plan. This system is not yet in place but its implementation is being coordinated by the National Council for Special Education (NCSE) which has published Guidelines for the Individual Education Plan process (pdf). The NCSE has also published Implementation Report: Plan for the Phased Implementation of the EPSEN Act 2004. This sets out how the Act can be implemented. However there is currently no date for the implementation of the assessment of need and individual education plans.
- Section 2 of the act provides that a child with special educational needs will be educated in an inclusive environment with children who do not have such needs, unless this is inconsistent with the best interests of the child, as determined in accordance with any assessment carried out under the act, or with the effective provision of education for children with whom the child is to be educated.
- Boards of management are also required to ensure that the parents of students with special educational needs are informed of their child’s needs and how those needs are being met and that they are consulted about, and invited to participate in, the making of all significant decisions regarding their child’s education.
- The National Council for Curriculum and Assessment has produced a range of guidelines and teacher supports, on behalf of the State, to enhance inclusion of all learners in the learning process. In addition to its central role in developing the Junior Cycle Framework outlined below in Section 3.2, the NCCA has done the following:
 - To support the teaching and learning of students with special educational needs guidelines for teachers of students with general learning disabilities and exceptionally able students are available.
 - Recently, the NCCA has worked with schools and other settings involved in educating learners in detention and those requiring high support and care. Look at the curriculum framework that has been developed for use in these schools and settings. ¹⁸⁸

“By 2016, a new guide to self-evaluation had been developed, built around a guidelines document called ‘Looking at our Schools’ which expects school leaders to ‘foster a commitment to inclusion, equality of opportunity and the holistic development of each student.’” ¹⁸⁹

¹⁸⁸ Ibid. p. 5.

¹⁸⁹ Ibid. p. 9.

Japan

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 20/01/2014
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Measures

“... The Japanese government is working for providing a continuous and diverse learning environment including regular classes, special support services in resource rooms, special support classes, and schools for special needs education. The Japanese Government also supports parents and guardians financially through the promotional grants for school enrollment on special needs education and other measures.”¹⁹⁰

¹⁹⁰ Japan. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 5. Report accessible at: <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

Kuwait

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 22/08/2013
- **UNESCO Convention against Discrimination in Education:**
State Party since 15/01/1963

Legislative provisions

“Under Act No. 8/2010 on the rights of people with special needs and Act No. 5/2016 amending certain provisions thereof, state institutions pay unprecedented attention to those with special needs in the educational, scientific, health, social and cultural fields, various departments of education institutions being required to take into account the needs and requirements of people with disabilities, whether regarding faculty and institute building design, associated facilities, the educational services provided to them or student, social, sports, cultural and artistic activities, as well as the material support provided.”¹⁹¹

“Private education of various kinds (Arab, foreign, bilingual, for people with disabilities, and religious education) in Kuwait is one of the most important pillars of the educational process and currently attracts almost 48% of students, whether Kuwaitis or foreign residents. Private education institutions are organized by the Private Education Act, which regulates the relationship between private schools and the Ministry of Education. The Educational Committee of the Kuwaiti National Assembly is currently discussing the adoption of a new, up-dated, law, which requires this relationship to be regulated by the law currently in force, as well as through a series of decisions, rules and regulations organizing the educational process, covering the relationship between school and student, teacher and parent, which is constantly renewed to suit the needs of the educational process, a system far from discrimination.”¹⁹²

Measures

“Here it should be noted that, a century after the beginning of formal education, the State of Kuwait has achieved a very great deal, making it, according to the findings of UNESCO Education for All (EFA) reports during the current decade, a "high-performance" State for many educational indicators such as gender parity, spending on education, reducing school dropout, the education for all indicator and the elimination of illiteracy, which is no longer a problem in Kuwait. Kuwait is also pressing ahead with the integration of students with

¹⁹¹ Kuwait. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 12. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/KUWAIT.pdf>

¹⁹² Ibid. p. 22.

educational difficulties with their peers in public education schools, and paying great attention to the education of people with disabilities. All these successes show clearly that Kuwait has made great strides in ending the various forms of discrimination in education.”¹⁹³

“Governmental measures taken between 2012 and 2015 on ... non-discrimination in the admission of pupils to educational institutions: Increased number of places for expatriate children with special needs in special needs schools.”¹⁹⁴

“The State of Kuwait attaches particular importance to the policy of integrating people with special needs in formal education in keeping with the principle of equal opportunities in education, integration generally aiming to meet the needs of this special category within the framework, methods and approach of ordinary schools.”¹⁹⁵

¹⁹³ Ibid. p. 2.

¹⁹⁴ Ibid. p. 9.

¹⁹⁵ Ibid. p. 12.

Latvia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 01/03/2010

- **UNESCO Convention against Discrimination in Education:**

State Party since 16/06/2009

Legislative provisions

“Section 3, Paragraph 8 of the Education Law contains the provision that “discrimination” and types thereof shall correspond to the terms used in the Consumer Rights Protection Law. Section 3.1, Paragraph 6 of the Consumer Rights Protection Law states that direct discrimination is an attitude towards a person which on the basis of his or her sex, disability, race or ethnic origin in a comparable situation is, was and could be less favourable than towards another person. Indirect discrimination is a seemingly neutral provision, criterion or practice that creates or could create an unfavourable outcome on the basis of sex, disability, race or ethnic origin of a person, except for the case where such provision, criterion or practice is objectively substantiated with a legal purpose, for the achievement of which proportional means are chosen. As the aforementioned provisions of the Education Law are binding in the implementation of education at all its levels and in all types of education in accordance with Paragraphs 5 and 6 of the Education Law, as well as in the application of the norms of the General Education Law, the Vocational Education Law and the Law on Institutions of Higher Education, one could conclude that the Convention is being complied with in the implementation of the national educational policy.”¹⁹⁶

Measures

“Youth Policy Guidelines 2009-2018 (approved by the order No. 246 of the CM of April 20, 2009).

The measures set in the Education Development Guidelines 2014-2020 are binding to the objectives of youth policy foreseeing improvement of the quality of youth life by promotion of their initiatives, participation in decision-making and public life and support of work with youth, and provision of an easier transition from a child to adult status. Underlining the connection with the education system, within the implementation of the Youth policy, the emphasis is put on support for the youth employment incl. promotion of integration of the unemployed youth (incl. the disabled) in the labour market by improvement of their basic

¹⁹⁶ Latvia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 6. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/LATVIA.pdf>

skills; as well as opportunities for the practice of youth at the employer and practice quality development.”¹⁹⁷

“... The government of the Republic of Latvia has taken measures for improvement of career support accessibility for students in both general and vocational education institutions. Programmes will be implemented using financing from the EU funds programming period 2014-2020. European Social Fund support is planned for the students in order to develop their talents, improve their performance in the country in general, as well as inclusive education, including providing the necessary support to students with learning disabilities and special needs to facilitate their integration in general education institutions. The total expected financing is EUR 37.6 million, including ESF financing of EUR 31.9 million. ...

The Convention declares that education shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. To achieve this goal, the development of financial models, infrastructure, provision of financial incentives to teachers have to be supplemented with fundamental changes in curricula. For this reason, the government of Latvia is planning approbation and implementation of competence based-approach education content. It is assumed that gradual approbation will be launched in the academic year 2016/2017 providing for a consecutive implementation (starting from the 1st, 4th, and 7th grade) to be launched in academic year 2018/2019. Development of both educational and methodological materials is planned, including for students with special needs and learning disabilities, as well as improvement of teachers’ professional competence in the context of implementation of the new content.”¹⁹⁸

“The Latvian government is committed to implementing the principle of “inclusive education” with special attention on inclusion of people from poor backgrounds, economically and socially marginalized and from other vulnerable groups, including people with disabilities. (...) Special needs children (those with learning disabilities, speech impediments, physical and emotional developmental disorders) can attend special education facilities, which provide need-appropriate medical treatment along with the academic program. Demand for assistant services continued to grow in 2015 – services helping students with disability to move around the educational institution, providing support in interaction and communication with other students, teachers and other persons, as well as self-care support.”¹⁹⁹

“Preschool special education. ... There is also another type of preschool education, that is, preschool special education which is tailored for children with special needs. In 2015/2016 academic year 40 pre-school institutions implemented special preschool education programs. Special preschool education programs are implemented also by the general education institutions. Special needs children (those with learning disabilities, speech impediments, physical and emotional developmental disorders) can attend special education facilities, which provide need-appropriate medical treatment along with the academic program. Unlike regular pre-schools, which are budgeted by local governments

¹⁹⁷ Ibid. p. 4.

¹⁹⁸ Ibid. p. 7.

¹⁹⁹ Ibid. p. 8.

and parents incur meal expenses, special education pre-school facilities are nationally run and funded.”²⁰⁰

“Basic education. ... Special needs education.

Young people with special educational needs due to mental or physical disabilities, are entitled to an education that accounts for their health condition level of development. Education for special-needs students is provided in special schools (which are often specialized on youth with certain types of disabilities), in special classes in a mainstream school, or in mainstream classes – by the separate study programme for the student with special-needs or fully integrated student with the special needs in to mainstream education process. The structure of special needs education is generally similar to that of the mainstream education, including general education subjects as well as general skills with strong emphasis on the applicability of the acquired knowledge and skills in order to facilitate social inclusion. However, for some categories of students (e.g. those assigned into the category of students with developmental issues/disabilities) the curriculum is significantly reduced. Special needs schools produce lower outcomes than mainstream secondary schools, in all general education subjects. Thus, in 2014 the average test score in Mathematics in the 12th form in special needs schools has been 39.5 points, as compared to the average score of 48.8 in general schools. The Ministry of Education and Science has planned measures include structural reforms of the special-needs education, working with schools and teachers to improve individualisation of pedagogical approach to students, which should enable to educate more students with special needs in mainstream classrooms.”²⁰¹

“Latvia works towards the implementation of inclusive education. High quality public education for all students, regardless of their socioeconomic conditions, functional status and place of residence, is the instrument for contributing to the equality and social inclusion. In 2014, the Saeima adopted the Education Development Guidelines 2014-2020 which stipulate measures for improving the content of preschool, primary and general education, raising professional competence of teachers, as well as ensuring inclusive education. The aforesaid Guidelines also envisage increasing the number of support personnel, including access to psychologists in preschool and primary educational institutions, in order to prevent violence among children. With the aim to address the issues of peer violence in schools, the Guidelines foresee preparation of various methodological materials and implementation of educational activities. It is also planned to provide training for teachers and special support to new teachers. For example, since September 2012, persons with disabilities are entitled to receive a support service — service of an assistant at the educational institution (institutions of a primary education, vocational education, general secondary education and secondary vocational education) to support person’s mobility and self-care. The assistance services include such activities as moving within educational institution; self-care (for example, personal hygiene, meals); communication with teacher; taking notes during lectures; school supplies and arrangement of work place; interaction with peers and others (for example, during breaks and extended school day

²⁰⁰ Ibid. p. 11.

²⁰¹ Ibid. p. 12.

groups, extra-curriculum activities, etc.); participation in events organised by an education institution. In 2012, this assistance was provided to 200 students, in 2013 — to 214, and in 2014 — to 263 students. As of January 2013, a new service for persons with disabilities was launched, notably, a municipality-based service of an assistant for performing outside home activities, targeted at children with disabilities of 5-18 years of age. Persons with disabilities use this service to do shopping, spend free time; attend cultural events; arrive at work, educational institution, or day centre; receive medical treatment services.”²⁰²

“Latvian National Commission for UNESCO coordinates the work of the council “Education for All”. Each year (at the end of April/ beginning of May) during the Global Action Week Education for All several activities- discussion forums, seminars, education campaigns has been organized by the Latvian National commission for UNESCO on the topics of inclusive education and lifelong learning, ensuring equal access and opportunities for all, combating violence and promoting the culture of peace. In addition, in past years during this week educational institutions in Latvia demonstrated their positive experience in addressing different and varied needs of pupils, the methods and tools teachers use in their work as well as how they work with children with different disabilities.”²⁰³

²⁰² Ibid. p. 29.

²⁰³ Ibid. p. 31.

Malta

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 10/10/2012
- **UNESCO Convention against Discrimination in Education:**
State Party since 05/01/1966

Constitutional provisions

“Constitution of Malta. ... Article 17 deals with the education of disabled persons. The Constitution clearly outlines that these are entitled to education and vocational training.”²⁰⁴

Legislative provisions

“Equal Opportunities Act Cap 413 of the Laws of Malta. This Act specifically concentrate on persons with disability. Title II of the said Act specifically deals with Education. The law in article 11 is clear and excludes any form of discrimination against persons with disability in the Education sector;

11. (1) Save as provided for in sub-articles (2) and (3), and without prejudice to the generality of Part II of this Act, it shall be unlawful for an educational authority or institution to discriminate against –

(a) an applicant for admission as a student on the grounds of his disability or a disability of any of his family members – (i) by refusing or failing to accept his application for such admission, or (ii) in the terms or conditions on which such educational authority or institution is prepared to admit him as a student; and, or, (b) a student on the grounds of his disability or disability of any of his family members by – (i) denying him access, or limiting his access, to any benefit, facility or service provided by such educational authority or institution; or (ii) expelling him from the educational institution he is attending.”²⁰⁵

Measures

“In 2007, Malta was one of the first United Nations (UN) member states to sign the UN Convention on the Rights of Persons with Disability. It ratified it in 2013. Over the years, there have been efforts to increase the understanding of the concept of inclusion to all marginalised groups and to introduce more respectful terminology. In 1995, the Consultative Education Committee published Tomorrow’s Schools – Developing Effective Learning Cultures. ... This document proposed the development of schools as learning communities that would cater for learners’ well-being and bring teachers and parents together. In 1999, the National Minimum Curriculum (NMC) set out the knowledge and skills

²⁰⁴ Malta. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 4. Report accessible at:

<http://www.unesco.org/education/edurights/media/resources/file/Malta.pdf>

²⁰⁵ Ibid. p. 4.

needed by learners and, although seen as too prescriptive by some stakeholders, it had inclusion as a main principle and was introduced with broad national consensus. The strategic plan for the NMC ... not only outlined the need for new structures and approaches, but also underlined the necessity for schools to collaborate and share good practice. It also highlighted the importance of allowing space for autonomous initiatives to facilitate school-based curriculum development. In 2005, the publication *For All Children to Succeed* set out proposals for reorganisation to promote decentralisation and increase collaboration among schools to ensure that the individual needs of learners were catered for. The document also underlined the concept of collaboration with parents or guardians, recognising the benefits parents and others can gain from networking with the schools ... As a basis for these developments, networks were characterised as ‘purposeful social entities characterised by a commitment to quality, rigour, and a focus on standards and student learning’. The Education (Amendment) Act (2006) brought into place the current college structure.”²⁰⁶

“Special needs and inclusive education: Malta has one of the highest proportions of learners with disabilities and/or special educational needs attending mainstream education among the EU Member States. Agency data from 2012 shows that from a population of 46,947 learners of compulsory school age (data from school year 2011–2012), 2,572 were formally recognised as having SEN, i.e. statemented ... This is an identification rate of 5.5%, which is relatively high in comparison to other EU countries (the EU average is approximately 4.2%). Some 2,507 learners with SEN were placed in mainstream schools, giving a mainstream placement rate of 5.4%. Fifty-four learners were placed in special schools and 11 in a special unit. This gives a segregated placement rate of just over 0.1%, which is one of the lowest across EU countries. Public special education services started in the 1950s and continued expanding until the 1980s. The early integration of children with disabilities into mainstream schools resulted from British influence through the Warnock Report (1978). A British-style ‘statementing’ process was also introduced in 2000 to identify and assess children experiencing difficulties in the education system. The statementing procedure involves a formal multi-disciplinary assessment, while the Statementing Moderating Panel (SMP) advises on the special provision required. In 1998, an independent evaluation of the Inclusive Education Programme in Maltese Schools was conducted ... This was followed in 2005 by the Inclusive and Special Education Review ... This report provided an evaluation of learning support and the statementing process and proposed a break with the expectation that learning support must be given by LSAs. It also made recommendations regarding training and support for class teachers and the role of specialist teachers. Following this report, the Student Services Department (SSD) in the Directorate for Educational Services (DES) was set up in 2007, followed in 2008 by the appointment of Service Managers to manage the Inclusive Education Section, Special Education and Resource Centres and Psycho-Social Service. Up to 2005, few learners with special needs were included in secondary or upper-secondary education. However, many learners now join lower-secondary schools while some also move into tertiary education. In 2009, the Student Services Department published proposals for special school reform. The four special schools were subsequently changed into a resource centres: one primary, two secondary and one for young adults. Each centre is incorporated within a college and aims to offer services to mainstream schools, as well as providing full-time education for a small number of learners with complex needs.”²⁰⁷

“National Youth Policy Towards 2020 – A shared vision for the future of young people. The policy’s vision is of young people who are respected, valued and listened to and supported

²⁰⁶ Ibid. p. 6.

²⁰⁷ Ibid. pp. 8-9.

and encouraged in building fulfilling personal and social relationships and in developing their innate abilities and talents for the benefit of themselves, their communities and society. The overarching values of the policy are:

- Respect for the individuality, worth and dignity of all young people regardless of their beliefs, ethnicity, physical and mental capacities, socio-economic background, disability, sex, sexual orientation, gender, gender identity and gender expression; for the right to have their voice heard and to be informed on all issues that concern them; and for the right to determine their own future and happiness.
- Recognition of the beliefs, culture, and shared experiences of the people of Malta and the rights and principles enshrined in the Constitution of Malta, Universal Declaration of Human Rights, the United Nations Convention on Rights of Persons with Disabilities, the Convention on the Rights of the Child and Declaration of the Rights of the Child.
- Sustained support for all young people in developing their physical, intellectual and emotional capacities, skills, talents, strengths and abilities; promoting their physical, mental, emotional and spiritual well-being, and in fulfilling their potential and aspirations and in meeting their needs.
- Solidarity of young people, families and communities so as to ensure young people's active participation, sense of responsibility and caring, and capacity to build quality and life enhancing relationships with their parents, siblings, peers and elders in the home, school, workplace and community.”²⁰⁸

²⁰⁸ Ibid. p. 9.

Mexico

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 17/12/2007
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Legislative provisions

“Legislative measures taken pursuant to the Recommendation ...

- General Education Law. On the 1 June 2016, the Decree used to amend and add various provisions to the Law to promote inclusive education was published in the Official Gazette of the Federation (DOF).
- 2013-2018 Education Sector Programme, Objective 3 “Guarantee greater educational coverage, inclusion and equity in the community for a fairer society”. General Law on the Inclusion of People with Disabilities (DOF 17/12/2015), that protects special needs and inclusive education. ...
- 2014-2018 National Programme for the Development and Inclusion of People with Disabilities (DOF 30/04/2014).²⁰⁹

Measures

The Guide on the digital inclusion of pupils with disabilities (2015) was developed under the Digital Inclusion and Literacy Programme by academic professionals working on special needs education affiliated to the Directorate-General for Curricular Development of the Office of the Under Secretary for Basic Education.”²¹⁰

“The regulation complies with SEP’s established Ministerial Agreement 689, which sets out guidelines that form the regulatory basis of the evaluation procedure for the authorization of use of works intended for text books in secondary schools. Section IV of Article 5 of the Agreement states that text books subject to the evaluation procedure must: “strengthen cross-cutting issues of social relevance such as cultural diversity, gender equality, health education, sex education, environmental education for sustainability, financial education, consumer education, prevention of school violence, education for peace, human rights, as well as an inclusive approach to people with disabilities”.”²¹¹

²⁰⁹ Mexico. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp. 1-2. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/MEXICO.pdf>

²¹⁰ Ibid. p. 2.

²¹¹ Ibid. p. 15.

“From 2013 the Mexican State has made fundamental changes to improve the education system to support equal access to education for girls that belong to marginalized or excluded groups, girls with disabilities, indigenous girls, those from ethnic, religious or linguistic minorities and those that live in rural areas. The aim of the changes is to address the inclusion, equity and quality that guarantee a satisfactory conclusion to studies. The specific instruments for this approach include the Inclusion and Educational Equity Programme (PIEE) and the promotion of the "School in the Centre" strategy. More and better investments are being made in infrastructure, equipment and training materials, professional teacher development is being improved, and study plans and programmes are being reconceptualized. The above measures are intended to reduce school drop-out rates, improve educational outcomes and increase transition rates from one educational level to another. In particular, the IEE includes elements that cover the care of indigenous, migrant and disabled children and adolescents that largely live in rural areas, based on a gender-sensitive approach and human rights.”²¹²

“Another measure that adheres to two Presidential Pledges on the physical infrastructure of schools: CG-006 Granting decent educational buildings located in indigenous villages and CG-085 Disability access to buildings. With the first of these pledges, 7,689 educational buildings have been provided between 2013-2015, benefiting 1.2 million pupils. For the second pledge and during the same timeframe, 5,824 public schools have been adapted, benefiting almost 723,000 pupils. It is also hoped that the Schools Excellence Programme (Escuelas al CIEN) will add a further 12,188 school buildings, located in indigenous communities, to fulfil the established sexennial goal, as well as adapting facilities for ease of access in another 5,261 schools, for the same purpose.”²¹³

“In order to facilitate equal access of girls with disabilities, a total of 41 books titles were adapted to Braille and 4,983 copies were printed and were distributed to blind pupils in primary education (between the ages of 6 and 11) for the 2016-2017 academic year. The books are on Spanish language, reading, maths (1st to 6th grades, 18 titles); exploring nature and society (1st and 2nd grades, two titles); natural sciences (3rd to 6th grades, four titles); history, geography (4th to 6th grades, six titles), civics and ethics education (1st to 6th grades, six titles); Learn Our Constitution (4th grade, one title); and art education (3rd to 6th grades, four titles). ...

Other activities that have contributed to advancing the equality of access to higher secondary education for girls with disabilities are those undertaken by the Industrial and Technology High School Centres that incorporate Care Centres for Disabled People (CAEDS) in the school building subsystem, in limited areas such as classrooms, schoolyards and offices.”²¹⁴

“The National Education Promotion Council (CONAFE) awards monthly grants to children and adolescents from rural communities that do not have educational services and therefore have to travel to other communities, including those with disabilities, even if they are located within the same town. In 2014 and 2015 over 68,000 students were provided with a grant, 51% of whom were women and 49% men.”²¹⁵

“In addition, from 2013 to 2015, with help from the Federation and state governments, the Decent Schools Programme worked on more than 16,000 educational buildings. It is worth highlighting the

²¹² Ibid. p. 9.

²¹³ Ibid. p. 9-10.

²¹⁴ Ibid. p. 10.

²¹⁵ Ibid. p. 11.

renovation of almost 7,800 schools in indigenous communities in the country and the modification of almost 5,900 buildings to guarantee the mobility of children with disabilities, with adapted bathrooms, ramps and hand rails. From 2016, the Schools Excellence Programme is continuing to manage these school buildings.”²¹⁶

²¹⁶ Ibid. p. 13.

Moldova (Republic of)

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 21/09/2010
- **UNESCO Convention against Discrimination in Education:**
State Party since 17/03/1993

Measures

“The main document that promotes the inclusive education is the National Program for development of inclusive education in the Republic of Moldova for the period 2014-2020. The actions that have been taken in order to ensure inclusion of all learners in education process, are the following: - It was approved the Regulation of organizing and functioning of a special education institution; - Were made studies/ analysis regarding the process of implementation of inclusive education and regarding the ensuring access to education of children with severe disabilities ; - It was revised the regulation regarding the psychopedagogical services in general education; - Was developed the Action Plan on implementation of the Strategy of child protection 2014-2020; - 10 residential and special education institutions have been reorganized and more than 800 children have been integrated in biological families; - 371 Resources Centers for Inclusive Education were created; - Seminars and trainings in the field of inclusive education were organized; - The individualized educational plan has been updated; - The Instructions regarding specific procedures of assesment of children with special needs were developed.”²¹⁷

“Access to secondary education - TVET is based on general education diplomas. The admission to secondary education is based on a competitive system. The state has allocated a limited number of scholarships for this level of education. Also, the training of students with special needs, is based on the Register of professions, specialties and qualifications in special education institutions.”²¹⁸

“Taking into account the fact that higher education is not mandatory, the entrance and completion of higher education depend on the academic results/ performance of students. However, the Government offers support for students that have the best academic results (monthly scholarships) and education free of charge. In order to avoid the discrimination in the access to higher education, together with other disadvantaged social categories,

²¹⁷ Republic of Moldova. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015), p. 5. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/MOLDOVA.pdf>

²¹⁸ Ibid. p. 7.

orphans and students with disabilities are supported by state, because annually for these categories we have a specific quota.”²¹⁹

²¹⁹ Ibid. p. 8.

Monaco

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 19/09/2017
- **UNESCO Convention against Discrimination in Education:**
State Party since 28/08/2012

Legislative provisions

“Education Act No. 1334 applying to the articles of the Convention Against Discrimination in Education: ... Article 11: Children with disabilities or health problems are compulsorily enrolled with specific measures according to their state. ... Article 46.47.48: Obligation to enroll, adapt and monitor the education of children with disabilities or with disabling medical conditions. ...

Implementing text: AM 2008-13 of 11/12/2008 ... Pre-primary education: ... Article 3 - An individualized project is provided to accommodate children with disabilities or disabling health conditions. ...

It has to be noticed that there is an explicit mention of the obligation to accommodate and promote education for people with disabilities and disabling health conditions for access to pre-primary education.”²²⁰

Measures

“People with disabilities or experiencing a physical or mental health problem are obligatorily enrolled. An individual diagnosis is made by the medico-pedagogical commission which determines their educational needs. They therefore benefit from personalized care through schemes such as the PAI (Individualized Accomodation Project), the DESI (Individualized Education Scheme), the SAPAD (Pedagogical Assistance Service at Home), or the P21S (Individualized School Integration Project).

To prevent school dropouts, there is the PPRE (Personalized Educational Success Program) which enable students in difficulty to continue their education.”²²¹

²²⁰ Monaco. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp. 5-8. Original version accessible at: [http://www.unesco.org/education/edurights/media/resources/file/MONACO\(3\).pdf](http://www.unesco.org/education/edurights/media/resources/file/MONACO(3).pdf)

²²¹ Ibid. pp. 9-10.

Mongolia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 13/05/2009
- **UNESCO Convention against Discrimination in Education:**
State Party since 04/11/1964

Measures

“There are six special schools for students with special needs, all located in UB. Although students with special needs are supposed to be integrated in regular schools, their integration depends on the goodwill and readiness of schools to be able to cater to their needs.”²²²

““To reach the unreached”, the Government has been working towards eliminating barriers to education whether it is related to disability, poverty, dropping-out, inflexible curricula, unsafe environments, inadequate infrastructure or poor school management. As a result, the enrolment patterns suggest constant decrease in dropouts, reduction in grade repetition, increase in enrolment of 6 year-olds in urban areas, and growth in enrolment of children with disabilities in mainstream schools.”²²³

“Total number of primary grade students is 271,387. The proportion of disabled children is 1.4 percent. ...”²²⁴

“The Government adopted the National Programme on Inclusive Education in 2003. Schools and parents work together to help children with disabilities to study with their peers. However, significant challenges still remain to promote inclusive education and to ensure access to any formal schooling for many of children with disabilities.”²²⁵

²²² Mongolia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 3. Report accessible at:

<http://www.unesco.org/education/edurights/media/resources/file/Mongolia.pdf>

²²³ Ibid. pp. 3-4.

²²⁴ Ibid. p. 4.

²²⁵ Ibid. p. 7.

Netherlands

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 14/06/2016

- **UNESCO Convention against Discrimination in Education:**

State Party since 25/03/1966

Measures

“Another important issue in the Netherlands is the quality of education for all pupils, especially for pupils and students with special educational needs, irrespective where their education takes place – in special schools or mainstream schools.

Multiple policy programmes provide support to prevent early drop-out. First by diminishing school drop-out. The number of youngsters leaving school without a basic qualification has strongly decreased: from 71.000 in 2002 to 25.970 in 2014. Another solution to early drop-out is inclusive education. Since 2014, we have inclusive education, focused on students with special educational needs. The objective is that as many children as possible should go to a mainstream school. Finally, we create extra funding of schools for students from disadvantaged social (economic) backgrounds.”²²⁶

²²⁶ Netherlands. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp. 2-3. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/National_Report_The_Netherlands_Against_Discrimination_in_Education_-_June_2016.pdf

New Zealand

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 25/09/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 12/02/1963

Legislation

“Section 8 [of the Education Act] provides that people who have special educational needs have the same rights to enrol and receive education as people who do not ...”²²⁷

Measures

“In 2015, the Government announced a Special Education Update to modernise learning support. Since then, the Ministry has engaged widely with parents, whānau, educators, the disability sector, and many others to help identify the right service and system improvements.”²²⁸

“Special education - Inclusive education is where all children and young people are engaged and achieve through being present, participating, learning and belonging. At fully inclusive schools, all students are welcome and are able to take part in all aspects of school life. Diversity is respected and upheld.

The Government is supporting schools to be more inclusive by:

- promoting positive attitudes by schools towards students with special education needs
- developing schools’ capability to effectively include students with special education needs
- ensuring professional learning and development providers include material for students with special education needs
- providing the necessary tools and resources to support inclusive practice.

The Government supports students with special education needs through providing resourcing to schools as well as providing services directly to students with special education needs. More than two-thirds of special education funding is provided directly to

²²⁷ New Zealand. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 5. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/New_Zealand_Report_on_the_UNESCO_Convention_Against_Discrimination_in_Education_2012_to_2015.pdf

²²⁸ Ibid. p. 11.

schools (or school clusters) and early childhood providers for them to support students with special education needs.

The guiding principles in providing support and services for students with special education needs are to:

- remove barriers to learning
- intervene early
- provide quality services
- build and sustain productive partnerships
- build a strong evidence base.

Each year the Government spends over \$3.2 million to support over 350 people to undertake specialist qualifications at university through a range of special education study awards and scholarships. The study and qualifications help equip teachers and Ministry special education staff to work in special education.”²²⁹

“The curriculum applies to all state schools and all students irrespective of their gender, sexuality, ethnicity, belief, ability or disability, social or cultural background, or geographical location. Human rights are an obligatory part of *the New Zealand Curriculum* and are included in its scope, purpose, vision, principles, values, key competencies, and learning areas.”²³⁰

“The Government provides additional support for deaf and hearing impaired students, some of whom choose to access the curriculum through New Zealand Sign Language. The Ministry has published language curriculum guidelines for New Zealand Sign Language ...”²³¹

²²⁹ Ibid. pp. 14-15.

²³⁰ Ibid. p. 26.

²³¹ Ibid. p. 32.

Niger

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 24/06/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 16/07/1968

Measures

“To prevent discrimination:

- continuous training of the actors and partners of the school on gender issues and various handicaps (elimination of stereotypes).

...

At the level of Higher Education: ...

- positive discrimination: grant of scholarship to young girls and disabled people with an average grade lower than the average grade required to obtain a grant (decree 2010-761 of 09 December 2010 setting the terms of scholarship award) ...
- allocation of a quota to persons with disabilities in the recruitment of public servants.”²³²

“At the level of technical and vocational education: Creation at the Ministry of Professional and Technical Education of a national directorate for the Accompaniment of Specific Groups (DAGS). This directorate is responsible for creating the conditions for equitable access to opportunities of all kinds offered by TVET to girls and other vulnerable groups including People with Disabilities, people in prison, etc.”²³³

²³² Niger. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp. 2-3. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/NIGER.pdf>

²³³ Ibid. pp. 4-5.

North Macedonia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 29/12/2011
- **UNESCO Convention against Discrimination in Education:**
State Party since 30/04/1997

Legislative provisions

“The Republic of Macedonia in the frame of UNN human rights protection, including the Convention and the Recommendation against discrimination in Education, has adopted in its the legislation the following obligations from: International package for civil and political rights International package for economical, social and cultural rights, Convention for elimination of all forms of discrimination against women, against afflicts and other severe inhuman and humiliating conducts, Convention for the rights of persons with disabilities, Convention for human right and fundamental freedom, revised European Social Charter and Framework convention on national minorities protection and others.”²³⁴

Measures

“National strategy on decreasing poverty and improving the social exclusion in the Republic of Macedonia, 2010 – 2020 emphasizes the more important measures and actions such as: motivating the schools to accept children from social marginalized groups living in other regions, stimulating bigger school enrolment rate in the kindergartens for achieving better knowledge for the of start primary education, cooperation with NGOs and parents, motivating the regular school attendance, students and parents counseling, campaign for school non violence, training of teachers, employment of psychologies, pedagogues and special need teachers, rehabilitation of schools, improving teaching resources, accessible aisles for disabled children.

In this context have been done the adjustment of the curricula to the students years of age, for learning the language of the community, providing functional classification of the children with disabilities and their inclusion in special classes and schools only when it is necessary for their overall development, adaptation of the infrastructure of the regular primary and secondary schools to the needs of the disabled children, adjustment of the computer software and providing additional financial benefits for the municipalities and regular schools who admit special needs children and for special teachers.”²³⁵

²³⁴ North Macedonia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 1. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/MACEDONIA_.pdf

²³⁵ Ibid. pp. 5-6.

“In 2015, in order to facilitate more active involvement of the adults with unsatisfactory level of primary education in the contemporary social trends, the Center in cooperation with the Ministry of Education and Science and other relevant institutions, prepared the Concept for primary education of adults and Operating plan for active training programs and employment measures and services required by the labor market. The indicators showed that among the population who still practice traditional lifestyle, there is the situation of the high rate of illiteracy and low level of qualification skills, especially among the women, Roma population, persons with disabilities and vulnerable social groups who urgently need to be helped to complete their primary education and obtain some basic qualification skills. Concerning this, have been undertaken the following concrete measures: trainings for occupations to satisfy the demands on the labor market and trainings of deaf and blind persons to be competitive on the labor market, organized by verified training institution by the Center for adult education.

In some municipalities of the Republic of Macedonia, have been implemented the Project of the Government for completion of the secondary vocational adult education. The goal of Program is reduction of unemployment and up-grading of the careers and rising opportunities for bigger representation in the public institutions. This Program have been carried out in the Municipality of Cair, Aracinovo, Tetovo, Kumanovo and Prilep.”²³⁶

“Special needs pupils in 31 primary schools are provided with special assistive technology and are provided special teachers for increasing their inclusion.

In continuity the Expert team for work with special needs student In schools is up-building and strengthening with special teachers with the purpose to be up-graded the capacity with work with such students and increasing the inclusion in the Republic of Macedonia.

The regular primary and secondary schools with special needs children are oblige to establish Inclusive team comprised of the pedagogue or psychologist , teacher and parents who provides consults and recommendations on improved inclusion.”²³⁷

“National Strategy for equality and indiscrimination based on the ethnicity, age, mental and physical disability and gender 2012 -2015. It is national document with the main objective to improve the status of the most vulnerable categories groups in the society and to provide constant development in the realization of equality and non-discrimination. In the section 3.4.of the Strategy , concerning the ethnic minorities comprising less than 20% of the overall population are set up five strategic goals: First goal is improving the enjoying of their rights on the national and local level, including the preparing of the Analysis for the state of arts of the ethnic communities education. Here, the special attention is given to the fifth goals- providing the equal opportunities for ethnic communities to housing and equal access to infrastructure, employment and education. Foreseen actions are focused on awareness rising for compulsory education with special emphasize on the specific reasons for drop-outs of both, male and female students, especially among Roma population.”²³⁸

²³⁶ Ibid. p. 11.

²³⁷ Ibid. p. 12.

²³⁸ Ibid. p. 13.

Norway

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 03/06/2013
- **UNESCO Convention against Discrimination in Education:**
State Party since 08/01/1963

Legislative provisions

“In 2013, the Norwegian Parliament (the Storting) adopted four new equality and anti-discrimination acts, which entered into force 1 January 2014. These were the Gender Equality Act (gender), the Anti-Discrimination and Accessibility Act (disability), the Ethnicity Anti-Discrimination Act (ethnicity, religion and belief) and the Sexual Orientation Anti-Discrimination Act (sexual orientation, gender identity and gender expression). The acts cover all spheres of society, including education.”²³⁹

“According to the Act against discrimination on the basis of disability (Anti-discrimination and Accessibility Act), children with disabilities shall have a right to suitable individual adaption in municipal day care facilities to ensure equal development and activity opportunities (art.16). Pupils and students with disabilities who attend a school or educational institution shall have a right to suitable individual adaption of the place of learning, teaching, teaching aids and examinations to ensure equal training and education opportunities (art. 17).

The provisions of the Convention can be invoked before and given effect to by the courts of justice. The state authorities are often asked to interpret the conventions. As an example, the Ministry of Education and Research has received questions on whether it implies religious discrimination to forbid pupils to carry religious symbols in schools, and questions concerning the children of asylum seekers and their right to access to education in Norway.”²⁴⁰

“Children with disabilities are entitled to priority for admission to kindergarten. Children who are subject to an administrative decision of the Child Welfare Service Act, are also entitled to priority admission. 2.7 % of children in Kindergarten receives special pedagogical support in accordance with regulation in the Education Act. The Government recently proposed a bill that was passed in the Parliament regarding special pedagogical support. The Parliament decided to transfer the enactment of the right to special pedagogical assistance

²³⁹ Norway. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 3. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Final_version_9th_report_on_Convention_against_Discrimination_in_Education_-_pdf

²⁴⁰ Ibid. p. 5.

for children before school age from the Education Act to the Kindergarten Act. A majority of children now attend Kindergartens. The transfer is done to make the legislation more accessible and to have better coherence in regulations on the pedagogical provision for young children. The purpose of special pedagogical assistance is to provide children with early support in their development of eg. language and social skills. The right to special pedagogical assistance applies regardless of whether the child attend kindergarten or not. The new regulation establishes that municipalities have the duty to ensure that children with disabilities receive appropriate provision. Parents are given the right to appeal to the County Governor.

According to the Education Act, Education shall be adapted to the abilities and aptitudes of the individual pupil, apprentice and training candidate (Education Act 1-3).²⁴¹

Measures

“The National Support System for Special Needs Education (Statped) is managed by the Norwegian Directorate for Education and Training. Statped assists local authorities and provides special teaching services at individual and system level in areas in which the country's all local authorities do not have sufficient competence.”²⁴²

“The Government has proposed that the duty to ensure universal design of ICT (information and communications technology) shall also apply to the education sector. Today, the duty to ensure universal design of ICT does not apply to this sector. Children with disabilities have the right to equal opportunities for education as other pupils and students. Therefore, web-based solutions such as schools' websites and digital learning platforms should be accessible to all.”²⁴³

“The responsibility for the learning environment, including prevent discrimination, is subject to universities and university colleges. This responsibility also includes questions about individual adaptation of the examination. The institution shall, as far it is possible and reasonable, arrange for students with special needs. Facilitation must not lead to a reduction of the academic requirements of each program according to the act relating to universities and university colleges. The government has a goal that higher education should be organized so that all students, even those who are in need of adjustment during the study, may be admitted to and implement education. Today there are a number of statutory instruments that could help the students get a study and examination situation that is tailored to the individual student's needs. A keyword here is cooperation between the student and the institution of good and appropriate solutions. This collaboration will ensure the academic requirements of the examination while the student receives a reasonable degree of facilitation. A plan of study could help to protect students' rights in this respect, since such a plan would raise awareness to institutions of their responsibility to facilitate the situation of those who have special needs. According to the act relating to universities and university colleges there shall also be a learning sample at the institution to contribute to students' learning environment is safeguarded.”²⁴⁴

²⁴¹ Ibid. p. 10.

²⁴² Ibid. p. 11.

²⁴³ Ibid. p. 12.

²⁴⁴ Ibid. p. 13.

“Measures targeting persons with disabilities/impairments

In primary and lower secondary education and training, the proportion of pupils requiring special needs education has been reduced recent years, from 8.4 percent of all pupils in the school year 2010-11 to 7.9 percent in 2015-2016. The extent is at its highest in the 10th grade with 10 percent, and lowest in the first grade with 3.8 percent. 2.7 % of children in kindergarten receives special pedagogical assistance in accordance with the Education Act. The gender distribution in special needs education has remained stable for a long time, with boys accounting for around 70 percent.

The latest national endeavor to ensure full access to quality education and training for persons with disabilities/impairments is the White Paper/Report to the Storting entitled “Learning together”. In spite of national policies, the educational level of young persons with disabilities is significantly lower than in the population as a whole: 30% and 38% of all young people in the age group 20-35, respectively, have attained higher education.”²⁴⁵

“Financial support of students with special needs

The Norwegian student support system has mainstreaming as its major feature, providing basic loans and grants to all resident students in higher education through the State Education Loan Fund. Special grants are provided for students who fall ill or have children. During recent years, the system has been extended with special schemes for disabled students. These schemes allow additional grants, support during the summer months and additional coverage when the disability causes delays in study progress.”²⁴⁶

²⁴⁵ Ibid. pp. 13-14.

²⁴⁶ Ibid. p. 16.

Poland

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 25/09/2012
- **UNESCO Convention against Discrimination in Education:**
State Party since 15/09/1964

Legislative provisions

“The Act on Social Welfare. Pursuant to Article 90d of the AES [The Act of 7 September 1991 *on the Education System*], there are two conditions for awarding the scholarship:

1. meeting the criterion of low income per household member;
2. being in a difficult family situation due to the following circumstances:
 - a) unemployment – the unemployment of persons who have a legal duty to maintain the student (parents or other legal guardians),
 - b) disability – the disability of a student or any member of their immediate family, their siblings or parents,
 - c) serious or long-term illness,(...)”²⁴⁷

“Owing to the amendments introduced to the AES in 2014, as of the school year 2014/2015 primary school and lower secondary school students have received the right of free access to textbooks, educational materials and exercise materials intended for compulsory classes falling under general education. The aforementioned textbooks and materials are funded from the state budget by way of an earmarked subsidy. In the school year 2015/2016, the earmarked subsidy from the state budget covered grade 4 of primary school, grades 1 and 2 of primary school to the extent of textbooks for modern foreign language classes and exercise materials, and grade 1 of lower secondary school.

Where there are students with disabilities who use textbooks, educational materials or exercise materials suited to their educational needs as well as physical and cognitive abilities, the amount of this subsidy is increased.”²⁴⁸

“Legislative works regarding the organisation of education for children and young people with special educational needs, including children and young people with disabilities:

- 1) amendments to the AES:

²⁴⁷ Poland. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 20. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/REPORT_2012-2015_by_POLAND_eng_-_FINAL.pdf

²⁴⁸ Ibid. p. 30.

- a) a provision stating that whenever the Act refers to a mild, moderate, severe or profound mental disability, it means a mild, moderate, severe or profound intellectual disability, respectively, has been introduced. This amendment will make it possible to use the term “intellectual disability” in the provisions of education law instead of the term “mental disability”. It has been introduced at the request of both organisations for the disabled and their families and institutions of higher learning; the tasks of bodies administering schools/educational establishments, local government units and heads of schools and educational establishments, related to the special education of children and young people with disabilities, social maladjustment and at risk of social maladjustment, have been clarified by:
- introducing an obligation to ensure conditions enabling the application of special forms of education and work methods with regard to children and young people subject to special education,
 - further specifying the provision concerning the educational task by indicating the obligation to ensure special education,
 - introducing a provision that indicates the head of a school or educational establishment as the entity responsible for implementing the recommendations laid down in a student’s certificate of special educational needs;
- b) a provision has been introduced to make it possible to increase the earmarked subsidy amount with regard to intellectually disabled, deaf, hearing impaired, autistic, blind and visually impaired students holding a certificate of special educational needs and using textbooks, educational materials or exercise materials adapted to their educational needs as well as physical and cognitive abilities. Textbooks for students with disabilities attending primary and lower secondary schools not covered by the earmarked subsidy and upper secondary schools, available on the market, were co-financed under the “School Starter Kit” government programme;
- c) a provision has been introduced to enable the transfer of textbooks adapted to the educational needs of students with disabilities between schools. The provision made it possible for schools which are not using textbooks or educational materials adapted to the educational needs as well as physical and cognitive abilities of students with disabilities in a given school year to gratuitously transfer them to school that require such textbooks or educational materials and requested these schools to transfer them. After textbooks and educational materials are transferred, they become the property of the body administering the school to which they were transferred;
- d) a provision has been introduced to enable the organisation of special education in other forms of pre-school education by supplementing Article 71b (1), which states that special education applies to children and young people with disabilities, social maladjustment and at risk of social maladjustment who require special forms of education and work methods. Special education may be provided in the form of learning at mainstream kindergartens and schools, integrated kindergartens, schools

- or classes, special kindergartens, schools or classes, other forms of pre-school education and centres referred to in Article 2 (5) of the AES; a provision has been introduced to enable communes to organise free transport for a disabled child subject to early childhood development support and their guardian from their place of residence to school or an educational establishment where such support is provided and, where necessary, to provide free childcare during transport;
- e) the statutory authorisation has been amended, making it possible to issue a single regulation laying down the conditions governing the organisation of education and care for children and adolescents with disabilities, social maladjustment and at risk of social maladjustment, regardless where such education is provided;
 - f) an obligation of compliance with provisions laid down for public educational establishments (special purpose schooling and education centres, special education centres, rehabilitation and education centres, youth sociotherapy centres, student hostels), except for regulations setting out the amount and rules governing the payment of fees borne by parents for their children's stay at these establishments.
 - g) a provision has been introduced to enable communes to organise free transport for a disabled child subject to early childhood development support and their guardian from their place of residence to school or an educational establishment where such support is provided and, where necessary, to provide free childcare during transport;
 - h) the statutory authorisation has been amended, making it possible to issue a single regulation laying down the conditions governing the organisation of education and care for children and adolescents with disabilities, social maladjustment and at risk of social maladjustment, regardless where such education is provided;
 - i) an obligation of compliance with provisions laid down for public educational establishments (special purpose schooling and education centres, special education centres, rehabilitation and education centres, youth sociotherapy centres, student hostels), except for regulations setting out the amount and rules governing the payment of fees borne by parents for their children's stay at these establishments.
- 2) implementing acts to the AES:
- a) Regulation concerning the conditions governing the organisation of education and care for children and adolescents with disabilities, social maladjustment and at risk of social maladjustment.
 - b) Regulation concerning the types and detailed methods of operation of public establishments, conditions governing the stay of children and adolescents therein as well as the amount and rules governing the payment of fees borne by parents for their children's stay at these establishments.

Pursuant to Article 84b of the AES, the regulation also applies to non-public establishments, except for regulations setting out the amount and rules governing the payment of fees borne by parents for their children's stay at these establishments. The document was drafted in relation to the assessments of the operation of education system institutions that were carried out in 2014-2015 by the Minister of National Education and the Children's

Ombudsman and showed disproportions and differences in terms of infrastructure and work organisation methods between individual educational establishments of the same type. The regulation referred to above was drafted having regard to substantive and organisational standards of education and sociotherapy centres for children and adolescents in Poland, developed by the Team for the Standardisation of Children's Stay at Youth Educational Centres and Youth Sociotherapy Centres in Terms of Education and Care, established by the Children's Ombudsman on 5 November 2014.

Regulation concerning the values of indices increasing amounts of earmarked subsidies for supplying schools with textbooks, educational materials and exercise materials for students with disabilities . Regulations make it possible to supply intellectually disabled, deaf, hearing impaired, autistic, blind and visually impaired students attending primary and lower secondary school with textbooks, educational materials or exercise materials adapted to their educational needs as well as physical and cognitive abilities from the earmarked subsidy granted for this purpose from the state budget. In the case of aforementioned students with disabilities, the earmarked subsidy amount may be increased.”²⁴⁹

Measures

“The Action Plan is the first government document touching upon the issue of equal treatment of many groups at risk of discrimination and specifying main goals and directions of the government's equal treatment policy. This document gathers in one place, organises and assigns priority to key actions that ensure the implementation of the principle of equal treatment, which are to be undertaken or implemented by different ministries and their subordinate office.

Actions envisaged in the Action Plan refer to the following areas:

- Anti-discrimination policy,
- ... Equal treatment in the education system,
- Equal treatment in the healthcare system. ...

Detailed objectives defined for the “*Equal treatment in the education system*” area included such objectives as: to diagnose reasons for the persistence of content inconsistent with the principle of equal treatment in the education process, to propagate and disseminate content concerning equal treatment in school curricula, educational and didactic materials, to eliminate barriers in education for disabled persons. ...”²⁵⁰

“Interdisciplinary, single-subject, additional subject and thematic Poland-wide school contests may be organised on each core subject or each field of knowledge. The Regulation of the Minister of National Education of 2014 introduced the possibility of organising Poland-wide school contests for pupils in lower secondary schools. In addition, the Poland-wide school contest regulations have been made more specific by adding that they lay down the terms and conditions governing the organisation of specific competitions, taking

²⁴⁹ Ibid. pp. 32-34.

²⁵⁰ Ibid. p. 4.

account of the needs and capabilities of disabled pupils, specifying the scope of knowledge and skills required at specific stages of the competition, a reading list for participants at specific stages of the competition, criteria to qualify for the next stages of the competition and the procedure to appeal against the assessment of works at specific stages of the competition.”²⁵¹

“Implementation of the “School Starter Kit” government student assistance programme ...

The Programme fits into the system of measures aimed at eliminating educational differences among children and youth that result from economic factors or disability. It consists in co-financing the purchase of textbooks for students and educational materials for students with a moderate or severe intellectual disability and students with multiple disabilities, provided that one of these disabilities is a moderate or severe intellectual disability.

Persons eligible for assistance under the programme in subsequent years included: ...

- disabled students.

In 2013, students with a moderate or severe mental disability were additionally included into the programme. Students with hearing impairment, physical disability (including aphasia) and autism (including with Asperger’s) were also included into the programme since 2014. ...”²⁵²

“The Ministry of National Education creates the organisational and legal environment for education, fostering, and pedagogical care of all children and adolescents, including those with special educational needs, which includes also children and youth with various types of disability, in kindergartens, other forms of pre-school education, schools of all kinds and types – mainstream, integrated or and special schools, and also in the education system institutions. The provisions laid down in the AES allow for organising and fostering children and youths in various forms that ensure the fulfilment of the compulsory one-year pre-school preparation, compulsory schooling and compulsory education obligations. In addition, the education system ensures the adaptation of content, methods and organisational structure of education to the mental and physical capabilities of students, and the option to use psychological and pedagogical assistance and special forms of didactic work, provides care to disabled students, i.e. by enabling them to pursue an individualised educational process, individual forms of education and curricula, and to attend rehabilitation classes.”²⁵³

“Disabled persons. In the education system, a disabled student is a child identified as having special educational needs by the disability evaluation board operating at the public counselling and guidance centre, including a public specialist counselling centre, due to having a disability set out in the provisions of law.

The developmental and educational needs as well as physical and cognitive abilities of a disabled student are diagnosed by specialists at the counselling and guidance centre who indicate recommended forms of education in the certificate of special educational needs

²⁵¹ Ibid. pp. 7-8.

²⁵² Ibid. pp. 21-22.

²⁵³ Ibid. p. 23.

and provide parents with support in choosing the school that best suits their child's needs. The decision on the form and place of education is taken by parents (legal guardians) of the child, who pursuant to the Constitution of the Republic of Poland have the exclusive right to make decisions regarding their child, provided that this right has not been limited and they have not been deprived of that right.

The Ministry of National Education creates the organisational and legal environment for education, fostering, and pedagogical care of all children and adolescents, including those with special educational needs, which includes also children and youth with various types of disability, in kindergartens, other forms of pre-school education, schools of all kinds and types – mainstream, integrated or and special schools, and also in the education system institutions. The provisions laid down in the AES allow for organising and fostering children and youths in various forms that ensure the fulfilment of the compulsory one-year pre-school preparation, compulsory schooling and compulsory education obligations. In addition, the education system ensures the adaptation of content, methods and organisational structure of education to the mental and physical capabilities of students, and the option to use psychological and pedagogical assistance and special forms of didactic work, provides care to disabled students, i.e. by enabling them to pursue an individualised educational process, individual forms of education and curricula, and to attend rehabilitation classes.

Work on amendments and the development of legislative and organisational solutions are conducted on an ongoing basis, so as to provide disabled students with educational conditions suited to their needs.

The education of disabled students in mainstream schools was one of the key priorities of the state education policy in school years 2012/2013 and 2013/2014. In the school year 2014/2015, state education policy focused on implementing the priority titled "Education inclusive of students with disabilities", implementing the obligation to ensure education inclusive of such students on all levels of the education process, laid down in Article 24 of the Convention on the Rights of Persons with Disabilities. In the school year 2015/2016, one of the key priorities of the state education policy was to increase the safety of children and young people, with particular focus on children with special educational needs, in youth education centres, youth sociotherapy centres, special purpose schooling and education centres, special education centres, rehabilitation and education centres."²⁵⁴

"Upon request submitted by the Minister for health, the compulsory sign language instruction – to the basic extent – has been introduced for all occupations for which the minister for health has competence – as has been the case for years in the education process for occupations related to social services. The provisions laid down in the Regulation impose on entities pursuing out-of-school forms of continuing education an obligation to ensure organisational and technical conditions that make it possible for the disabled to participate in the education process."²⁵⁵

"Early childhood intervention. The possibility of organising appropriate measures to stimulate the development of a young child with disability in the education system from the moment the disability is identified until the child starts school was introduced in 2005. Early childhood intervention teams may be established at kindergartens, other pre-school institutions and primary schools, including special primary schools, special purpose

²⁵⁴ Ibid. pp. 24-25.

²⁵⁵ Ibid. p. 26.

schooling and education centres, special education centres, centres referred to in the AES as well as in public and non-public counselling and guidance centres, including specialist counselling centres. Their purpose is to stimulate the child's psychological, motor and social development. Early childhood intervention teams' work organisation is set out in the Regulation [Regulation of the Minister of National Education of 11 October 2013 concerning the organisation of early childhood intervention]¹.

Early childhood intervention is organised on the basis of an opinion issued by the disability evaluation board operating at a public counselling and guidance centre, including a public specialist counselling centre, pursuant to the provisions laid down in the Regulation. The opinion stating the need for early childhood intervention may also be issued by the evaluation board appointed at a non-public counselling and guidance centre established pursuant to the provisions set out in the AES and employing personnel holding qualifications laid down for personnel working at public counselling and guidance centres. ...

Pre-school education. Since 2004, six-year-old children are required to undergo a compulsory one-year pre-school preparation, whereas since the school year 2011/2012 this obligation has been extended to five-year-old children. In the school year 2015/2016, as a result of amendments to AES, the availability of pre-school education for children aged 3-6 has been increased by introducing compulsory schooling since the age of 7. As regards children who hold a certificate of special educational needs, the compulsory schooling obligation may be deferred, but not longer than until the end of the school year in the calendar year, in which the child reaches the age of 9. In this case, the child continues pre-school preparation.

Financing special education of these children from state budget funds under the general subsidy for education received by local government units serves to increase the availability of pre-school education for children with disabilities. Communes, as governing or subsidising authorities, are provided with financial support which allows them to provide children with disabilities with pre-school education in the closest possible distance from their place of residence, thus allowing to prepare them to start education at school having regard to their individual developmental and educational needs as well as physical and cognitive abilities. This allows to reduce the phenomenon of deferring the compulsory schooling obligation for children with disabilities.

Special education. Issues related to the organisation of special education are regulated by the provisions laid down in the AES and by implementing acts thereto. They state that disabled students, regardless of the place of education, have the right to special education suited to their individual developmental and educational needs as well as cognitive abilities. Depending on the type of disability, including the degree of mental disability, children and youths with disabilities must be provided with education which enables them to learn to the extent available to them in accordance with their needs, rehabilitation of impaired functions, special therapy and specialist psychological and pedagogical assistance and care. Disabled students may learn in any type and kind of school. The form of education is chosen by the child's parents/legal guardians.

Students with a certificate of special educational needs may be educated in specific types of schools until the end of the school year in the calendar year in which the student reaches:

1) 18 years of age – in the case of primary school,

2) 21 years of age – in the case of lower secondary school,

3) 24 years of age – in the case of upper secondary school (including post-secondary non-tertiary school).

Children and youths who cannot attend school in their place of residence due to disabilities may attend special purpose schooling and education centres where they may meet the compulsory schooling and education obligation and are provided with 24-hour pedagogical care, or special education centres that provide education and care to the aforementioned students.

Education of children and youths with a profound intellectual disability. Children and youths with a profound intellectual disability meet the one-year pre-school preparation, compulsory schooling and compulsory education obligations by attending rehabilitation and educational classes organised on the basis of a decision on the need for rehabilitation and educational classes, issued by evaluation boards operating at public counselling and guidance centres, including public specialist counselling centres. These classes are organised either in individual or group form, in accordance with provisions laid down in the Regulation. Students with special educational needs attending art schools are provided counselling and guidance by guidance counsellors, art subject teachers and school specialists as well as supported by psychologists working at specialist counselling and guidance centres operating under the Art Education Centre.

Education of disabled adults. Adults with a certificate on the degree of disability issued by a disability evaluation board supplement or continue their education within the framework of continuing education offered in the education system.

Vocational education. Since 1 September 2012, vocational education, including vocational education of persons with disabilities, has undergone changes in terms of structure and curriculum, introduced by the provisions set out in the Act. ... By making the vocational education process more flexible, the breakdown of occupations into qualifications makes it possible to adapt the vocational education process to individual needs and abilities of all students, including students with disabilities.

Among occupations specified in the classification of occupations for vocational education, several occupations may be learned by persons with disabilities:

- sound technician, specialist in information technology for the blind and visually impaired, and qualified office worker – in the case of the blind and visually impaired;
- hotel service assistant – in the case of persons with a mild intellectual disability;
- massage technician – in the case of the blind and visually impaired pursuing education at a technical upper secondary school.

The blind, visually impaired, lower secondary school graduates could continue education as a specialist in information technology for the blind and visually impaired or a massage technician in a technical upper secondary school and post-secondary non-tertiary school. Education in this occupation at a technical upper secondary school is reserved for persons with sight impairment.

Persons with disabilities may also pursue education in other occupations specified in the classification of occupations for vocational education.

Upon request submitted by the Minister for health, the compulsory sign language instruction – to the basic extent – has been introduced for all occupations for which the minister for health has competence – as has been the case for years in the education process for occupations related to social services . The provisions laid down in the Regulation impose on entities pursuing out-of-school forms of continuing education an obligation to ensure organisational and technical conditions that make it possible for the disabled to participate in the education process.

Moreover, in the school year 2015/2016, the Minister of National Education continued to cooperate with other ministries to develop legal solutions enabling the introduction of the so-called ancillary occupations to the classification of occupations for vocational education, offered at basic vocational schools and dedicated for students with disabilities, i.e. with:

- the Minister competent for agricultural markets, competent for such occupations as: chef, confectioner and baker, in order to obtain consent to introduce the following ancillary occupations: kitchen porter, confectioner's assistant and baker's assistant, to the classification of ancillary occupations. In the school year 2014/2015, the Minister of Sport and Tourism expressed the will to introduce the occupation of kitchen porter, competence for which also rests with the Minister competent for agricultural markets, to the classification;
- the Minister competent for the economy, competent for such occupations as: metal worker, carpenter, hairdresser, tailor. The Minister competent for the economy expressed their consent to the introduction of the following ancillary occupations: hairdresser's assistant and tailor's assistant, to the classification;
- the Minister competent for transport, competent for such occupations as: car mechanic, in order to obtain consent to introduce the occupation of mechanic's assistant to the classification;
- the Minister competent for construction, spatial planning and development, and housing, competent for such occupations as: building insulation fitter and contractor for finishing works in construction industry, in order to obtain consent to introduce the occupation of assistant to the contractor for finishing works in construction industry to the classification.

The educational tasks related to the operation of schools and educational establishments by local government units are financed from the general subsidy for education, but also from earmarked subsidies from the state budget and local government's own funds.

The primary source of funding for local government's tasks related to education is the general subsidy for education. The distribution of funds from this subsidy takes place based on an algorithm determined by way of a regulation. This algorithm divides the entire amount of the subsidy (less the reserve) between local government units based on the number of students (pupils) attending various types and kinds of schools and educational establishments, teachers' professional advancement and with the application of uniform indicators nation-wide. The algorithm used for the distribution of the general subsidy for education received by local government units for a given year includes additional weights that apply to children and youths with disabilities, broken down by different types of disability.

The provisions laid down in the so-called Supplementary Budget Act entered into force as of 1 January 2015, imposing on local government units an obligation to spend funds on the implementation of tasks that require special forms of education and work methods with regard to children and youths in an amount not higher than allocated for these tasks in the general subsidy for education. The provisions concerned should be considered to be an interim solution until comprehensive solutions guaranteeing the implementation of tasks suited to each individual student with special educational needs are developed and implemented. The need to create permanent systemic solutions regarding the education of the aforementioned group of students was also indicated by the Children's Ombudsman in letters put forward to the Minister of Finance and the Minister of National Education in 2015. In 2016, the MNE will continue its works aimed to amend the provisions of law, so as to raise the quality of special education and will develop proposals for amendments aimed to introduce effective mechanisms for financing the education of students with special educational needs that will ensure the satisfaction of the developmental and educational needs of these students in education system institutions which these students attend."²⁵⁶

"Access to textbooks and didactic aids for students with disabilities: School Starter Kit" government student assistance programme.

In 2015, the programme applied to students attending grade 3 of primary school in the school year 2015/2016, grade 3 of general primary music school and grade 4 of technical upper secondary school, and:

- 1) visually impaired students,
- 2) deaf students,
- 3) hearing impaired students,
- 4) students with a mild intellectual disability,
- 5) students with a moderate or severe intellectual disability,
- 6) students with motor disability, including aphasia,
- 7) students with autism, including with Asperger syndrome,
- 8) students with multiple disabilities, provided that one of these disabilities has been mentioned in items 1-7

– who hold a certificate of special educational needs referred to in Article 71b (3) of the AES and in the school year 2016/2016 attend schools for children and youths: primary schools (excluding grades 1, 2 and 4), lower secondary schools (excluding grade 1), upper secondary schools: basic vocational schools, general upper secondary schools, technical upper secondary schools or special vocational schools for students with a moderate or severe mental disability and students with multiple disabilities, or to general primary music schools (excluding grades 1, 2 and 4), general upper secondary schools (excluding grade 1), general schools of fine arts (excluding grade 1), general ballet schools (excluding grades 1 and 4) or upper secondary schools of visual arts.

In the case of students with a certificate of special educational needs, referred to above, assistance was granted without applying the income criterion.

²⁵⁶ Ibid. pp. 25-28.

Separate provisions concerning the supply of textbooks for Polish, mathematics, natural science and social science classes to students attending grades 1-3 of primary school and grades 1-3 of general primary music school have been introduced as of 1 September 2014. These textbooks are provided gratuitously by the Minister competent for education and upbringing. They are adapted to suit the educational needs as well as physical and cognitive abilities of students with disabilities.

Separate textbooks are not developed for students with a moderate or severe intellectual disability and students with multiple disabilities, provided that one of these disabilities is a moderate or severe intellectual disability, due to the specific nature of education, individual level of development and knowledge absorption rate. When teaching materials specified in a separate general education curriculum intended for these students, teachers may use any textbook and various educational materials available on the market. The most common solution in working with disabled students is to use early school education textbooks and various educational materials available on the market (educational materials for these students include, among others, worksheet, rehabilitation exercises, materials used in pre-school education).

The possibility of co-financing the purchase of educational materials for students attending grade 1 of primary school has been maintained for this group of students, provided that they do not use textbooks for Polish, mathematics, natural science and social science classes provided by the Minister competent for education and upbringing pursuant to Article 22ad (1) of the AES.

Financing the purchase of textbooks for vocational education. Since 1 September 2012, schools offering vocational education implement a new core curriculum for vocational education in parallel to the new core curriculum for general education. Although each year the state budget provides for a specific subsidy to school textbooks for vocational education, the subsidy is granted to the publisher, at their request. The possibility of co-financing the purchase of textbooks for vocational education, introduced as of the school year 2014/2015, entailed supporting the families of students attending vocational schools (basic vocational schools and technical upper secondary schools). It is necessary to note that the number of students attending basic vocational schools and technical upper secondary schools has been growing over the recent years and is currently higher than the number of students attending general upper secondary schools.

School textbook adaptation and printing. Textbooks entitled "Nasz elementarz" (Our Primer) and "Nasza szkoła" (Our school), developed for grades 1 and 2 of primary school, have been adapted in the years 2014-2016. The works took into consideration both the needs of children with sight impairment, hearing impairment and intellectual disability, and children having difficulties with communicating and using alternative communication methods.

In the school year 2015/2016, students with disabilities attending grades 1 and 2 of primary school received a free textbook adapted to their educational needs. The adapted textbooks were printed and provided to primary school in the number requested by school heads.

That's because the decision regarding the choice of a textbook is made by teachers, which means that there is no need to order the textbook adaptation, if teachers decide that the standard (non-adapted) textbook will be appropriate for a given disabled student.

Adaptations can also be downloaded for free from the website.

Adaptations in Braille and large print, school textbook and auxiliary book printing. Having regard to the functioning of visually impaired students who often cannot use textbooks available on the market, the Minister of National Education finances the preparation of textbook adaptations in Braille and large print. Insofar as resources allow, the Minister of National Education also finances the printing of adapted school textbooks and auxiliary books for these students.

At the MNE's request, school textbooks and auxiliary books indicated by schools are adapted to satisfy the needs of blind and visually impaired students. Electronic versions of school textbooks in Braille and large print are published on the website of the Centre for Education Development, in a dedicated IT system that enables heads of schools and educational establishments to download them on an ongoing basis and print them, either in whole or in part, according to students' individual educational needs.

At the end of 2015, the number of adaptations totalled 765, including 390 in large print for the visually impaired and 375 in Braille for the blind. In 2015, the MNE also obtained additional funds to subsidise the printing and/or purchase of school textbooks and auxiliary books intended for blind students. School textbooks and auxiliary books could have had any form adapted to suit the student's needs, e.g. print in Braille, electronic format, audio format adapted to the needs of a blind student. Funds were conveyed to bodies administering schools and education centres attended by blind students.

Adaptations in the Polish Sign Language. In order to address the needs of deaf students, reported by the Polish Association of the Deaf, teachers and heads of schools and educational establishments attended by deaf students, at the Minister of National Education's request, in 2015 the University of Warsaw prepared school textbook adaptations in the Polish sign language, for selected classes in grade 4 of primary school (Polish, mathematics, natural science and English) and grade 1 of lower secondary school (Polish and mathematics).

Amendments to provisions regarding education to the extent of access of students with disabilities to textbooks. Owing to the amendments introduced to the AES in 2014, as of the school year 2014/2015 primary school and lower secondary school students have received the right of free access to textbooks, educational materials and exercise materials intended for compulsory classes falling under general education. The aforementioned textbooks and materials are funded from the state budget by way of an earmarked subsidy. In the school year 2015/2016, the earmarked subsidy from the state budget covered grade 4 of primary school, grades 1 and 2 of primary school to the extent of textbooks for modern foreign language classes and exercise materials, and grade 1 of lower secondary school.

Where there are students with disabilities who use textbooks, educational materials or exercise materials suited to their educational needs as well as physical and cognitive abilities, the amount of this subsidy is increased.

Funds from the earmarked subsidy for the purchase of textbooks, educational materials and exercise materials may also be allocated to cover the cost of printing or duplicating textbooks, educational materials or exercise materials for didactic purposes, or for the purchase of printing and copying equipment and consumables thereto, provided that printing and duplication is carried out in line with applicable provisions of law.

Type and scope of services offered to students with disabilities. The provisions laid down in the AES guaranteed all students counselling and guidance provided by counselling and guidance centres, including specialist counselling centres, and by teachers and specialists conducting classes with students at kindergarten, schools and educational establishments

(guidance counsellors, psychologists, speech therapists, vocational guidance counsellors and other specialists). The counselling staff includes specialists prepared to perform duties related to the diagnostic, therapeutic, proactive and advisory activities laid down in legal acts. The counselling staff comprises, in particular: psychologists, speech therapists, vocational guidance counsellors, mobility rehabilitation specialists (physiotherapists) and physicians with various specialities.

Public counselling and guidance centres, including public specialist counselling centres, provide psychological care and educational guidance to children, since the moment of their birth, and young people. They also provide guidance as regards choosing a major and profession, provide parents with counselling and guidance related to the upbringing and education of children and young people, and support kindergartens, schools and educational establishments in implementing tasks related to education, upbringing and care.

The counselling and guidance centres' duties include:

- diagnosing children and young people;
- providing children, young people and their parents with direct psychological care and guidance;
- implementing proactive tasks and tasks supporting the educational function of kindergartens, schools and educational establishments, including by supporting teachers in solving didactic and educational problems;
- organising and providing support to kindergartens, schools and educational establishments in the execution of didactic, educational, and care-related tasks.

Children and young people are diagnosed in particular to determine their individual developmental and educational needs as well as individual physical and cognitive abilities, to find out how they function in relation to a reported problem and determine how to solve that problem.

The results of diagnosing children and young people include, in particular:

- issuing an opinion;
- issuing a decision stating the need for: special education, rehabilitation and educational classes, an individual compulsory one-year pre-school preparation or individual education for children and young people;
- providing children and young people, or children, young people and their parents, with direct psychological care and guidance;
- supporting teachers in working with children, young people and their parents.

Pedagogical supervision ...

Requests submitted by regional education authority heads allow to formulate recommendations which the Minister competent for education and upbringing takes into consideration when determining key priorities of the state education policy. The problems associated with educating students with disabilities are included in audits carried out as part of pedagogical supervision. In addition, it is planned to reinforce measures undertaken in this area. Issues concerning the education of students with disabilities will be successively introduced to plans of audits to be carried out by regional education authorities.

Issues examined as part of planned audits carried out by regional education authorities include issues related to special education, e.g. in the school year 2014/2015, a priority of the state education policy was titled "Education inclusive of students with disabilities".

Tasks implemented as part of pedagogical supervision include audits, including:
Verification of the correct organisation of rehabilitation classes in a mainstream school, including the number of hours and types of these classes and their compliance with recommendations laid down in the certificate of special educational needs due to disability” – in public kindergartens, primary schools, lower secondary schools, mainstream and/or integrated classes;
Verification of the process of issuing certificates of special education needs by evaluation boards operating at counselling and guidance centres” – in public counselling and guidance centres.”²⁵⁷

²⁵⁷ Ibid. p. 28-32.

Portugal

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 23/09/2009
- **UNESCO Convention against Discrimination in Education:**
State Party since 08/01/1981

Legislative provisions

“Measures that facilitate the integration of children and young people with different educational needs (Decree-Law no. 3/2008 of 7th January). Decree-Law no. 3/2008 establishes the right of children and young people with special educational needs to non-discrimination in access to and attendance at regular schools, from pre-school to secondary levels, and the active participation of parents in decision-making throughout the educational process of their children. Among several aspects, it includes:

- Educational measures that integrate the adequacy of the teaching and learning process;
- Specific modalities of education, a specialized educational response developed in schools clusters and secondary schools of the public school network;
- The penalties to be applied if schools do not respect the right of pupils with special educational needs to priority in enrolment, as well as the right to attend kindergarten or school under the same terms of other children;
- The obligation for students who do not follow the common curriculum, drawing up an Individual Transition Plan (ITP), three years before the age limit of compulsory schooling (18 years old).

In 2015, with the publication of the Ordinance no. 201-C/2015, of July 10th, the curricular matrix framing the planning of the individual curricula of these students was defined.

At the same time, the following measures were developed:

- Accreditation of 90 Resource Centres for Inclusion (CRI) that provide special support in the schools regular network, aimed to SEN students and children and young people with disabilities, to teachers and families in partnership with community structures, facilitating access to education, training, work, leisure, social participation and life autonomy, promoting the full potential of each individual.
- Creation of a national network of 25 ICT Resource Centres for Special Needs Education, aimed at assessing students' needs for assistive technologies and provide information / training for teachers and other professionals, as well as families, on the problems associated with different areas of disability or incapacity.
- Recognition of the ICT Resource Centres as prescribing centres (Order No. 5291/2015, May 21th), with reinforced funding for technologies to support students;

- Allocation of special needs education teachers and other technicians in regular schools.”²⁵⁸

Measures

“The National Qualifications Catalogue (NQC), a dynamic tool for the strategic management of non-tertiary qualifications, integrating a set of qualifications that are organized according to a vertical dimension, which structures qualifications by qualification levels, and a horizontal dimension, which organises the Catalogue into areas of education and training corresponding to sectors of economic activity. Currently contemplating 40 education and training areas, the NQC integrates a professional profile, a training reference and a benchmark for the recognition, validation and certification of competences (both educational and vocational) for each qualification. Since its inception, the NQC has been updated according to needs identified by stakeholders. Therefore, in 2013 it started to provide short-term training units (STTU) for the development of entrepreneurship skills and, in 2014, STTU for the development of employability skills.

The NQC also offers qualifications adapted to people with handicaps and/or disabilities, a Portuguese programme providing Portuguese language learning for Speakers of Other Languages (Ordinance nº 1262/2009, of October 15th) and a training program in Basic Skills (Ordinance nº 1100/2010, of October 22nd).”²⁵⁹

“Some higher education institutions also laid down Codes of Ethics which include, for example, the duty of impartiality, the promotion of equal opportunities and nondiscrimination, Social Responsibility Management Systems, Regulations towards supporting Students with Special Education Needs, Regulations concerning the Statute applicable to students with disabilities, in order to meet the specific needs of these students, or even guarantee in some courses, in the selection and recruitment process, equal opportunity of access by gender, allocating half the places in each of these courses to each gender, and then applying ordering criteria.”²⁶⁰

“Portugal also implemented the European Agenda for Adult Education (2012-2014), which set as a priority target adults in a situation or at risk of social exclusion, adults with disabilities and the elderly, promoting in 2013/14 a project aimed at raising awareness and involving civil society (training entities, social partners, employers, municipalities, non-governmental organizations, etc.) in the collective effort to improve the level of motivation and participation of this population in lifelong learning activities, and consequently increasing their qualifications.

...

Continuing the implementation of the European Agenda for Adult Education in 2014-2015, the programme already existing in the National Qualifications Catalogue for the acquisition of basic competences in reading, writing, arithmetic and use of ICT was adapted to a

²⁵⁸ Portugal. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp. 16-17. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Relat_rio_-_UNESCO_Conven_o_Recomenda_o_discrimina_o_no_ensino_15DEC_E_.pdf

²⁵⁹Ibid. p. 6.

²⁶⁰ Ibid. p. 9.

distance learning format, in order to facilitate the access of a larger number of adults with a deficit in basic competences and thus combat functional illiteracy.”²⁶¹

²⁶¹ Ibid. pp. 24-25.

Qatar

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 13/05/2008
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Legislative provisions

“Keen to accede to all international instruments and charters, the State of Qatar has already acceded to several, including: ... Convention on the Rights of Persons with Disabilities (in May 2008). ...”²⁶²

Measures

“North Atlantic College. The college was established in 2000, under an agreement between the State of Qatar and North Atlantic College, Canada, and offers special training for companies and organizations in a number of fields, including business, banking, communications, engineering technology, food safety, English language skills, health sciences, information systems, leadership development and security. The college has approximately 2,300 current students and about 400 alumni. The college offers a number of student activities, as well as professional and personal counselling and services for students with physical disabilities.”²⁶³

“Conditions relating to the quality of the education provided

- Location: School areas have risen to 25,000m², increasing a student’s share of outside space to 31m². Care has been taken to ensure that the site includes playing fields for all types of sport, laboratories, educational resource rooms, multi-purpose halls provided with disabled access, awnings, cultivated areas, a theatre and cafeteria;
- Safety and security: Safety and security measures have been put in place in all educational institutions and school buildings are provided with emergency exits and safety equipment and devices. Administrative staff, teachers and students are trained in evacuation procedures in the event of fire or disaster. There is a total of approximately 250 Government-run educational buildings in Qatar, of which 185 are schools and around 65 are kindergartens. Educational buildings in Qatar meet the requirements of persons with special needs, as shown by the following:

²⁶² Qatar. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 1. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/QATAR.pdf>

²⁶³ Ibis, p. 18.

1. The entrances of all school buildings are equipped with ramps to facilitate access of persons with motor disabilities;
2. All toilet facilities in school buildings include one toilet for students, teachers and administrative staff with special needs;
3. All schools built after 2000 – which represents 80 percent of the total – are equipped with elevators;
4. Car parks include designated parking spaces for persons with special needs;
5. Schools built after 2010 are designed to meet standards for the blind; these include installation of tactile paving at entrances and exits and ensuring that elevators can be used easily by the visually impaired;
6. Water coolers are installed at heights enabling them to be used easily by students with special needs, such as motor disability.”²⁶⁴

“General education ... Human rights concepts are included in school subjects in a number of ways, including as independent topics, concepts and forms, and curricula and textbooks cover political, civil and economic rights, the rights of the child and the rights of women, social and cultural rights and the rights of the elderly and disabled.”²⁶⁵

“Between 2010 and 2014, Qatar University College of Education offered its students a number of courses that included lectures on human rights, such as:

- Lecture on the Convention on the Rights of Persons with Disabilities (part of the 2012 diploma programmes);
- Several lectures on the Convention on the Rights of the Child (part of a course on the development and education of children and a course on family relations in 2012-2013);
- Several lectures on human rights: Safe and unsafe societies in time of peace and war (part of a social psychology course in 2012-2013);
- Several lectures on the Convention on the Rights of Persons with Disabilities (part of an integration course in 2013).”²⁶⁶

²⁶⁴ Ibid. p. 21.

²⁶⁵ Ibid. p. 24.

²⁶⁶ Ibid. p. 25.

Romania

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**

State Party since 31/01/2011

- **UNESCO Convention against Discrimination in Education:**

State Party since 09/07/1964

Legislative provisions

“The legislative framework aims to prevent and to eliminate discrimination in education, in line with the Convention. **The Law of national education 1/2011** forbids discrimination and promotes equal chances in education through its numerous articles: ...

- ensures equal rights of access to all levels and forms of education with no form of discrimination ... to all persons with special educational needs (Article 12(6), Article 25(3)); ...
- guarantees also in higher education non-discrimination on age, ethnicity, gender, social origin, political or religious orientation, sexual orientation or other types of discrimination, excepting the affirmative measures foreseen by the law (Article 118(2)) as well as other facilities for students with physical disabilities (Article 118(3), Article 202(1)). ...

Along with the constitutional and legislative provisions that guarantees access to education for all the citizens, *with no form of discrimination, the right to differentiated education and to lifelong learning, the Law of national education no. 1/2011 foresees a series of measures supporting equal chances:* ...

- offers specific conditions and assistance for persons with special educational needs or other types of educational requests according to the type and degree of deficiency (Articles 48-56. Article 72 (2)); ...

Specific provisions of the Education law that support the equality of chances: ...

- special and integrated special education, for all levels of education, differentiated, according to type and degree of deficiency, for persons with special educational needs (Article 48(1 and 2))²⁶⁷

“The Law of national education no. 1/2011 also states aspects connected to gratuity and children’s accessibility to educational system: ...

²⁶⁷ Romania. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp. 6-8. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Official_report_of_Romania_on_1960_Convention.pdf

- special and integrated special education is free and usually organized as full-time. According to the local needs, it can be organized under other forms too, in correspondence with the current legislation (Article 48 (2))²⁶⁸

“Challenges for ensuring access to secondary education

Not all localities from Romania have school units for secondary education. That is why The Law on National Education (Law no 1/2011) provides:

- reduced costs for the local transport for pupils or transport gratuity for children with special education needs, for orphans or for institutionalised children (Article 84)²⁶⁹

“The students with physical disabilities have the right to access ways adapted to their needs, in all university spaces, as well as to conditions for normal development of academic, social and cultural activities within higher education institutions (Article 118 (3)) [of the law of National Education]. However young people with disabilities remain an important disadvantaged category, facing challenges in regard to access to the higher education. Only 6% of the people with disabilities are enrolled in Romanian higher education institutions.) ... The Government Act no. 789 from August 3rd 2011, on approval of the evaluation methodology in order to classify universities and rank the study programmes, as well as The Order of the Minister of Education, Research, Youth and Sports (OMECTS) no. 4174/2011 that establishes the list of indicators effectively used in the process of evaluation, introduced for the first time in the evaluation process of Romanian universities, criteria and indicators that measure the degree in which the universities fight against discrimination and stimulate inclusion by ensuring access to higher education. Thus, we can illustrate, from OMECTS 4174/2011, by quoting some indicators under Standard “SS3. The social and cultural involvement of the university”:

I 2.9. Students from disadvantaged socio-economic environments;

I 2.7. Grown-up students;

I 2.8. Students with disabilities.

These data were part of the assessment done at the level of the whole system of higher education.”²⁷⁰

“ In view of increasing the participation of adults in LLL, a number of policy initiatives were implemented. The law of education no. 1/2011 contains an entire chapter on lifelong learning, recognising the rights of all individuals to access education and training services, including the validation of learning acquired in non-formal and informal learning. Moreover, the law is specifying certain individuals whose participation should be made a priority: ...

- Graduates with formal qualifications that are not relevant any more on the labour market special education needs;”²⁷¹

Measures

“The students with physical disabilities have the right to access ways adapted to their needs, in all university spaces, as well as to conditions for normal development of academic,

²⁶⁸ Ibid. pp. 10-11.

²⁶⁹ Ibid. p. 12.

²⁷⁰ Ibid. p. 15.

²⁷¹ Ibid. p. 18.

social and cultural activities within higher education institutions (Article 118 (3)). However young people with disabilities remain an important disadvantaged category, facing challenges in regard to access to the higher education. Only 6% of the people with disabilities are enrolled in Romanian higher education institutions.”²⁷²

“The National Standards for Quality of Education ensures that the conditions relating to the quality of the education provided with regard to institutional capacity (management, infrastructure and safety, and human resources), educational effectiveness (educational offer for programs, curriculum design and delivery, evaluation of learning outcomes, extra-curricular activities, professional development of teachers and financial management) and the management of quality (self assessment and procedures, staff development, improved programs etc.) are offered at least at a minimum level established by law and standards. ... Besides the equality in the conditions, the existing standards include positive measures in order to raise the inclusiveness of education: ...

- The school development planning must include elements leading to inclusive education (providing equal education opportunities and supporting pupils belonging to disadvantaged groups and special needs education, respectively);
- Access for pupils with special needs in all school areas;
- Didactic strategies and methodology adapted to the cultural specificity of school population and to individual motivation of pupils;
- Developing, in accordance with the legal provisions, of differentiated education programs (for children with special needs, from socially disadvantaged or at drop-out risk groups, for gifted children etc.);
- Demonstrating progress in facilitating individual study and integration of pupils with special needs and of children at risk (of dropout and low achievement).
- To introduce elements of intercultural education;
- Adequacy of teaching aids and printed / electronic material according with the ethnical structure of the school population;
- Specific support (special education experts, school counselor etc.) for children with special needs or at risk (of dropout and low achievement).”²⁷³

“Operating at national level is the National Council on Combating Discrimination, as well as the Deputies People’s Advocate, which is specialized in different areas of activity, such as: human rights, equality of chances between men and women, religious cults and national minorities; rights of the child, family, young people, pensioners, persons with disabilities; army, justice, police, penitentiaries; area of property, labour, social protection, taxes and duties; prevention of torture and other cruel, inhuman or degrading treatment or punishment.”²⁷⁴

²⁷² Ibid. p. 15.

²⁷³ Ibid. pp. 20-21.

²⁷⁴ Ibid. p. 22.

Russian Federation

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 25/09/2012
- **UNESCO Convention against Discrimination in Education:**
State Party since 01/08/1962

Legislative provisions

“The educational legislation of the Russian Federation guarantees equal access to education regardless of gender, race, nationality, language, origin, property or social status or job title, place of residence, religious beliefs, convictions, membership in public associations, as well as to the disabled persons and persons with disabilities.”²⁷⁵

“In order to implement sub-paragraph "c" of paragraph 2 of the Presidential Decree No. 597 of May 5, 2012 "On measures for implementation of state social policy," the Government of the Russian Federation issued Ordinance No. 1921-p of October 15, 2012 approving a set of measures to raise the effectiveness of implemented steps to assist employment of people with disabilities and ensure accessibility of professional education for 2012-2015, including the following sets of activities:

1. Creation of conditions for persons with disabilities to receive higher education. For the purpose of creating those conditions the Ministry of Education and Science of the Russian Federation carried out work to improve architectural accessibility of buildings for people with disabilities at colleges and universities, and improve overall education accessibility for them.
2. A set of regulatory and administrative mechanisms is used to provide accessible higher education.”²⁷⁶

Measures

“For children with disabilities FSES [federal state educational standards] training can be set up jointly with other students or in separate classes, groups or organizations carrying out special education programs.”²⁷⁷

“In order to realize the right of every citizen to education, federal public authorities create the required conditions for the disabled persons and persons with disabilities willing to receive quality education.

²⁷⁵ Russian Federation. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 2. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/report_Russian_Federation_2016.pdf

²⁷⁶ Ibid. p. 7.

²⁷⁷ Ibid. p. 5.

All activities in that area are carried out under the state "Accessible Environment" program. By the end of 2015 the administrative subjects of the Russian Federation set up more than 9,000 educational institutions implementing general education programs and providing joint training opportunities for the disabled persons and persons without developmental disorders, accounting for 20% of the total number of educational institutions. As of 2016, the extended version of the program has involved all types of general education institutions implementing general education programs."²⁷⁸

"On November 9, 2015, the Ministry of Education and Science of the Russian Federation issued Order No. 1309 "On approval of procedures for accessibility for the disabled individuals to educational facilities and tuition services, and providing all required assistance to them in that process," setting up the rules of accessibility to disabled individuals of various facilities (administrative buildings, structures, installations and building facilities) of the Ministry of Education and Science of the Russian Federation, the Federal Education and Science Supervision Agency, the Federal Agency for Youth Affairs, governments of the administrative subjects of the Russian Federation exercising state supervision in the area of education, local self-government authorities exercising state supervision in the area of education, and the organizations reporting to government authorities; education services provided by the authorities and organizations, as well as provision to persons with disabilities of all required assistance in overcoming barriers hindering the use of services in the area of education and use of facilities on an equal basis with all other participants in the education process. The order approved the indicators of accessibility of educational institutions and education services to disabled persons.

Access to high-quality affordable general and professional education is a critical and a most essential condition of successful socialization of children with disabilities, which provides the opportunities for their overall participation in the life of society and effective self-realization in various areas of professional and social activities.

Despite the fact that federal law currently covers almost all issues related to education of this category of students, improvements in that area are being made on a continuous basis. The Ministry of Education and Science of the Russian Federation has been implementing a state policy on continuous and vertically-organized system of education of disabled persons and persons with disabilities, including expansion of organizations assisting children of those categories and their families and carrying out comprehensive psychological, tuition, medical and social support required for their education all the way up to their vocational rehabilitation.

Starting with the 2014/15 academic year, all higher educational institutions (hereinafter – "colleges and universities") set up enrollment quotas for persons specially entitled to admission to their institutions (accounting for at least 10% of all government-funded

²⁷⁸ Ibid. p. 5-6.

enrollment vacancies). For example, in the 2014/15 academic year the share of students with disabilities enrolled under the set up quotas accounted for 3.8% of total enrollment.

...

In 2013-2015 a number of regulatory documents were issued to regulate enrollment, training process and graduation exams. All these regulatory documents included provisions regarding special requirements for students with disabilities.

Provisions regarding special requirements of students with disabilities were included in all Federal State Education Standards.

Requirements to setting up training processes for disabled persons and persons with partial disabilities including special equipment required in the training process were drafted and provided to all administrative subjects of the Russian Federation.

As of September 2015, a 100% adjustment factor was introduced to fund tuition of persons with disabilities.”²⁷⁹

“Vocational guidance measures.

The Russian Ministry of Education is continuously improving the scientific and methodological support of vocational guidance activities for children with disabilities. In order to enhance vocational guidance, regional educational authorities received a set of guidelines to streamline vocational guidance efforts, along with curricula templates for pre-vocational training for disabled and partially disabled students.

The Ministry of Education and Science of the Russian Federation is continuously monitoring vocational guidance activities performed by all organizations in the subjects of the Russian Federation. In a joint effort with the Russian Ministry of Labor, the Ministry of Education and Science of the Russian Federation approved and provided to the administrative subjects of the Russian Federation a comprehensive inter-agency vocational guidance plan, providing scientific and methodological support of vocational guidance activities and facilitating improvement of inter-agency cooperation, as those efforts are simultaneously taken by high schools, employment agencies and professional training institutions.

Employment efforts.

Employment efforts taken in that area include the following aspects:

- Most colleges and universities monitor the situation with employment of graduates with disabilities;
- Meetings of employers with undergraduate students with disabilities are held in 60% of higher education institutions, and they have turned into a most popular type of graduate employment; 37% of colleges and universities maintain databases containing information about graduates of educational institutions with disabilities;
- 37% of colleges and universities maintain databases containing information about graduates of educational institutions with disabilities;
- 33.4% of colleges and universities provide assistance with employment in accordance with employment quotas to their graduates;

²⁷⁹ Ibid. pp. 6-8.

- On-the-job training in special jobs is offered by 32.9% of education institutions;
- Individual employment (professional development) plans were drafted by 10.8% of education institutions.
- Most educational institutions carry out individual employment counseling for undergraduate and graduate disabled students and students with disabilities;
- 43% of educational institutions hold presentations and meetings of employers with students with disabilities;
- 26.8% of educational institutions hold job seeking master classes and workshops;
- Some educational institutions draft individual job seeking plans for disabled students and students with partially disabled students;
- 32.8% of educational institutions carry out on the job training in special jobs;
- 24.6% of educational institutions provide employment assistance in finding special and quota-based jobs;
- Some educational institutions maintain vacancy databases for disabled graduates and offer special courses in their curricula focused on professional self-determination and social adaptation.

At present, the key areas of activities of educational institutions in the administrative subjects of the Russian Federation and the federal executive bodies in order to support the right to quality education for disabled persons and persons with disabilities include involvement of these students in the vocational training system, ensuring provision of quality educational services for persons with disabilities in the vocational training system, and support with employment to graduates with disabilities who have received vocational training. Colleges and universities are using their own resources in setting up training and methodology centers at their facilities for training persons with disabilities (hereinafter - the “resource centers”).

Those resource centers are selected on a competitive basis taking into account the need to set up a network of those centers covering the entire territory of the Russian Federation.

The resource centers are performing multiple tasks, including:

- creation of models supporting the process of setting up special educational environment for students with disabilities in colleges and universities;
- institution of a network of universities providing inclusive education;
- efforts to provide comprehensive support of students with disabilities throughout the educational process in higher educational institutions included in the in the network, and including efforts to draft and monitor individual learning curricula;
- assistance with employment of graduates with disabilities;
- setting up volunteer teams to help students with disabilities;
- provision of methodical assistance to the faculty and parents of disabled and partially disabled students on career counseling and higher education tuition services;
- professional training for the faculty and college support staff, tutors and coordinators working with disabled and partially disabled students.

The centers will be set up on an accrual basis: three centers in 2016; ten centers in 2017, 21 centers in 2018, with the Russian Ministry of Education supporting operations of those centers until 2020.”²⁸⁰

²⁸⁰ Ibid. p. 8-10.

Serbia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 31/07/2009
- **UNESCO Convention against Discrimination in Education:**
State Party since 11/09/2001

Constitutional provisions

“According to the Constitution, in the event when the exercising of equality and elimination of discrimination are difficult to achieve, state bodies can undertake special measures to achieve improvement of rights and eradication of discrimination. Those measures cover the opportunity to have favourable conditions for the realisation of the rights, of individuals or groups, such as certain national minorities or people with disabilities.”²⁸¹

Legislative provisions

“Law on Prevention of Discrimination against Persons with Disabilities in addition to the norms on general prohibition of discrimination, contains the norms which specifically refer to the education process. In line with Article 18, discrimination based on disability shall be prohibited at all levels of education. This discrimination includes the following:

- 1) denial of the enrolment of a child of preschool age, pupils or students with disabilities into an educational institution which corresponds to his previous acquired knowledge, i.e. educational abilities;
- 2) exclusion of a child of preschool age, pupil or a student with disabilities from the educational institution which the child already attends for the reason based on his disability;
- 3) setting non-disability as a special requirement for enrolment in the educational institution, including the provision of the certificate on health status and previous assessment of physical and mental abilities, unless that requirement is defined in the regulations defining the field of education.

Article 19 defines that discrimination in education based on disability shall not be the following:

- 1) assessment of special preferences of children of preschool age, pupils and students, i.e. candidates for the enrolment into the educational institution, according to defined subjects or subject group, assessment of their artistic preferences or forms of special talents;
- 2) organisation of special forms of teaching, i.e. education for pupils, i.e. children of preschool age, who, due to a lack of intellectual abilities, cannot follow the regular teaching contents, as well as referral of the pupils, or children of preschool age to those teaching, i.e.

²⁸¹ Serbia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 9. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/SERBIA.pdf>

education forms, if the enrolment is done based on the act of the competent body defining the need for such form of education for pupils or children of preschool age.

Finally, as a specifically difficult form of discrimination based on disability, as defined by the law, shall be considered harassment, insults and humiliation of disabled children of preschool age, or pupils or students due to their disability, when done by the teacher or other employees in the educational institution (Article 20).²⁸²

“Law on the Foundations of the Education System is entirely based on the constitutional principles in the field of realisation of the right to education. According to Article 3, the education system for all children, pupils and adults must provide equal right and access to education without discrimination and exclusion based on gender, social, cultural, ethnic, religious or other affiliation, place of residence or domicile, financial and health status, developmental impairments and disabilities, and other grounds (therefore, based on all those grounds stated in the Constitution and the Anti-Discrimination Law).

Article 3 of the Law expressly defines that in realisation of general principles of the education system, a special attention is placed on “the opportunity for children, pupils and adults with developmental impairments and disabilities, regardless of their financial status, to gain access to all levels of education in institutions, and for persons living in social welfare institutions, sick children and students, to exercise their right to education while in an institution, hospital or receiving treatment at home” and on “the reduction of the number of pupils and students leaving the education system, in particular the persons with developmental impairments and disabilities and other persons with specific learning difficulties and support to their reintegration in the system, in line with the principles of inclusive education”.

...

Right to education is in more details defined by Article 6 of this law, covering the position in education of persons with developmental impairments and disabilities, persons with exceptional abilities, and foreign nationals, as well as by Article 9, defining the right to use of the language of national minorities, and the right of persons with developmental impairments and disabilities to use sign language or special scripts or formats, and other technical solutions which can be used when the education process is delivered in sign language with the use of means of that language.

...

Provisions of Article 44 of the law refer to identification of forms and prohibition of discrimination in schools, where the activities aimed at threatening, belittling, discriminating or singling out groups or individuals on the basis of their racial, national, ethnic, linguistic, religious background or gender, physical and psychological characteristics, developmental impairments and disabilities. ...²⁸³

“Law on Preschool Education [“Official Gazette of RS”, No 18/2010] in its basic function is primarily a support to a comprehensive development and well-being of a child so that he/she could, in the most proper and best way, join the social community. Preschool education is accessible to everyone, regardless of gender, social, cultural, ethnic, religious or other affiliation, place of residence, or domicile, financial or health status, developmental impairments and disability, or other grounds, in line with the law (here we refer to the Anti-

²⁸² Ibid. pp. 11-12.

²⁸³ Ibid. pp. 13-14.

Discrimination Law). In addition to anti-discrimination and equality, preschool education is based on the principles of democracy, openness, authenticity and development (Article 4). Article 13 defines the form of the affirmative action by giving enrolment precedence to children from vulnerable groups.

Law on Primary Education [“Official Gazette of RS”, No 55/20013], in Article 9 expressly defines that the basic test of a school is to provide “quality education for every child and pupil, under equal conditions, regardless of the place of the school, or where the education is delivered”, and that “persons performing education work and other employees in the school will promote equality among the pupils and actively fight against all types of discrimination and violence.” The law defines the compulsory and free primary education. Compulsory education implies the preparatory preschool programme and primary education which lasts eight years. The preparatory preschool programme shall be realised in the year prior to enrolment into school, and should last four hours per day for at least nine months. Children with developmental impairments and disabilities can be educated in regular schools with additional support or in school for children with developmental impairments based on the opinion of the interministerial commission and upon the consent of the parents, or guardians. Pupils shall complete the primary education by taking the final exam after successfully finished eighth grade and thus gain the right to enrol into a secondary school. For pupils with developmental impairments and disabilities, the final exam shall be adjusted depending on the type of necessary additional support and shall be carried out in line with the individual education plan. The law defines the implementation of regular national and international assessments of the achievements of pupils. A possibility of organisation of teaching at home and distance-learning have been introduced as well. Article 10 regulates the rights of pupils with developmental impairments and disabilities, and those are pupils with intellectual, sensory and motoric developmental disorders. As a foundation and support to inclusive education, it is defined that every child with developmental impairments shall acquire education as a rule at school together with other pupils, and when it is for the best interest of the pupil, at school for pupils with developmental impairments, in line with the law. Pupil with developmental impairments and disabilities shall have the right to the individual education plan (IEP). ...

Law does not abolish schools for education of pupils with developmental impairments, but Article 18 defines that these schools shall educate all children regardless of the type of impairment. It is also defined that with the aim of improvement of inclusive education, schools for education of pupils with developmental impairments shall provide support to schools in the system of regular education. Schools in the system of regular education teaching also the pupils with developmental impairments and disabilities are provided with the ability to hire a preschool teacher, teacher or psychologist/pedagogue, employed in a school for education of pupils with developmental impairments, but the hiring shall be done based on the opinion of the interministerial commission for the assessment of the need for the provision of additional educational, health or social support to pupils. ...

Law defines that the school library should collect textbooks and other teaching materials intended for the pupils with developmental impairments and disabilities, and that every school shall be obliged to have its web page [According to the data of the Ministry of

Internal and Foreign Trade and Telecommunications for 2013, collected during the realisation of the project “Digital School”, 842 schools had their internet presentations].”²⁸⁴ “Law on Secondary Education [“Official Gazette of RS”, No 55/2013] defines secondary education which is free and is not compulsory. There is also the ability to organise distance-learning. For pupils and adults with developmental impairments and disabilities attending regular schools, the law defines additional support, so that school shall ensure the elimination of physical and communication obstacles and, depending on the needs, adopts the individual education plan. Schools for pupils with developmental impairments shall deliver education for certain vocations for pupils who enrol into this school type based on the opinion of the interministerial commission and with the consent of parents, or guardians. ...

Article 12 defines that for a pupil and an adult, who due to his/her developmental impairments and disabilities, specific difficulties in learning, who is socially deprived of has other reasons for additional support in education, school shall provide elimination of physical and communication obstacles and depending on the needs it shall also adopt the individual education plan, in line with the law. The objective of the additional support in education is to achieve optimal inclusion of pupils and adults into regular educational work, independence in peer group and their improvement in education and preparation for the world of labour. For the realisation of the additional support in education, the principal, teacher, psychologist/pedagogue, preschool teacher, pedagogue and andragogue assistant and parent, or guardian, can receive special expert support for the implementation of the inclusive education. It is defined that for the realisation of additional support in education, school shall establish a cooperation with local self-government bodies, and other organisations, institutions at local and higher level. In addition to that, it is defined that special expert support can be provided by the persons competent in the field of inclusive education and schools which activities made themselves a good example of good practice in the implementation of inclusive education. ...

Law on Higher Education. ... Student with disabilities shall have the right to take an exam at the place and in the manner adapted to his/her abilities, in accordance with the general act of a higher education institution (Article 90).

Law on Adult Education [“Official Gazette of RS”, No 55/13] defines education and life-long learning of adults [adults, in terms of this law, are people of 17 years of age acquiring secondary education according to the programme for adults and people older than 18 years of age who are involved in other forms of informal education and informal learning] as a part of a single education system in the Republic of Serbia. Adult education is realised through formal and informal education, and informal learning which can be delivered by primary or secondary school or other organisation, if registered for education and if obtains the license by the Ministry of Education, Science and Technological Development. Law defines equal opportunities as one of the principles of this form of education. Article 3

²⁸⁴ Ibid. pp. 15-17.

defines the principle of equal opportunity as an inclusion and education acquisition regardless of age, gender, developmental impairments and disabilities, disability, racial, national, social, cultural, ethnic or religious background, language, sexual orientation, place of residence, financial or health status and other personal traits. ...

Law on Pupil and Student Standard [“Official Gazette of RS”, No 18/2010 and 55/2013] defines the prohibition, in the institutions of pupils and student standard, any activities aimed at cover or overt belittling, discriminating groups or individuals on the basis of their race, religion, nationality, origin, birth, religious affiliation, political or other opinion, property, culture, language, age, sexual orientation, psychological or physical disability, constitution. Encouragement of such behaviour is also forbidden. Any type of insult, violent behaviour and abuse is strongly prohibited (Article 36). Also, for the purpose of introduction and achieving full equality it is allowed to undertake different affirmative measures, primarily in order to help the groups and individuals who are in unequal position.

According to the Law on Textbooks and other Teaching Materials [“Official Gazette of RS”, No 68/2015], for the delivery of adapted educational work with blind and sight-impaired pupils, the textbook, or teaching materials, can be issued in Braille code, in electronic form or format adapted for blind and sight-impaired persons. Law sorts textbooks adapted to the needs of pupils with developmental impairments and disability into the category of low-circulation textbooks, and their publishing is regulated by the Rulebook on publishing of low-circulation textbooks [“Official Gazette of RS”, No 30/2010], which defines the possibility that the Government, in line with available funds, from the budget, finance or co-finance the procurement of textbooks, handbooks for adult education and teaching materials, with the aim to provide equal availability of textbooks, handbooks and teaching aids to pupils and attendants from socially/financially vulnerable families (Article 9).²⁸⁵

“Rulebook on technical standards of accessibility [“Official Gazette of RS”, No 46/2013] defines the requirements to be met while designing, building, adapting, change of purpose and reconstruction of facilities for public use, which significantly facilitates life in the community for persons with disabilities and persons with motion disabilities. All educational institutions shall be obliged to respect the standards stated in this rulebook.

Rulebook on professional development and acquisition of the title of a teacher, preschool teacher, and psychologist/pedagogue [“Official Gazette of RS”, No 85/2013] defines the priority fields of professional development which are of importance for development of education, which, inter alia, is the prevention of discrimination and inclusion of children and pupils with disabilities and from socially marginalised groups”.²⁸⁶

“The textbook market has been regulated; in previous years, it was faced with the problem caused by uncontrolled liberalization envisaged by the previous legal solution, the Ministry of Education, Science and Technological Development prepared a new Law on textbooks [“Official Gazette of RS”, no.68/2105]. ... In addition to minorities and students with special needs, textbooks were missing in secondary vocational schools as well, with over 900 cases of secondary vocational schools without textbooks. Despite great pressure from publishing houses and lobby groups, in August 2015 a new Law on textbooks was adopted which

²⁸⁵ Ibid. pp. 17-20.

²⁸⁶ Ibid. p. 21.

regulated the textbook market so that it guarantees: ... textbooks tailored for students with disabilities, introduction of an electronic supplement. ... ”²⁸⁷

Measures

“The educational structure of people with disabilities is rather unfavourable: 52.7% of people with disabilities older than 15 have primary education or incomplete primary education, while 6.5% have high or higher education.”²⁸⁸

“In order to create better conditions for the implementation of the inclusive education, the content of the individual education plan (IEP) is regulated in detail, adopted for a child and pupil who is socially deprived, has developmental or other disabilities or for any other reason, and who requires additional support in education, the institution shall ensure the elimination of physical and communication obstacles and shall adopt the individual education plan. Article 77 defines the aim of the IEP which is the “optimal development of a child or pupil, inclusion in the peer group and achieving general and special outcomes of education, i.e. meeting the educational needs of a child and pupil”. The manner and procedure of creation of the IEP, and its assessment are regulated in details, and the detailed instruction for realisation of the IEP, its implementation and assessment shall be passed by the minister (Article 77, paragraph 14). In this manner, legal conditions are created for efficient fight against indirect discrimination of children who are socially deprived, with developmental impairments, disabilities or for any other reasons require additional assistance in education in the field of education.”²⁸⁹

“With the adoption of the Strategy of Prevention and Protection against Discrimination for the period 2013-2018 [Adopted in 2012], the Republic of Serbia committed itself to a systematic creation of the institutional and legal framework and mechanism for fighting against discrimination. The objective of this strategic document is the respect of the constitutional principle of prohibition of discrimination, directed towards a person or a group on the grounds of his/her personal traits, in particular the prohibition of discrimination of vulnerable social groups. The main part of the Strategy deals with the promotion of the position of nine vulnerable social groups which are most exposed to discrimination and discriminatory behaviour, involving: women, children, LBBT people, people with disabilities, elderly people, national minorities, refugees, internally displaced persons, and other vulnerable migrant groups, people whose health conditions can be a reason for discrimination and members of small religious communities and religious groups.”²⁹⁰

“Access to the system of preschool education for children in rural areas is half as less than in cities: 27.3% vs.62.6%. Also children with disabilities are insufficiently covered by this

²⁸⁷ Ibid. p. 67.

²⁸⁸ Ibid. p. 7.

²⁸⁹ Ibid. p. 14.

²⁹⁰ Ibid. p. 22.

system. While about 5% of children in this age group have a disability, only 1.2 % of the enrolled children are children with disabilities.”²⁹¹

“The Mental Disability Rights Initiative (MDRI) has conducted a survey “Education and life in the community as a precondition of equality of children with developmental impairments” in 2015, within the project “Children with developmental impairments in residential institutions as victims of multiple discrimination”. The survey ensured new insights into the education situation of children with developmental impairments living in residential institutions, but also the perception of the employees in the institutions of social care and education when it comes to the respect of the fundamental rights of children with developmental impairments. Namely, more than a half of the children with developmental impairments in residential accommodation are excluded from the education system, there are additional difficulties in terms of the limited number of schools with which residential institutions cooperate, limited capacities in schools for children from the residential institutions, architecture unconformity, lack of additional support. All children covered with the survey attend schools for education of children with developmental impairments, more precisely not a single child is in a regular school. However, more serious barriers are negative attitudes of employees in the residential centres and schools towards the education of children with developmental impairments and the prevailing medical model in analysing the child’s needs. It is of particular importance are to have the insights in provision of equality of children with developmental impairments at the level of institutional accommodation, i.e. the fact that they do not exercise the right to education on the equal basis like others.”²⁹²

“Several national projects provided support to the introduction of inclusive education. The most significant is definitely the mentioned project DILS [Delivery of Improved Local Services] - Provision of advanced services at the local level in the field of health, education and social care, completed in December 2013. It was financed by the loan from the World Bank and at the same time was implemented by three ministries competent for education, health and social policy, and the total value of the loan was 32 million euros, out of which the Ministry of Education, Science and Technological Development used about 12 million euros for the realisation of project goals. The basic objectives were: capacity building of local self-governments and local institutions in the process of decentralisation; better quality, better accessibility, efficiency and equality in provision of services at the local level (education of Roma children, children with disabilities and developmental impairments, children from villages, displaced and poor children). The realisation was performed through the national training for all schools, provision of grants, training of permanent members of interministerial commissions, training of special schools, for piloting of new services to special schools, creation of handbooks and guides, national survey on inclusive education, establishment and coordination of the inclusive education support network, etc. Grants were approved to about 450 schools and 56 preschool institutions. ... In 2013, the funds were provided for the procurement of assisting technologies for pupils with developmental

²⁹¹ Ibid. p. 25.

²⁹² Ibid. pp. 36-37.

impairments and disabilities and a minibus vehicles for 21 municipalities, in order to ensure a better access and quality education and overcoming the barriers in learning.”²⁹³

“In secondary schools, 30% of students with learning disabilities fail to complete the enrolled grade of secondary education, and in first two grades of secondary school around 13% of them drops out of school. A large number of students from socially non-stimulating environments drops out of the first grade of secondary schools (11.5%). ...

Situation (based on the completion criteria, repeating or leaving grades) in regular secondary schools is the worst for the students who need additional support, particularly when it comes to the ones with learning disabilities. As much as 30% of students with learning disabilities fail to complete the enrolled grade of secondary school, and in the first two grades of secondary school about 13% of them drops out of the enrolled grade.”²⁹⁴

“In the academic year 2011/2012, there were 121 disabled students in the University of Belgrade, 49 of them in the University in Novi Sad, 20 in the University of Niš, and 8 disabled students in the University of Kragujevac. Even though there is no precise statistics, it is discernable that their number shows an increasing trend over the last few years. Disabled students also enrol based on the note received from the Association of Students with Disabilities along with the delivered medical documentation. Students with disabilities are still facing physical obstacles as well as obstacles in terms of lectures and textbooks themselves, but also in terms of information and student service desks. Even though young people with disabilities have a more difficult access to higher education, and despite introduction of special enrolment measures in higher education institutions, what should also be mentioned is the responsibility to ensure equal opportunities in providing access to higher education of young population coming from under-represented groups, including disabled persons, by introducing special measures and amending the higher education institutions accreditation standard pertaining to accessibility of premises, by ensuring assisting technologies and appropriate student support services. What should also be indicated is the recommendation for initiating adoption of internal rules on the method of acting in the event of discrimination in higher education institutions.”²⁹⁵

“The EU IPA 08 project "Second Chance – system development for functional primary education of adults in Serbia", which was implemented in the period 2011 to 2013, reached about 4,000 adult participants, primarily from vulnerable and marginalized groups, potentially vulnerable to discrimination. The project aimed to meet the needs for knowledge and skills of persons with no professional qualifications, unemployed, redundant workers, persons with disabilities, ethnic minorities, women, rural and farm population, the people who are on execution of criminal sanctions, who are illiterate or who have not completed primary education. General objective of the project was to build a modern system of functional adult education in the Republic of Serbia, which would effectively

²⁹³ Ibid. p. 39.

²⁹⁴ Ibid. p. 50.

²⁹⁵ Ibid. p. 58.

contribute to employability of the workforce, as well as the reduction of poverty, greater social cohesion and economic development of the country.”²⁹⁶

“Priority areas of professional development relevant to the development of education are: 1. strengthening the professional capacity of staff, especially in the field of innovative teaching methods and class management 2. learning how to study and develop motivation for learning 3. health education and development of healthy lifestyles; 4. communication skills 5. sustainable development and environmental protection; 6. prevention of violence, abuse and neglect 7. prevention of discrimination 8. inclusion of children and students with disabilities from socially marginalized groups 9. cooperation with parents, students and student parliaments 10. ICT.”²⁹⁷

“For many years, Initiative for Inclusion "Big Little People" conducts great number of important activities for supporting the process of social inclusion and the development of inclusive education, among which there are numerous campaigns, publications and researches. One of these campaigns is *I'm different, so what?*, which has been implemented since 2001 in order to lessen against children and adults with functional disabilities. *Quality Education for All* promotes the right to education and opens public debate on this topic as well as campaigns *Be a Volunteer* and *Understanding each other*.”²⁹⁸

²⁹⁶ Ibid. p. 64.

²⁹⁷ Ibid. pp. 74-75.

²⁹⁸ Ibid. p. 110.

Slovakia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 26/05/2010
- **UNESCO Convention against Discrimination in Education:**
State Party since 31/03/1993

Legislative provisions

“Section 2(1) of the Anti-Discrimination Act states that “the principle of equal treatment is implemented by the prohibition of discrimination on grounds of sex, religious belief or faith, race, membership of a national or ethnic group, disability, age, sexual orientation, marital or family status, skin colour, language, political or other views, national or social origin, property, lineage or other status.”

“In 2007 the Anti-Discrimination Act was amended by Act No 326/2007, which entered into effect on 01/09/2007. The Anti-Discrimination Act was amended again by Act No 85/2008, effective from 01/04/2008, which strengthened the principle of non-discrimination in all the material areas covered by the act. This means not only in the area of labour-law relations and similar legal relations, but also the areas of social security, healthcare, the provision of goods and services and also education. In the present legal framework, the principle of non-discrimination is applied equally in labour-law relations and similar legal relations, social security, healthcare, the provision of goods and services and education (section 5(1) and section 6(1) of the Anti-Discrimination Act). An amendment of the Anti-Discrimination Act in 2008 permitted state administration bodies to implement temporary balancing measures. Such balancing measures must be used to achieve equal opportunities in practice with a view to eliminating forms of social and economic disadvantage and disadvantage due to age or disability. Temporary balancing measures include in particular measures to increase interest in employment, education, culture, health care and services amongst members of disadvantaged groups.

The act permits state administration bodies to implement temporary balancing measures in compliance with the act for the elimination of forms of social and economic disadvantage and disadvantage resulting from age and disability in order to ensure equal opportunities in practice. The amendment includes a demonstrative definition of temporary balancing measures as follows:

- measures to support the interest of members of disadvantaged groups in employment, education, culture, health care and services,
- measures to ensure equal access to employment and education, in particular through preparatory programmes for the members of disadvantaged groups or through the

dissemination of information about such programmes or about opportunities to apply for jobs or places in education.”²⁹⁹

“Higher education. The Slovak government has made great efforts to ensure that there is no discrimination as evidenced by Section 55, article 2 of the Act No. 131/2002 of Law on Higher Education and its supplements as amended by subsequent regulations: „The rights set out by this Act shall be equally guaranteed to all applicants and students in agreement with the principle of equal treatment in education as laid down by a special act. In agreement with the principle of equal treatment the discrimination is likewise prohibited on the grounds of sex, denomination or faith, marital status and family status, colour, language, political or other convictions, trade union activity, national or social background, disability, age, property, descent or other status.”³⁰⁰

Measures

“Adult education and lifelong learning.

Project defined measures for young adults and adults were developed and implemented in the context of implementation of the national project “Further education and guidance for adults as a tool for better enforceability in the labour market” (hereinafter referred to as CVANU). ... Both types of piloted education involved 4 863 participants/trainees, including the minority representatives, persons with disability and migrants, engaged in the pilot education of adults. So were the technical devices to ensure the compliance with the quality standards. ...

The content of all listed educational programmes for adults originated with the assistance of the employers and their associations in order to meet their requirements and quality assurance to foster the relevance with the labour market.”³⁰¹

“State education programmes contain: ... special characteristics and conditions for the upbringing and education of children and pupils with special educational needs, in particular the requirements for materials and personnel, including special compensatory, rehabilitative, didactic and audiovisual equipment required by a particular type and level of disability.

... The procedure for the upbringing and education of pupils with special educational needs is designed to ensure that these pupils receive education of the same value as that provided to pupils without disabilities. Pupils with a health challenge other than pupils with a mental disability have the opportunity to achieve the same level of education as other pupils. The relevant educational programmes and applicable legislation guarantee pupils special educational support in the educational process.”³⁰²

²⁹⁹ Slovakia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 2. Report accessible at:

<http://www.unesco.org/education/edurights/media/resources/file/Slovakia.pdf>

³⁰⁰ Ibid. p. 12.

³⁰¹ Ibid. pp. 13-14.

³⁰² Ibid. p. 14.

South Africa

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 30/11/2007
- **UNESCO Convention against Discrimination in Education:**
State Party since 09/03/2000

Measures

“Care and Support for Teaching and Learning (CSTL) which the Department of Basic Education developed a school level handbook to support the implementation of the Care and Support for Teaching and Learning Programme in order to turn schools into socially inclusive and supportive spaces. Trainings. The programme assists the education system to respond systematically to the needs of vulnerable learners. To-date, there are 1786 CSTL schools nationally.”³⁰³

“White Paper on Inclusive Education speaks to the inclusion of learners with disability within the education system.

The Department has printed and delivered Grades R-9 Volume 1 Braille workbooks to 22 Special Schools. A total of 31 462 Braille workbooks has been printed and delivered to Special Schools and these include Mathematics workbook 1 and 2 as well as Home Language workbook 1 and 2.”³⁰⁴

³⁰³ South Africa. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 3.

http://www.unesco.org/education/edurights/media/resources/file/SOUTH_AFRICA.pdf

³⁰⁴ Ibid. p. 9.

Spain

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 03/12/2007
- **UNESCO Convention against Discrimination in Education:**
State Party since 20/08/1969

Legislative provisions

“Article 11(4) of Royal Decree 127/2014 of 28 February, which regulates specific aspects of basic vocational training provided within the education system, states that the education authorities will promote the development of values that foster effective equality between men and women and the prevention of gender-based violence and values inherent in the principle of equal treatment and non-discrimination due to personal or social conditions or circumstances, especially in relation to the rights of people with disabilities, as well as the teaching of the values that underpin freedom, justice, equality, political pluralism, peace and respect for human rights, the rejection of terrorist violence, respect for diversity, respect for the rule of law, respect and consideration for the victims of terrorism and the prevention of terrorism and any type of violence.”³⁰⁵

“Furthermore, Article 3 of Royal Decree 1147/2011, on principles and general objectives, establishes that: The aim of vocational teaching is to enable the student to acquire the necessary skills to, among other things, "build interpersonal and social relationships in their professional and personal lives, based on peaceful conflict resolution, respect for others and the rejection of violence, prejudice of any kind and sexist behaviour.

Vocational teaching will also promote equality of opportunities for all, giving special attention to equality between men and women.

This teaching will make adequate provision, with conditions of universal accessibility and the necessary support resources in each case, for people with disabilities.

In addition, its second additional provision, which regulates accessibility to education for vocational training, stipulates that:

1. Within the scope of their respective competences, the government and the education authorities will include in vocational training curricula the necessary elements to ensure that persons who take training courses relating to the professional fields referred to in the tenth final provision of Law 51/2003 of 2 December on equal opportunities, non-discrimination

³⁰⁵ Spain. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 17. Report available at: <http://www.unesco.org/education/edurights/media/resources/file/SPAIN.pdf>

and universal accessibility for persons with disabilities, develop the skills included in the design-for-all curriculum.

2. Likewise, the different vocational training courses and admission tests must comply with the legislation on equal opportunities, non-discrimination and universal accessibility. To that end, students must have the necessary means and resources to access and complete those studies.
3. In accordance with the provisions of Article 75.2 of Organic Law 2/2006 of 3 May on education, the education authorities will establish a percentage of places on vocational training courses to be reserved for students with disabilities, which may not be less than five percent.³⁰⁶

“The Organic Law on the Improvement of Educational Quality (LOMCE: Law 8/2013) was approved and published on 9 December 2013.

According to this law, the guiding principles of the Spanish education system support and include the concepts of educational quality, cooperation, equity, freedom of teaching, merit, equal opportunities, non-discrimination, transparency, responsibility and efficient allocation of public resources.

Three new educational principles have been included in the new law:

- Providing equal opportunities to ensure the full development of the students' personalities, putting educational inclusion into practice, guaranteeing equal rights, providing means of overcoming any type of discrimination and guaranteeing universal access to education. The system should strive to reverse personal, cultural, economic and social inequalities, paying special attention to those resulting from any type of disability.
...³⁰⁷

Measures

“The MECD [Ministry of Education, Culture and Sport] has promoted the design of a Strategic Plan for Harmonious Relations at School in collaboration with the Autonomous Communities and the autonomous cities of Ceuta and Melilla. To this end, the Ministry set up a technical group with the participation of government agencies such as the Spanish Observatory of Racism and Xenophobia (OBERAXE), the Ministry of Employment and Social Security, the Institute for Women and equal opportunities (IMIO), the Ministry of Health, Social Services and Equality, and experts and entities from the third sector.

A final version of this Plan was prepared with the collaboration of the various educational authorities and representatives, as well as educational and non-educational representatives of the most vulnerable groups.

³⁰⁶ Ibid. p. 18.

³⁰⁷ Ibid. p. 36.

The Plan is based on scientific evidence and has been structured around seven key cross-cutting areas relating to the prevention of all types of discrimination, bullying and violence in schools. These areas are:

1. Inclusive education;
2. Community participation;
3. Learning and harmonious relations;
4. Education in feelings and friendship;
5. Socialization patterns to prevent gender-based violence;
6. Prevention of violence from early childhood;
7. Attention and care in the use of information and communication technologies.

The inclusive approach in education provides the backbone for the Plan. It makes it possible to achieve equal opportunities for everyone, regardless of their gender, economic and social background, disability, immigrant origin, etc., and focuses efforts on overcoming barriers and power relationships that continue to prevail in society and are reproduced in socio-educational contexts. ...

Based on the focuses and objectives of the Plan, different lines of action have been developed, leading to a series of concrete measures. All the lines of action address the most vulnerable groups which, according to international research and as established in European anti-discrimination legislation (Directive 2000/43/EC and Directive 2000/78/EC), are considered at risk of violence or bullying. These groups are susceptible to discrimination due to their gender, sexual orientation, disability, ethnic or national origin, religious or ideological beliefs, or other personal circumstances.”³⁰⁸

“People with disabilities are being encouraged to access university studies through the "Inclusive campuses. Campuses without limits" initiative of the Ministry of Education, Culture and Sport, Fundación ONCE and Fundación Repsol, which was launched in 2011.

Its main objective is to increase the active presence of people with disabilities in Spanish universities, promote their inclusion in higher education, reduce dropout rates and facilitate their access to university.

The activities target groups of at least 15 students, a minimum of 60% of whom must have a disability, enrolled in the fourth (final) year of compulsory secondary education, baccalaureate or an intermediate vocational training course.”³⁰⁹

“The CNIIE [National Centre for Educational Innovation and Research] is involved in various activities intended to promote human rights and fundamental freedoms. Participation in different UNESCO activities related to cultural diversity, fundamental rights, children's rights, rights of people with disabilities, and so on.”³¹⁰

³⁰⁸ Ibid. p. 13.

³⁰⁹ Ibid. p. 22.

³¹⁰ Ibid. p. 37.

Sweden

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 15/12/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 21/03/1968

Constitutional provisions

“According to the Instrument of Government (Regeringsformen), which forms part of the Swedish Constitution, all public institutions are to combat discrimination on grounds of gender, colour, national or ethnic origin, language, religion, disability, sexual orientation, age or other circumstance affecting the individual.”³¹¹

Legislative provisions

“The Discrimination Act (2008:567) (diskrimineringslagen) explicitly bans discrimination in the educational system related to a person’s sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. In addition to prohibiting discrimination, the Discrimination Act (2008:567) also oblige preschools, schools and universities to actively prevent discrimination on grounds of gender, ethnicity, religion or other belief, disability, sexual orientation or age. ...

The Discrimination Act (2008:567) sets out an obligation to take active measures to prevent discrimination in the education system, which means that the education provider is to take measures to prevent any child, pupil or student who is participating in or applying for their activities from being subjected to harassment associated with sex, ethnicity, religion or other belief, disability or sexual orientation, or to sexual harassment. Education providers are also to draw up a plan each year containing an overview of the measures needed to promote equal rights and opportunities for the children, pupils or students. In March, the Government submitted a bill to the Riksdag (the Swedish Parliament) with amendments to the rules on active measures in the Discrimination Act. The bill includes a proposal on a general framework for active measures to promote equal rights and opportunities in education and working life. Further, the Government proposes that work on active measures in working life and education are to cover all seven grounds of discrimination. The amendments are proposed to enter into force on 1 January 2017.”³¹²

“The Discrimination Act (2008:567) prohibits discrimination age in education on seven grounds, namely a person’s sex, transgender identity or expression, ethnicity, religion or other belief,

³¹¹ Sweden. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 3.

<http://www.unesco.org/education/edurights/media/resources/file/SWEDEN.pdf>

³¹² Ibid. p. 3.

disability, sexual orientation or. Social origin, economic condition and political or other opinion are not covered by the Act, but degrading treatment of children or pupils not related to the above-mentioned protected grounds of discrimination is also prohibited in the Education Act (2010:800). Because the Swedish education system is based on the principle of inclusion, most children and young people with disabilities consequently receive their education within the framework of the regular forms of education. The Discrimination Act was amended to include inadequate accessibility as a new form of discrimination and entered into force on 1 January 2015. The aim is to create an opportunity for individuals with disability to assert their right to take part in society on equal terms. This amendment affects all areas of society, including education.”³¹³

“Under the Education Act (2010:800), it is possible to lodge an appeal against the head teacher’s decision regarding the action plan. From 1 July 2014, the Education Act was changed to further enhance support to pupils. The Act now stipulates that if it can be anticipated that a pupil will not achieve the minimum knowledge requirements, the pupil is to be promptly given support in the form of additional adjustments in the context of regular teaching. It was also clarified that pupils who have difficulties achieving the different knowledge requirements as a result of a disability are to receive support that as far as possible counters the effect of the disability, and that municipalities and head teachers are to allocate resources according to pupils’ different abilities and needs.”³¹⁴

“The new Discrimination Act (2008:567) is intended to combat discrimination on grounds of sex, transgender identity or expression, ethnic origin, religion or other belief, sexual orientation, disability and age in activities regulated by the Education Act. A position called the Child and School Student Representative was established in 2006 under the Swedish Schools Inspectorate. The Child and School Student Representative is responsible for promoting the individual rights of children and school students under the Education Act, disseminating information on the provisions concerning degrading treatment, and explaining how these relate to the Discrimination Act. Alongside the Equality Ombudsman, the Child and School Student Representative can also represent a child both under the Discrimination Act and, in the case of degrading treatment, under the Education Act.”³¹⁵

Measures

“As part of the strategy, a national coordinator was been appointed for the period 2015-2018 to advance cooperation between national, regional and local authorities as well as with various organisations in civil society and local business. In 2016-2018, the Swedish Agency for Youth and Civil Society ... will give government grants to municipalities and cooperation partners (aimed at young people with mental illness or neuropsychiatric disability) for one stop shops and outreach activities to support young women and young men who are not in employment, education or training. Access to higher education, based upon individual capacity, is realised to a high extent in Sweden. The main goal of the educational system is that each citizen is to have access to high quality education regardless of sex, social or economic background, place of residence, etc. Higher education is also to be available to adults. The Swedish study support system is designed to promote a high level of participation in education. It is also intended to help realise the objectives of the education policy by reducing the

³¹³ Ibid. p. 4.

³¹⁴ Ibid. p. 6.

³¹⁵ Ibid. p. 8.

impact of social, financial and geographical background, and by making it easier for disabled and older people to study.”³¹⁶

“Because the Swedish education system is based on the principle of inclusion, most children and young people with disabilities consequently receive their education within the framework of the regular forms of education. The Discrimination Act was amended to include inadequate accessibility as a new form of discrimination and entered into force on 1 January 2015. The aim is to create an opportunity for individuals with disability to assert their right to take part in society on equal terms. This amendment affects all areas of society, including education.

Only 1.3 per cent of all pupils in compulsory and upper secondary school receive their education outside regular forms of education (according to the National Agency for Education), i.e. in education for pupils with intellectual impairment or in special schools for children with certain disabilities.

All pupils who need special support are entitled to it. Special support can include personal assistance as well as special teaching aids and tools. Head teachers are responsible for investigating the need and for drawing up an action plan together with the pupil and his or her guardians. ...

From 1 July 2014, the Education Act was changed to further enhance support to pupils. The Act now stipulates that if it can be anticipated that a pupil will not achieve the minimum knowledge requirements, the pupil is to be promptly given support in the form of additional adjustments in the context of regular teaching. It was also clarified that pupils who have difficulties achieving the different knowledge requirements as a result of a disability are to receive support that as far as possible counters the effect of the disability, and that municipalities and head teachers are to allocate resources according to pupils’ different abilities and needs.

To support municipalities, private providers and schools in their responsibility to provide a good learning environment for all pupils, the National Agency for Special Needs Education and Schools offers special needs education support, accessible teaching aids and government funding for development initiatives of various kinds.

An extensive government grant for primary school (preschool and grade 1-3) was introduced in 2015. Education providers or schools can use the grant, for example, to employ more primary school teachers or special needs teachers, or reduce class sizes. A reading-writing-arithmetic guarantee “the students are guaranteed to have reading, writing and arithmetic skills by the time they finish grade 3” is planned to enter into force in 2017. To fulfill the guarantee, special support must be provided, if necessary.

One of the designated areas of the national school development programmes, offering schools and education providers in compulsory and upper secondary education extensive continuing professional development, is in the area of special needs education.”³¹⁷

“All municipalities in Sweden are obliged by law to offer all young people who have completed compulsory school an upper secondary education. The secondary education must start at the latest within the first six months of the year they turn 20. Upper secondary school is non-compulsory, but almost all pupils continue from compulsory school to upper secondary school. Upper secondary

³¹⁶ Ibid. pp. 5-6.

³¹⁷ Ibid. p. 6.

education consists of both preparatory programmes for higher education and vocational programmes. There are also upper secondary schools for individuals with learning disabilities that are contribution-free and a voluntary form of schooling that young people with intellectual disabilities can choose after completing compulsory school for children with intellectual disabilities. The different study programmes are mainly focused on professional preparation. Most young persons with functional impairment of different kinds attend ordinary upper secondary school, but there are also four special national upper secondary schools in different parts of Sweden for students with severe physical disabilities. Here, students are guaranteed personal care, boarding houses, treatment and training. Secondary education is also available to adults. Upper secondary education is free of charge.”³¹⁸

³¹⁸ Ibid. p. 7.

Tunisia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 02/04/2008
- **UNESCO Convention against Discrimination in Education:**
State Party since 29/08/1969

Constitutional provisions

“Article 48 [of the Constitution]: The State protects persons with disabilities from discrimination. Every citizen with disabilities has the right to benefit, according to the nature of his disability, from all the measures that guarantee him full integration into society. The State must take all necessary measures to achieve this.”³¹⁹

Measures

“Tunisia has provided for the right to education for all Tunisians. However, difficulties hinder the process for the disabled and the poor. In the education sector, the number of students with special needs enrolled in primary schools is 2968 in 2012-2013 spread over 557 schools (National Report EFA 2015). In the vocational training sector, groups of young people with limited mobility who have difficulty in gaining access to regular training due to mental or physical difficulties are entitled to training whose conditions, organization and means, facilitate their insertion. ...

The state is taking special measures to ensure the right to education for people with disabilities and the disadvantaged. In this context, the State has created 03 primary schools for the visually impaired (Ecole Ennour in the region of Bir Elkassa in the governorate of Ben Arous (in the North), School Ennour in Gabes (in the South), School of the blind in Sousse (in the Center). ”³²⁰

³¹⁹ Tunisia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 26. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/TUNISIA.pdf>

³²⁰ Ibid. p. 7.

Turkey

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 28/09/2009
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Legislative provisions

“Article 4 of the 1739 Basic Law of National Education says that “Educational institutions are open to everyone regardless, language, race, gender, religion of disability with any discrimination. No people in education, family, group or class are given concessions.”³²¹

Measures

“Women, youth, people with disabilities, long-term unemployed people, convicts, former sentenced persons, people immigrated for security reasons, children of wanderer families are the groups having more trouble while finding job, thus, these groups need protection and support with special policies. For the groups requiring special policies in scope of social inclusion, Ministry of Education conducts the Project of Developing Vocational Skills included in 2011-2013 investment program. The objective of the project is to provide occupation to young unemployed people without occupation, to groups requiring special policies and people who would like to change their occupation, by considering their interests and skills, and to increase the quality standards of the administrators and teachers at vocational schools. ...

The institutions such as The Ministry of Justice, Ministry of Family and Social Sciences, Ministry of Youth and Sport and Turkish Employment Agency (İŞKUR) are also organizing vocational courses for groups requiring special policy. Individuals with special needs can continue their education at every type and level, not only with their peers by mainstreaming but also in special schools/institutions. At 2015-2016 school year, at preschool level 1399, at primary school level 81.380, at middle school level 92.032 and at high school level 27.730 and totally 202.541 of students had education within the scope of mainstreaming. Besides, students with special needs can continue their education at special education classes that are opened in schools which their peers have their education. At 2015-2016 school term, at primary school level 17.840, at middle school level 18.893 students with special needs had their education at these special education classes. At 2015-2016 school year in 1.434 special schools/institutions that are servicing visually, orthopedically, mentally and hearing impaired individuals, educational services are provided for 67.990 students. Educational services are provided at

³²¹ Turkey. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 42. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/TURKEY.pdf>

home or hospital for individuals with special needs which are at the age of compulsory education but cannot continue to formal education due to their health issues. Beside the educational services provided at special education field, a “Special Education and Practices” lesson has been added to all educational operations’ education programs to increase information and awareness for educating individuals with special needs, to support these individuals’ access for education, to provide a self-assessment opportunity to all education institutions and in terms of strengthening human substructure. In this scope 270 instructors has been educated country wide. With this study, it was aimed to raise awareness for special education of teachers from other disciplines, families and administrators. The “Regulation on Consultation and Coordination in Higher Education Institutions for Persons with Disabilities” prepared by YOK [Council of Higher Education] in order to take necessary measures and make necessary arrangements to facilitate the educational lives of higher education students with disabilities as per the Law No. 5378 on Persons with Disabilities was published in the Official Gazette No. 27672, dated 14/08/2010. This regulation paved the way for the establishment of “Offices of Disability Services” in many universities. As per the Regulation, the Committee on Students with Disabilities was also established by the Council of Higher Education.

According to the decision taken at the YOK Executive Board meeting of February 23, 1990 and reiterated on July 21, 2016, if a course is not accessible to a student with a disability, he/she may choose another one, provided that the course is elective, or shall be exempt from that course if it is compulsory. In order to allow for full acquisition of the professional competencies provided by the higher education institutions, the decision was declared void by the decision taken at the Executive Board meeting of October 8, 2009, as per the provision of the Law No. 5378, reading “The right of education of the disabled people cannot be prevented by any reason. The disabled children, youngsters and adults are provided with equal education with the non-disabled people and in inclusive environments by taking the special conditions and differences into consideration.” As of October 8, 2009, it was decided that, in cases where students with disabilities have applied for a course which is not accessible to them, they shall be provided with an equal course, and if it is not possible to do so, the course syllabus shall be adapted to such students by using the programs and techniques developed for this purpose. The relevant decision was announced to all Turkish universities on October 22nd, 2009.

The “Inclusive Universities Meeting” was organized by the “Committee on Students with Disabilities” on November 13rd, 2009. During the meeting held with the participation of representatives from the Prime Ministry Administration on Disabled People, Ministry of National Education, General Directorate of Higher Education Credit and Hostels Institution and the Student Selection and Placement Centre together with the Vice Presidents of all universities responsible for the Offices of Disability Services, the committee members made presentations and exchanged information about the current legislation on students with disabilities, people with special needs and the structure and functioning of the Offices of Disability Services that need to be established in the Higher Education Institutions. Among the issues of focus were the establishment of Offices of Disability Services in all universities within the shortest time possible; paying due attention to effective implementation of these offices and the importance of Distance Education and e-campus applications for an Barrier-free University.

In line with the purposes of the EU harmonization and Bologna Process, all participants of the meeting agreed on ensuring more effective cooperation between relevant institutions and universities and following related developments by means of periodic meetings. The presentations were about the following issues: -Legal Basis for Inclusive Universities -Offices of Disability Services -People with special needs -Distance Education for Inclusive Universities The meeting on the "Establishment and Functioning of Offices of Disability Services" were organized by the "Committee on Students with Disabilities" of the Higher Education Council at Gazi University on May 17th, 2010. The presentations made in the meeting were about the following issues: -Expectations and requests of the University Students with Disabilities -The Regulation on Consultation and Coordination in Higher Education Institutions for Persons with Disabilities -Functioning of Disability Services Offices -Technology-Aided Education for People with Disabilities -The Project for People with Impaired Hearing.

The following decisions were made at the YOK General Assembly Meeting held on August 25, 2011, with regard to the midterm and final exams administered in higher education institutions: -It shall be taken into account while assigning invigilators whether there are students with disabilities among the students taking an exam, -The exams shall be administered in places fully accessible to the students with disabilities, -For the students with disabilities (students with visual impairments), exams shall be administered in a separate room by a research assistant chosen from the relevant department who has a command of the concept and terminology of the course, -The lecturer of the course or any other faculty member from the department shall be assigned to conduct the exam, in cases where there is no research assistant available, -The place of exam chosen for the students with disabilities shall be close to the actual exam place in order to allow the students to be informed of the changes in the exam and ask questions, if necessary, -Upon request of the students with disabilities (visually impaired), the exam papers shall be supplied in Braille or in large print. Cooperation shall be sought with the Office of Disability Services regarding such issues. -In cases where a student has a disability proven by a medical certificate, the exam shall be administered in a separate room upon request, and the arrangements shall be made in cooperation with the university's office of disability services. -The most accessible exam format shall be chosen for the students with disabilities (especially for the hearing impaired students) in line with the needs of the student, -In cases where a student has a disability proven by a medical certificate, the university shall cooperate with the office of disability services to grant an extension of time. The decisions given above were announced to all Turkish universities on September 9th, 2011."

In the meeting held on July 24, 2013, the YOK Executive Board adopted the proposal made in the meeting of July 15, 2013 by the YOK Committee on Students with Disabilities to integrate Sign Language course into the curricula of all higher education programs, together with the proposal to add the same course in the curriculum of the Education of the Hearing Impaired Program first as an elective course, and then as a compulsory course as of the 2014-2015 academic year. In the meeting of December 19, 2013, the YOK General Assembly decided that students with disabilities (physical disability, visually impaired, hearing impaired, autism) who have achieved a YGS score of at least 100 in the relevant year shall be admitted to take the special talent exam for the programs admitting students with a

special talent exam, in the event that they provided a medical certificate as a proof of their disability. It was also decided that the students who have not been admitted to such programs due to their failure to achieve 140 points in the YGS exam despite being successful in the special talent exam in the 2013-2014 academic year shall be registered regardless of the quote of the program.

In the meeting of September 25, 2014, the YOK General Assembly decided that students with disabilities (physical disability, visually impaired, hearing impaired, autism) shall be admitted to the programs requiring a special talent exam only based on the score they have achieved in the special talent exam without considering their YGS scores (without using the formula specified in the Student Selection and Placement Exam-OSYS Guide). Among such students, those achieving success in the special talent exam shall be registered to the relevant program one time only, regardless of the quote of the program, since the assessment and registration period was over for the 2014-2015 academic year. In the meeting of December 25, 2014, the YOK General Assembly, having regard to the opinion of the Committee on Students with Disabilities delivered in the meeting of December 16, 2014, decided that students with hearing impairments who are exempt from the foreign language course in elementary and secondary school shall take another course of equal credit to be decided by the relevant committees of the universities, if they request so. YOK provided assistance by assigning faculty members to take part in the "Turkish Sign Language Science and Certification Council" in the preparation of the "Turkish Sign Language Grammar Book" published by the Ministry of Family and Social Policies in 2015. All universities are responsible to submit a report to YOK about their activities for ensuring access to education for students with disabilities every six months. YOK is about to develop a new project to ensure a faster flow of information. Within the scope of the project, the universities will provide the requested information through the "Higher Education Information System (YOKSIS)". An environment will be developed for both the students with disabilities and the members of the disability services offices to submit their assessments individually."³²²

"Equal Access to Appropriate Learning and Life Skills - "Adult Literacy and Basic Education Program" prepared for use in adult literacy activities and content and images taken part in educational materials prepared in accordance with the program don't include any discrimination (gender, religion, race, age, and disability status), violence and intolerance. Education and test facilities are provided for participants according to their disabilities subjected to medical report."³²³

"Studies are being implemented to raise awareness on matters like disability, social gender, violence in family, gender injustice, within the context of Guidance Activities implemented in schools."³²⁴

³²² Ibid. pp. 14-20.

³²³ Ibid. p. 30.

³²⁴ Ibid. pp. 31-32.

Turkmenistan

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 04/09/2008
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Measures

“For people with physical or mental disabilities, the State provides education in mainstream institutions (inclusive education). Children who cannot attend mainstream educational institutions for health reasons are placed in special schools that utilize particular pedagogical approaches and focus on correcting developmental issues and social adaptation.”³²⁵

“Subject to successful completion of the entrance examinations, the following groups are admitted to State vocational training institutions without participating in the selection process: (...) children with disabilities (groups I and II) who on the basis of a medical and social assessment are not to be excluded from training in their respective educational institutions;

Subject to the successful completion of the entrance examinations, certain groups have priority in the selection process for admission to State vocational training institutions: (..) disabled group III. ...

There are special State education standards for learners with disabilities. State educational standards are developed and approved in accordance with the procedure established by the Cabinet of Ministers of Turkmenistan.”³²⁶

³²⁵ Turkmenistan. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 3. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/TURKMENISTAN.pdf>

³²⁶ Ibid. pp. 7-8.

United Republic of Tanzania

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 10/11/2009
- **UNESCO Convention against Discrimination in Education:**
State Party since 03/01/1979

Measures

“Students with disabilities are mixed with normal students but with improved infrastructure and learning facilities relative to their requirements.”³²⁷

³²⁷ United Republic of Tanzania. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 3. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/TANZANIA.pdf>

Ukraine

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 04/02/2010
- **UNESCO Convention against Discrimination in Education:**
State Party since 19/12/1962

Legislation

“Vocational Education and Training (henceforth VET) in Ukraine is implemented according to the laws of Ukraine “On Education” and “On Vocational Education”.

In accordance with the Law of Ukraine “On Vocational Education”, all citizens of Ukraine have equal rights to access VET given their abilities and aptitudes.

VET is open to graduates of general schools and also special boarding schools for people with disabilities. Preparatory training or retraining of persons with disabilities shall be based on medical indications and contraindications. The choice of how training is to be carried out is in accordance with the findings of specialists of a medical-social expert committee.”³²⁸

Measures

“In the 2014-15 school year, training of qualified personnel was carried out in 817 government VET institutions with an enrollment of over 303,000 people (39 % female), amongst them:

- 4.8 % - orphans and children derived of parents;
- 1.6 % - persons with disabilities”³²⁹

³²⁸ Ukraine. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 5. Report available at:

<http://www.unesco.org/education/edurights/media/resources/file/UKRAINE.pdf>

³²⁹ Ibid. p. 6.

Uzbekistan

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
Signed the Convention on 27/02/2009 but has yet to ratify
- **UNESCO Convention against Discrimination in Education:**
State Party since 08/12/1997

Legislative provisions

“The Law on Social Protection of People with Disabilities (adopted on 11th July 2008). ...

The article 17 of the Law on Social Protection of People with Disabilities: “General secondary, secondary specialized and professional, higher education for people with disabilities organized in all educational establishments, in case of necessity – in specialized educational establishments. Educational programmes for children with disabilities under the medical treatment organized within hospitals or rehabilitation centers”.³³⁰

Measures

“An admittance criterion to the higher educational establishments is based on merit. The admission of students into higher education institutions is carried out by means of identifying the level of an applicant’s knowledge on result of conducted tests. ... There is also system of incentives for disabled persons, applicants from orphanages and low-income families. ...

State Testing Center is in charge for quality assurances in all levels of education. The staffing in secondary schools by pedagogical personnel is about 99,6 %. Nowadays all reforms devoted to promote the quality of learning process with introducing ICT technologies. Textbooks provided for 100% of pupils of schools (2-9 grades) on small-scale rental basis (except first grade pupils, disabled children and pupils from low-income families, who receives textbooks for free). About (to date) 493 electronic textbooks and learning materials were elaborated by Multimedia Center of the Ministry of Public Education. All schools are connected through free local computer network for exchange of information and access to information-resources centers.”³³¹

³³⁰ Uzbekistan. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 1. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/National_Report_of_Uzbekistan_-_1960_UNESCO_Convention.pdf

³³¹ Ibid. p. 3.

Venezuela (Bolivarian Republic of)

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 24/09/2013
- **UNESCO Convention against Discrimination in Education:**
State Party since 16/12/1968

Legislative provisions

“The Organic Law on Education (LOE, 2009) provides for the access to education for persons with disabilities, as well as for adolescents deprived of their liberty, which was not included in the Law of 1980. It also strengthens access to culture and communication through new information and communications technologies (ICTs).”³³²

“The Organic Law for the Protection of Children and Adolescents (LOPNNA 2007) ... Article 3 of this law sets out the principle of equality and non-discrimination, stipulating that it “shall apply equally to all children and adolescents, without any discrimination based on race, colour, sex, age, language, thought, conscience, religion, beliefs, culture, political or other views, economic status, social, ethnic or national origin, disability, illness, birth or any other condition of the child or adolescent, or of his or her father, mother, representatives, guardians or relatives”.³³³

“The Act of Assent for the Convention on the Rights of Persons with Disabilities and its Optional Protocol refers in its preamble to “the universality, indivisibility, interdependence and interrelationship of all human rights and fundamental freedoms, as well as the necessity to ensure that persons with disabilities exercise them fully and without discrimination”.

The legislation recognizes the value of the input and contributions of persons with disabilities to the general wellbeing and diversity of their communities. Fostering the full enjoyment of human rights and fundamental freedoms of persons with disabilities and their full participation will result in these people’s having a greater sense of belonging and in significant progress in the economic, social and human development of society and the eradication of poverty.”³³⁴

“The aim of the Law for Persons with Disabilities (LPD 2007) is to regulate the means and mechanisms that ensure the comprehensive development of persons with disabilities in a full and autonomous way, in keeping with their capacities, and their successful integration

³³² Bolivarian Republic of Venezuela. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p. 9. Original version accessible at:

<http://www.unesco.org/education/edurights/media/resources/file/VENEZUELA.pdf>

³³³ Ibid. p. 10.

³³⁴ Ibid. p. 13.

into family and community life through direct participation as citizens with full rights and enjoying the supportive participation of society and family.

The State will regulate the characteristics, conditions and methods of education geared at persons with disabilities, taking into account the individual qualities and requirements of those who are students or participants, with the aim of providing, through specialized education institutions, the necessary education and training adapted to their aptitudes and conditions of personal development. The purpose of this provision is to facilitate their integration in regular schools to the highest degree possible, depending on the type and degree of their specific disability.”³³⁵

Measures

“The Ministry of the People’s Power for Education (MPPE) shall implement, through its structure and resources, mechanisms to support the legal provisions against racial discrimination in the education community, student population and general population.”

- “The MPPE, through socio-pedagogical mechanisms, teaching, learning resources and financial resources, supports students as they learn to appreciate the dignity and inherent value of the equal and inalienable rights of all members of the educational institution, family and community.”

“In order to provide answers to exclusive educational structures, fragmented educational systems and uncertain prosecution, the Ministry of People’s Power for Education (2012-13) proposed transformation policies in special education. This inclusive educational policy begins with the change of the term "Person with Disability" to "Functional Diversity", with the aim of overcoming the exclusionary and negative conception of difference. Functional diversity is seen as being a term emphasizing what is common to everyone, since diversity is characteristic of what is human, cultural and social.

This inclusive process positions the relationship between special education and early, primary and secondary education within a transformative framework. In 2013, the transformation plan involved placing children with functional diversity who are aged 0-6 in regular early education institutions rather than in Simoncitos or early education centres for functional diversity. The transformation of special education generated an increase in services for functional diversity during the 2012-2013 school year. To achieve this level of care in 2013, the Ministry of the People’s Power for Education had 520 institutions at the national level, namely early education centres, Bolivarian Schools, and Robinsonian and Zamoranas Technical Schools. ...

In addition, as part of an innovative programme in special education public policy, Venezuela has created 113 Centres for the Diagnosis, Orientation, Education and Follow-up of Functional Diversity (CDOSFS), which are educational spaces for the complete care of children, adolescents, young people and adults with functional diversity. They are staffed by an interdisciplinary group of experts trained to assess biological, physiological and social aspects in a concrete socio-historical context, through a critical educational approach enabling the educational response to be contextualized in the curriculum. It should be mentioned that, to date, of the 335 municipalities in Venezuela, 113 have CDOSFS, accounting for 33.7% of national coverage. This policy concerning the basic and secondary

³³⁵ Ibid. pp. 15-16.

education subsystem is enhanced by the Children of Venezuela Mission (2008), a social programme whose main purpose is to look after families who have children under 18 years of age with functional diversity, a mechanism that directly helps families in the protection of this population's social conditions."³³⁶

³³⁶ Ibid. pp. 20-21.

Zambia

Status of ratification

- **UN Convention on the Rights of Persons with Disabilities:**
State Party since 01/02/2010
- **UNESCO Convention against Discrimination in Education:**
Not yet a State Party

Constitutional provisions

“Article 266 [of the Constitution] provides the definition of discrimination: “Discrimination means directly or indirectly treating a person differently on the basis of that person’s birth, race, sex, origin, colour, age, disability, religion, conscience, belief, culture, language, tribe, pregnancy, health or marital, ethnic, social or economic status”.”³³⁷

Legislative provisions

“Section 19 of the Education Act number 23 of 2011

‘An educational institution shall not discriminate against a learner in any manner.’ ...

Legal provision has been put in place for children with disabilities to ensure access to education; Section 39 of the Education Act: “The Minister shall take measures to ensure that any physical facility at any public educational institution is accessible to learners with special education needs ... iv. Provision of education to refugees, inmates as well as learners with special educational needs ...”³³⁸

Measures

Examples of practical implementation

“Access and participation: ...

(e) Providing infrastructure accessible to learners with special education needs.

QUALITY : ...

(e) Implementation of the Inclusive School Programme (INSPRO) which equips teachers with skills to enable them handle learners with special educational needs in a class which includes Learners with Special Educational Needs (LSEN)

(f) The government has continued training teachers for Special Education.

CROSSCUTTING ISSUES

...

³³⁷ Zambia. 2016. Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p. 4. Report accessible at:

<http://www.unesco.org/education/edurights/media/resources/file/ZAMBIA.pdf>

³³⁸ Ibid. p. 4.

- (b) Infrastructure designs have incorporated ramps to facilitate access to the structures by learners with special education needs;
- (c) The government provides special grants to all public Schools for Special Education.”³³⁹

“Quality Issues

- (b) Redesigned the school infrastructure to cater for the learners with special educational needs. ...

Learners with Special Education Needs

Government set some objectives in line with Learners with Special Education Needs:

- a. To increase access and retention of the marginalised learners;
- b. To improve the quality of education that is offered to the marginalised learners;
- c. To promote efficiency in the management of special schools and special units;

...

In order to ensure that the objectives outlined above are achieved, the Government planned to undertake the following strategies between 2011 and 2016:

- i. Construct more infrastructure suitable for Learners and improve facilities for Learners with Special Education Needs (LSEN) at all levels;
- ii. Improve identification, assessment and placement of learners with special education needs;
- iii. Review the curricula to make it relevant to all learners
- iv. Provide learning and teaching materials and equipment;
- v. Facilitate the short and long term training of teachers in various fields including the field of Special Needs and Inclusive Education;
- vi. Monitor and evaluate Special Education programmes at all levels
- vii. Review Inclusive Education policy
- viii. Nurture collaboration with other stakeholders in the provision of support to LSEN
- ix. Disseminate the legal provisions of the Education Act and the Gender Based Violence Act, as well as Child Rights Protection Act ... ”³⁴⁰

“ Challenges experienced by Zambia in the realisation of universal access to free and compulsory primary education include the following; ...

- c) Inadequate number of schools for learners with special education needs. Currently, there are only 28 Special Education schools nationwide for both primary and secondary education provision.”³⁴¹

“The difficulties and obstacles encountered in the process of implementing the key provisions of the Convention/Recommendation. ... Insufficient support from parents who have children with various disabilities coupled with insufficient structures for the people with special education needs.”³⁴²

³³⁹ Ibid. pp. 5-6.

³⁴⁰ Ibid. p. 8.

³⁴¹ Ibid. p. 11.

³⁴² Ibid. p. 19.



United Nations
Educational, Scientific and
Cultural Organization

Education
Sector

The right to education for persons with disabilities

Persons with disabilities are often excluded from the education system, whether out-of-school entirely, educated in separate institutions or participating in a mainstream system which is not adapted to their needs and abilities. The 2030 Agenda commitment to 'leave no one behind' has reinforced the global discourse towards inclusive, equitable education. As part of its mandate, UNESCO monitors the implementation of the 1960 Convention and Recommendation against Discrimination in Education. During the Ninth Consultation on the implementation of this instrument, almost all Member States reported upon measures that they have taken in relation to the right to education for persons with disabilities. This document compiles practical examples extracted from these reports for information sharing and advocacy.

