

LEGAL BASIS AND PROBLEMS OF ORGANIZING INCLUSIVE EDUCATION IN THE REPUBLIC OF UZBEKISTAN

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Abstract:

This article analyzes the regulatory legal acts on ensuring the educational rights of children with special educational needs, organizing inclusive education, as well as organizing inclusive education in the Republic of Uzbekistan.

Keywords: Inclusive education, human rights, educational law, medical and social expertise, sensory or mental disability, special education teacher.

Introduction

In the Republic of Uzbekistan, it has become urgent to further strengthen social protection of children with special educational needs, create equal opportunities and conditions for them in life, improve legislation in this area and address the issues of its implementation. In his speech at the 46th session of the UN Human Rights Council, the President of the Republic of Uzbekistan Shavkat Mirziyoyev emphasized that serious attention is paid to ensuring the rights of persons with special needs¹.

At the meeting of the Senate of the Oliy Majlis held on May 29, 2021, the draft Law of the Republic of Uzbekistan "On Ratification of the International Convention on the Rights of Persons with Disabilities" was discussed and approved. This Convention was adopted by the UN General Assembly on December 13, 2006 and entered into force on May 3, 2008. The Convention recognizes the rights and fundamental freedoms of persons with disabilities, in particular, their rights to life, citizenship, legal protection, education, health, work on an equal basis with others, participation in political, social, cultural life, leisure, recreation and sports, adequate living conditions for themselves and their families, and social assistance. Guarantees for the implementation of these rights are established. The ratification of the Convention requires more serious attention to the issue of ensuring the rights of persons with disabilities, in particular the right to education.

The protection of the rights and interests of persons with disabilities is a large and complex issue. Therefore, great attention is paid to the social support of children in need of special assistance, their education and upbringing, and the creation of conditions for them to show their abilities and potential, as well as to achieve spiritual maturity, among healthy children. As a result, many regulatory legal acts have been adopted in the Republic of Uzbekistan to develop inclusive education, improve the system of education and upbringing of children with special educational needs, and improve the quality of educational services provided to them. It should be noted that Article 50 of the Constitution of the Republic of Uzbekistan in the new edition also provides for the provision of inclusive education and upbringing for children with special educational needs in

¹ President Shavkat Mirziyoyev's speech at the 46th session of the UN Human Rights Council. 22 February 2021.



educational organizations.

Unlike the Law of the Republic of Uzbekistan “On Education” adopted in 1997, the current Law of the Republic of Uzbekistan “On Education” adopted on September 23, 2020 recognizes inclusive education as one of the forms of education in Uzbekistan. According to Article 20 of this law, inclusive education is aimed at ensuring equal opportunities for all learners to receive education in educational organizations, taking into account the diversity of individual educational needs and individual capabilities.

It is established that inclusive education in educational organizations for children (individuals) with physical, mental, sensory or psychological disabilities and the procedure for organizing inclusive education shall be determined by the Cabinet of Ministers of the Republic of Uzbekistan. The Law of the Republic of Uzbekistan “On the Rights of Persons with Disabilities”, adopted on October 15, 2020, strengthens the legal basis for ensuring the rights of persons with disabilities. According to this law, children with disabilities (children) are persons under the age of eighteen who are in need of social assistance from the state and society and the protection of their rights and legitimate interests due to limitations in their vital activities due to permanent physical, mental, sensory or psychological disabilities². According to the law, persons with disabilities have the right to receive education at all levels of educational institutions and to receive lifelong learning to further develop their abilities and to participate in the life of society and the state.

The law stipulates that the state shall ensure the development of inclusive education for persons with disabilities, the creation of necessary conditions for their education and professional training, retraining and advanced training, and that educational organizations, together with state bodies, shall ensure that children with disabilities receive preschool, extracurricular and general secondary education, as well as secondary specialized, professional, higher and postgraduate education.

If it is temporarily impossible to educate children with disabilities in educational institutions, state management bodies in the field of education and educational institutions shall ensure that children with disabilities are educated at home on the basis of recommendations from specialized doctors and with the consent of their parents or other legal representatives.

Home education of children with disabilities is carried out at the expense of the State Budget of the Republic of Uzbekistan.

The state guarantees free general secondary, extracurricular, secondary specialized and vocational education for children with disabilities.

Provision of special educational materials and literature, as well as the services of sign language interpreters, to persons with disabilities free of charge or on preferential terms, is carried out at the expense of the State Budget of the Republic of Uzbekistan.

Non-governmental educational organizations have the right to establish payment preferences for the education of persons (children) with disabilities.

It is envisaged that education, vocational training, retraining and advanced training of persons with disabilities will be carried out in various forms, including with and without separation from production, in the form of external training, as well as using distance learning technologies, in general educational institutions and organizations, in specialized educational institutions, at home, in special groups, classes and through training according to individual curricula.

In order to ensure the comprehensive and harmonious development of children with disabilities,

² Law of the Republic of Uzbekistan "On the Rights of Persons with Disabilities" October 15, 2020.



to form social activity in them, to instill a desire for labor, to involve them in science, technology, art and sports, educational institutions are obliged to ensure the use of out-of-school education for children with disabilities, creating the necessary conditions for this, together with state bodies.

It is envisaged that state bodies will take measures to improve the education system for persons with disabilities by developing languages, methods and means of communication that are more suitable for each person with disabilities, mastering Braille, alternative letters, speech and oral communication skills, as well as training teachers and school staff in inclusive education, and employing teachers with disabilities who know sign language and Braille in educational institutions.

The concept, adopted in accordance with the Decree of the President of the Republic of Uzbekistan No. PF-5712 dated April 29, 2019 "On Approval of the Concept of Development of the Public Education System of the Republic of Uzbekistan until 2030", develops problems in the education of children in need of upbringing and education in special conditions and measures to eliminate them.

Improving the quality of educational services provided to children with disabilities was recognized as one of the priority directions of the development of the public education system, and the following tasks were defined:

development and approval of requirements for the premises of educational institutions where children with disabilities are educated;

implementation of measures aimed at providing educational institutions where children with disabilities are educated with the necessary literature, methodological manuals, equipment and supplies for training in various professions;

organization of an inclusive education system for the education of children with disabilities, provision of secondary educational institutions with special equipment (lifting devices, ramps, handrails, etc.), as well as appropriate personnel (teachers-defectologists, specialists in psychological and pedagogical monitoring of children);

Conducting public awareness campaigns on the right of children with disabilities to education and the essence of inclusive education;

Widely introducing alternative forms of education for children left without parental care;

Optimization of special boarding schools based on the physical and mental needs of students and the geographical location of educational institutions;

Gradual provision of boarding schools with special equipment for the adaptation and integration of children with disabilities;

Determination of measures aimed at ensuring the right of every child with disabilities to receive inclusive education.

In order to implement these tasks, the Resolution of the President of the Republic of Uzbekistan "On measures to further improve the system of education and upbringing of children with special educational needs", the Concept for the development of inclusive education in the public education system in 2020-2025, and the "Roadmap" for the implementation of the Concept for the development of inclusive education in the public education system in 2020-2025 in 2020-2021 have been developed.

Based on the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of regulatory legal acts on the education of children with special educational needs", the following



were developed: “Regulations on the procedure for organizing inclusive education in general secondary educational institutions”, “Regulations on state specialized educational institutions for children with physical, mental, sensory or mental disabilities”, “Regulations on specialized state educational institutions of the sanatorium type”, “Regulations on the procedure for providing individual education at home to children with physical, mental, sensory or mental disabilities, as well as those in need of long-term treatment”, “Regulations on psychological-medical-pedagogical commissions”.

According to the Regulation of the Cabinet of Ministers of the Republic of Uzbekistan on the procedure for organizing inclusive education in general secondary educational institutions, students are admitted to the first grade of inclusive education classes and primary basic correctional classes of the school in the year they turn seven years old. In order to ensure the right to education of children with special educational needs, it is permitted to admit children who are two years older than the age limit established for general education schools.

The total number of students in inclusive education classes should not exceed 30. In these classes, the number of students with special educational needs studying on the basis of special (correctional) programs, along with students studying in the general secondary education curriculum, should not exceed 3.

Only students with the same medical diagnosis are admitted to inclusive education classes and primary basic correctional classes. The number of inclusive education classes and primary basic correctional classes in schools is not more than 2 in one parallel class. As noted above, regulatory legal acts have been developed and improved to ensure the rights of children with disabilities to education. For their effective implementation, it is necessary to pay attention, first of all, to the issue of training qualified personnel. In order to ensure that children with physical, mental, sensory or psychological disabilities receive an education on an equal basis with other children, and to prevent their discrimination in this process, pedagogical staff are required to have in-depth knowledge and skills.

REFERENCES

1. President Shavkat Mirziyoyev's speech at the 46th session of the UN Human Rights Council. 22 February 2021.
2. Law of the Republic of Uzbekistan "On the Rights of Persons with Disabilities" October 15, 2020.

