

The development of the rights in education of children with disabilities in the Russian Federation

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Welcome to the inclusive education law course.

In this tutorial, we focus on the development of inclusive education in the Russian Federation.

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The tutorial covers the Education Act of 1992, the rights of students with disabilities in the Education Act, challenges to the goal of inclusive education, and tasks to be performed in the Russian Federation.

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Let us start with the Education Act of 1992.

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The Education Act of 1992 contains guarantees for the right to education of citizens with developmental disabilities.

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The state creates conditions for their education, correction of developmental disabilities and social adaptation by means of special pedagogical methods.

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For students with developmental disabilities, the agencies of educational administration set up special educational institutions, classrooms or groups, and guarantee their treatment, education and instruction, and enhance their social adaptation and integration in society.

The norms for financing such institutions are higher than the average ones.

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In order to realize the right to education, the federal authorities, the authorities of the subjects of the Russian Federation and the local governments create the necessary conditions to deliver quality education to persons with disabilities without discrimination, and for the correction of developmental disabilities and social adaptation.

They provide early correctional assistance on the basis of special pedagogical approaches and languages, methods and means of communication and conditions most conducive to education at a certain level and a certain direction, and the social development of these persons, in particular by means of organization of inclusive education of persons with disabilities.

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Special conditions for education of children with disabilities include financial support for regular schools providing education to children with disabilities

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The state supports the system of special schools and educational institutions including kindergartens, professional institutions, boarding institutions, particularly as resource centres.

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Parents have the right to choose a regular or a special school for their child with disabilities.

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The state provides professional support for teachers including in-service training.

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What are the rights of students with disabilities described in the Education Act of 1992?

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Students with disabilities have a right to special support measures.

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The state provides conditions for training, taking into account the peculiarities of their mental and physical development and health, including the provision of social, educational and psychological assistance, free psychological, medical and pedagogical correction.

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Special conditions for education of students with disabilities include: provision of special education programs and methods of training,

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special textbooks, tutorials and teaching materials,
special technical means of training,
assistant services, providing the necessary technical assistance,

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group and individual correctional lessons,

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access to buildings,

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and other conditions, without which it is impossible or difficult to master the educational program (Art. 79)

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The Psychological-Medical-Pedagogical Consultation (PMPK) assists parents in choosing a school or kindergarten.

The aim of assessment of the child should be for the purposes of determining the support and reasonable accommodations the child needs to be able to go to school or kindergarten.

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Special conditions for education of students with disabilities include:
sign language

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access to Braille books and literature,
and special libraries to be run by the regional authorities.

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What are the challenges to the goal of inclusive education?

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The right to participate equally in afterschool activities and supplementary education to develop creativity and individual talents remains difficult for students with disabilities.

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Problematic is as well accessible school transport.

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There also continues to be significant uncertainty about the legal status of assistants of students with disabilities in educational institutions.

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Interagency cooperation between the departments of education, health, and social welfare has proved challenging.

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What tasks have to be performed?

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The first task is to implement Article 7 of the Convention on the Rights of Persons with Disabilities that asserts that, in all actions, the best interests of the child shall be a primary consideration.

The best interests is a concept aimed at ensuring the full and effective enjoyment by the child of all human rights and the child's holistic development.

Any determination of the best interests of a child with a disability must consider the child's own views and individual identity, the preservation of his family, care, protection and safety of the child, any particular vulnerability, and the child's right to health and education.

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The second task is to implement Article 7 of the Convention on the Rights of Persons with Disabilities that asserts that children with disabilities have the right to express their views and the latter be given due weight on all matters affecting them, according to their age and maturity on an equal basis with other children, and that they must be provided with disability and age-appropriate assistance.

Guaranteeing the right of children to participate in their education must be applied equally to children with disabilities, to participate in their own learning and individualized education plans, within the classroom pedagogy through school councils, and to participate in the development of school policies and systems, and in the development of wider educational policy.

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The third task is to engage in monitoring of the process of making decisions and of the adequate fulfilment of recommendations on special measures to ensure the realization of reasonable accommodation and inclusive education.