

**Kuzenko M.**

*student of the 1<sup>st</sup> course of the Faculty of Law  
of Ternopil National Economic University.*

**Nadvynychna T. L.**

*Candidate of Psychological Sciences, Assistant Professor  
of the Department of Psychology and Social Work*

## **INTERNATIONAL EXPERIENCE OF LEGAL AND REGULATORY FRAMEWORK OF INCLUSIVE EDUCATION**

The inclusive education is a system of educational services based on the principle of enforcement of the right of children with mental and physical developmental disorders to education and studying by the place of residence in the conditions of a general educational institution. The inclusive education excludes any discrimination, ensuring equality of rights of all members of society, regardless of their nationality, gender, race, culture, social status, religion, individual possibilities and abilities [3].

The fundamental regulatory legal acts of the formation and functioning of the inclusive education are the international conventions "On Human Rights" and "On the Rights of the Child", in which the UN resolution recognizes that the problems of persons with mental and physical developmental disorders that pertain to the sphere of human rights and not only to the rehabilitation and social security. It is separately emphasized on the enforcement of the rights of children with special needs for education in the UN Convention "On the Rights of the Child" (1989), which was ratified in Ukraine in 1991. This regulatory act recognizes the rights of all children, without exception, and the priority of universal human values, as well as ensuring the necessary conditions for the harmonious development of an individual and the inadmissibility of discrimination of a disabled child on any grounds [6].

Thanks to the UN Convention "On the Rights of the Child", for the first time in the history of international law, in the context of recognition of the priority of a child's interests in society, the emphasis was placed on the need to provide special care for children with special needs. Thus, Article 3 of this legislative act states that "in any actions regarding children with special needs, first of all, their interests must be taken into account" [4].

Starting from the adoption of the Salamanca Statement (Spain) in 1994, in the educational system of the progressive countries of the world, the individuality and uniqueness of each person and the definition of peculiarities of educational needs as a specific form of individual expression of human nature were proclaimed as a special value. This idea was further discussed at the World Education Forum in Dakar (2000), which raised not only the issue of availability of general education services, but also the creation of conditions for their progressive development and innovative support for people of all races, religions and nations regardless of the health condition. Since then, the concept of inclusive education has become widespread in many countries of the world, including in Ukraine [2, p. 16].

In our opinion, the study of the Italian experience of the inclusive education deserves the special attention, as this country is now dominant in the introduction of ideas of integrated and inclusive education and their recognition as an acceptable form for the obtainment of education for children with mental and physical

developmental disorders. According to the director of the Department of National Research in the field of educational innovations of Italian P. Tortora, in this direction Italy has become a kind of laboratory for other countries to spread the culture, recognize the autonomy and dignity of each person [5, p.78].

So, back in 1971 in Italy, the “Law on Education” was adopted, which granted parents the right to choose an educational institution for their child independently and guaranteed the state support in obtaining education for children with mental and physical disorders. This educational reform in Italy is not completed. This law was amended, which at the legislative level attached the right of a disabled child to attend the educational institution, which is located next to his/her home and study with ordinary children. At the same time, classes had to consist of no more than twenty pupils with normal mental and physical development and two children with disabilities, with whom special educational specialists and teachers should work [3].

Now the provision of inclusive educational services in Italy is governed by agreements between government agencies. For such pupils, the curriculum is somewhat different from the usual ministerial programs and graduates do not receive a diploma and study according to a simplified program. The same situation is observed in institutions of higher education. The law No. 17/99 in every Italian university provides the position of a teacher, who is responsible for work with students with disabilities [7, p. 78].

Thus, the inclusive education occupies an important place in the regulatory and legal framework of civilized countries of the world. Since 2009, Ukrainian legislation has been actively brought into compliance with international requirements. In particular, this concerns the UN Convention on the Rights of Persons with Disabilities, which is based not on a medical, but on a social model of understanding disability. In this regard, the term “special and inclusive classes for teaching children with special educational needs” was introduced for the first time in the new Law “On Education”, and the term “children with special educational needs” was used in the Development Concept of Inclusive Education adopted by the Ministry of Education and Science on October 1, 2010 [1, p. 12]. In 2017, Ukraine introduced amendments to the Law “On Education”, providing for the provision of proper conditions for the obtainment of education by persons with special educational needs, taking into account their individual needs in conditions of the inclusive environment.

#### **List of reference links**

1. Index of inclusion: pre-school educational institution: guidance manual / Compilers: Patrykeieva O.O., Diatlenko N.M., Sofii N.Z. K.:LLC “Publishing House “Pleiady”, 2011. 100 pages.
2. Kachmar O. Modern trends in development of inclusive education in Ukraine (Experience of Ivano-Frankivsk oblast). Social partnership in inclusive education: European vector, Ukrainian realities. Collection of research papers on materials of International Research and Practice Conference (March 15, 2018). Izmail, 2018. p.15-19.
3. Kolupaieva A.A. Inclusive education: realities and prospects: [monograph]. K.: Summit-book, 2009. 272 pages.
4. Convention on the Rights of the Child. Access mode: [http://zakon2.rada.gov.ua/show/995\\_021](http://zakon2.rada.gov.ua/show/995_021). Title from the screen.–Language: Ukrainian.

5. Leshchinskaia T.L. Organization and content of correctional and supporting classes. *Integrated training and upbringing in the conditions of general education institutions*. Minsk, 1998. P. 61-77.
6. Potsko O. Regulatory and legal aspects of inclusive education // Scientific bulletin of Uzhhorod National University. Series "Pedagogics, Social Work". Issue 34. Accessed from: <https://dspace.uzhnu.edu.ua/jspui/bitstream/lib/3532/1/8.pdf>. Title from the screen. Language: Ukrainian.
7. Tokaruk L. Development of inclusion in Ukraine according to the principle of the European educational space (Italian experience). *Pedagogics*. 1(1). 2015. P. 77-79.