



INDICATORS FOR INCLUSIVE EDUCATION

Indicators for monitoring the implementation of Inclusive Education in accordance with Article 24 of the Convention on the Rights of Persons with Disabilities



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**Indicators for monitoring the implementation
of Inclusive Education in accordance with
Article 24 of the Convention on the Rights
of Persons with Disabilities**

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THIS SET OF INDICATORS WAS ALSO SENT TO OTHER RELEVANT BODIES AND ORGANISATIONS FOR CONSIDERATION

| | |
|---|---|
| Federal Ministry of Education and Science | Coalition of organisations of persons with disabilities in the region of Dobož |
| Council for Persons with Disabilities of Bosnia and Herzegovina | Coalition of organisations of persons with disabilities of the Herzegovina-Neretva Canton Together We Are Stronger (orig. "Zajedno smo jači") |
| Office of the Ombudsman of Bosnia and Herzegovina | Coordinating Committee of the Association of Persons with Disabilities of Sarajevo County |
| Institute for the Education of Children with Disabilities of Tuzla | Coalition of organisations of persons with disabilities of Tuzla County |
| Ministry of Education, Science, Youth, Culture, and Sports – Central Bosnia Canton | Inclusive Education committees as advocacy bodies formed in each of mentioned coalitions of organisations of persons with disabilities |
| Coalition of organisations of persons with disabilities of the City of Bijeljina KOLOSI | |

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Foreword

The material in front of you is the result of the project “Quality Inclusive Education Now!”, supported by Light for the World with funds from the Austrian Development Cooperation and Kahane Foundation.

During this project, the “DUGA” association and *MyRight-Empowers people with disabilities* supported and enabled the education authorities of Bosnia and Herzegovina (BiH) to collectively create a set of indicators that will enable the monitoring of the quality and implementation of Inclusive Education via their participation in a Working Group, which consisted of appointed representatives of all levels of ministries of education from both entities – the Federation of BiH and Republika Srpska – the Education Sector of the Ministry of Civil Affairs of BiH, the Office of the Ombudsman for Children’s Rights of Republika Srpska, as well as the representative of the Agency for Pre-school, Primary and Secondary Education of BiH. By developing a set of indicators for monitoring the implementation of quality Inclusive Education, the Working Group addressed the challenges of establishing a functional system of Inclusive Education that entails the full and active inclusion of children with disabilities in regular education, taking into account the fulfilment of standards set in the General Commentary on Article 24 of the Convention on the Rights of Persons with Disabilities.

Creating the conditions for quality Inclusive Education enables respect for the broader concept of inclusion and the creation of an inclusive society, in which all citizens are equally valuable and are given the opportunity to participate, regardless of their differences. Quality Inclusive Education represents the foundation that guarantees a better and safer future for every person, including people with disabilities, both in the economic and social sense through employment opportunities and active participation in society, as well as in terms of protection from violence and exploitation.

Bosnia and Herzegovina is obliged to fulfil the obligations assumed by ratifying the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, as well as signing the 2030 Agenda for Sustainable Development, which is why it is necessary to accelerate the work on quality and fair Inclusive Education for children with disabilities. It is important to implement concrete activities that show that we are moving towards a clear goal of achieving the human rights of persons with disabilities, and the creation of indicators, their monitoring, reporting on the achieved results and improvement plans, all of which represent an important step on that journey.

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Introduction

THE CHILD AS A RIGHTS-HOLDER

Among numerous documents human rights, the UN Convention on the Rights of the Child¹ is of particular importance. The significance of the Convention is reflected in the fact that it introduces the child as a subject and a rights-holder for the first time. What makes it special is the fact that it recognises all categories of human rights - civil, political, economic, social, and cultural, and it obliges member states to respect its provisions in relation to all children² - including children with disabilities, at all stages of their development, and in all places where children find themselves while growing up.

The UN Convention on the Rights of Persons with Disabilities³ does not establish new rights but elaborates what existing human rights mean for persons with disabilities and clarifies the state's obligations to protect, respect, and promote these rights. **A state that has ratified the Convention is obliged to not only remove the obstacles that may hinder the exercise of the rights of persons/ children with disabilities but provide support to equalise their opportunities for equal participation in society.** In order to establish the approach to children with disabilities that is based on human rights, it is particularly important to enable constant communication and coordination of different entities responsible for ensuring all forms of respect and protection of human rights, thus

ensuring the maximum benefit for each child under the same conditions.

In this way, these two complementing conventions form the necessary framework which ensures the realisation of all rights for all children, and in particular **equal access in the realisation of the right to Inclusive Education of children with disabilities.**

Both conventions recognise the rights of the child and oblige member states to respect their rights, ensure the necessary protection in their implementation and take all necessary measures - legislative, administrative, educational, and social - to meet the obligations of accessing and ratifying both conventions.

THE RIGHT OF A CHILD WITH DISABILITY TO EDUCATION

Inclusive Education has not always been the primary goal of education at the international level. The right to education is being emphasised since the drafting of the first human rights instrument in the Article 26 of the Universal Declaration of Human Rights, and later it was also explained in the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966).

ICESCR emphasises that everyone has the right to education aimed at the full development of in-

1 BiH acceded to the Convention on the Rights of the Child in 1993, and in 2002 and 2003 it ratified the two Optional Protocols to the Convention: on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. In 2018, BiH ratified the third Optional Protocol relating to petitions.

2 According to Article 1 of the Convention, every human being under the age of 18 is a child.

3 BiH ratified the Convention on the Rights of Persons with Disabilities and the Optional Protocol in 2010.

dividuality, a sense of dignity, and respect for human rights and fundamental freedoms. The right to education should enable all people to effectively participate in a free society, to promote understanding, tolerance and friendship, and to help maintain peace. Education is considered a cultural right, but it also relates to many other human rights because **the enjoyment and realisation of other rights depends on education**. Due to this relationship, **the right to education demonstrates the inseparability and interrelatedness of all human rights**. “As a right to empowerment, education is an essential means by which economically and socially marginalised adults and children can... achieve a way to fully participate in their communities.” Education creates opportunities and enables people to enjoy their birth-given rights. The Committee on Economic, Social and Cultural Rights (CESCR) further explains the right to education in General Comment No. 5 on persons with disabilities and No. 13 on education, where it defines that **education at all levels should be available, accessible, acceptable, and adaptable**. Availability refers to the creation and maintenance of functional educational content, which includes all materials and resources needed for education. This implies non-discriminatory education that is physically and economically accessible to all. Acceptability of education refers to the form, content, curriculum, and essence of education. All these segments need to be acceptable in order for all students to receive a **quality education**. Finally, education needs to maintain adaptability to adjust to changes and **different needs** of students. Education is not a concept in which “one size fits all”, it must be tailored to the needs of students and not the other way around.

The Convention on the Rights of the Child protects the rights of all children and includes an article that specifically refers to children with disabilities. However, the Convention on the Rights of Persons with Disabilities provides an even more

detailed protection of their rights and provides a foundation for the definition of Inclusive Education with an explanation of all its key viewpoints. Both conventions advocate for the principles of equality and non-discrimination of children with disabilities in education, which are the basis for the active participation of children in society.

The signatory states to these conventions, as is Bosnia and Herzegovina, are obliged to enable the right to education without discrimination because this is crucial for the realisation of other economic, social, and cultural rights. This duty requires states to take positive action to enable all their citizens, including persons with disabilities, to enjoy the right to education. **The concept of progressive realisation is based on the assumption that it is not possible to realise all rights immediately and at once, but that it is necessary to work continuously and make progress towards their realisation.**

INCLUSIVE EDUCATION

Inclusive Education is the result of many years of experience and transformation of educating children and youth with disabilities. As societies develop and progress, so do democracy, rule of law, and human rights. Special education was the first step in building a society that, through a charitable approach, gives an opportunity for people with disabilities – who until then had been completely deprived of any opportunity to be educated – to be placed in special institutions. As the societal attitude towards human rights – and thus the rights of persons with disabilities as their equal members – evolved, there was a transformation of the approach to the education of children with disabilities. From the *exclusion* phase, when children are denied the right to education; through *segregation*, when children are com-

pletely separated from peers in special schools, or in the same school but in special classes⁴; *integration*, when children with disabilities are physically present in the classroom with their peers and asked to adapt/assimilate to the (existing) environment, without the educational system offering any support or responsiveness/adoption according to the individual needs of the children, thus heavily relying on the persistence and resources of parents/caregivers or projects delivered by NGOs; we come to *Inclusive Education*. Inclusive Education implies the inclusion of children and youth with disabilities in regular schools closest to their place of residence, where all students receive **quality education tailored to their individual abilities together**. What makes Inclusive Education the best option for all is the development of academic and social skills in all students.

“The Article 24 of the General Comment applies to all persons (including those) with disabilities, i.e. those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others. The shift in thinking is in the second part of the sentence: the Comment refers not only to a school for all, but also to the full participation of everyone involved in the education system. Although the focus is on students with disabilities, it is important to remember that the Comment applies to all persons, which is much broader than just persons with disabilities.”⁵

In order for an education system to be inclusive, beliefs, commitment, and resources must change and adapt to enable quality education for all students in a non-discriminatory environment that guarantees equality and equity from pre-school to higher education, including adult education in

all its forms.

All binding laws and regulations, such as strategies, action plans, rulebooks, and standards, should be aligned with the fundamental commitment to the implementation of Inclusive Education.

Quality Inclusive Education is the most important part of a much broader concept of inclusion and an inclusive society in which all citizens are equally valuable and have the opportunity to participate in it, regardless of their characteristics.

According to UNESCO’s (1994) Salamanca Statement, “regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; moreover, they provide an effective education to the majority of children and improve the efficiency and ultimately the cost-effectiveness of the entire education system.”

4 The terms “special classes” and “special schools” are used for all different names of institutions at different levels of education in different areas of BiH which segregate children with disabilities in accordance with Article 24 of the Convention on the Rights of Persons with Disabilities.

5 Paula Hunt, Creating a more Inclusive Education system

Indicators for monitoring the implementation of Inclusive Education

There is still a big difference between the educational opportunities available to children with disabilities and those available to their peers. Article 24 of the Convention on the Rights of Persons with Disabilities significantly expands the scope of the right to education of children with disabilities, from explicitly requiring states to ensure the right to education, to explicitly **requiring Inclusive Education**. The inclusion of “Inclusive Education” in Article 24 is a revolutionary step towards the realisation of accessibility and equality in education for children with disabilities.

The purpose of this document is to offer a meaningful and necessary set of indicators to be used at all levels of the decision-making system in education. **This set of indicators will guide ministries of education – which are responsible for implementing the right of persons with disabilities to Inclusive Education – to create, monitor and improve the conditions necessary for the implementation of Inclusive Education for children with disabilities in Bosnia and Herzegovina. The indicators will measure progress in the implementation of Inclusive Education in our country and will be a key tool for the education authorities to adequately respond and take action to improve the identified shortcomings or ambiguities.**

The indicators will also be relevant at a broader, international level, with a focus on the state of legislation, children’s participation in the process of Inclusive Education, and the allocation of financial resources, and will allow **the monitoring of progressive implementation of the right to Inclusive Education.**

For the sake of clarity and cohesion of the text, the predominantly used term in this document is **child/children with disabilities**, which includes both young people and/or adults with disabilities, depending on the respective level of education.

ELEMENTS OF QUALITY INCLUSIVE EDUCATION

The education authorities have the task to create a transparent and clear framework for the implementation of Inclusive Education in accordance with the Convention on the Rights of Persons with Disabilities. This includes adopting missing laws, changes and amendments to existing laws, as well as the allocation of financial, human, technical, and other resources for Inclusive Education. The teaching staff has the responsibility to implement the adopted framework.

As previously mentioned, Article 24 of the Convention on the Rights of Persons with Disabilities sets standards and thus facilitates and directs the implementation of Inclusive Education. Article 24 requires the provision of an Inclusive Education system at all levels and throughout lifelong learning.

There are many prerequisites that must be met for the implementation of Inclusive Education to be successful, and here are the priorities:

- ▶ **Securing the funding from the budgets of the Ministries of Education** for the implementation of Inclusive Education in order to allocate the available funds in the best possible way. Experience shows that the issue usually does not lie within insufficient funds, but the misallocation thereof.
- ▶ **Raising the awareness** of employees in the education sector, also the public in general, about human rights, in order to respect the rights of persons with disabilities at all levels of the education system and build a positive image of children with disabilities as holders of the right to education. Breaking down stereotypes and prejudices and eliminating stigma enables the implementation of the Convention as a whole, and beyond the right to education.
- ▶ **Trained human resources** at all levels of education, who have acquired knowledge about the purpose and method of creating individual/personalised educational plans and who, together with the student/family, can identify reasonable accommodation and necessary additional support. Teachers need to be trained to communicate effectively and teach students with different levels of physical and intellectual abilities and characteristics. The education of future teachers must be geared towards inclusion. It is important that ministries of education ensure that topics from Inclusive Education are an integral part of the curriculum of teacher training colleges, as this is an indicator of commitment to the implementation of Inclusive Education. At the same time, it is important to establish and enable professional development through the system of compulsory education of existing teaching staff, in order for them to be up to date with new trends and knowledge so as to conduct the process of Inclusive Education more efficiently.
- ▶ **The curriculum and teaching materials** should be made accessible and adapted to the individual abilities and needs of each student. In the event that general accessibility measures do not meet individual needs, students should be provided with additional support if they need and request it. This support refers to a reasonable accommodation within the framework of the general education system, thus providing equal opportunities for all students. Reasonable accommodation does not always have to involve the allocation of financial resources, but is a matter of will, compromise, and knowledge of the teaching staff and school administration. Reasonable accommodation includes: assistive technology and support in classrooms, accessible and adapted educational materials and curriculum, augmentative and alternative ways of communication, professional support, but also placing a class with a student with disabilities on lower floors, more time to answer questions, providing oral instead of written tests and vice versa etc.
- ▶ It is the obligation of the state deriving from the Convention to **enable the active involvement and consultation of children with disabilities** on all matters affecting them, in person or via parents/guardians or organisations of persons with disabilities. As per the principle of human rights, children and their representatives have the right – and must be given a way to express their opinion and file a complaint if they believe that the child’s right to quality Inclusive Education is not respected and is violated.
- ▶ **The general accessibility of the education system** implies a comprehensive concept as a precondition for ensuring full and equal access to the enjoyment of all human rights. It includes the elimination of barriers to physical accessibility from the external environ-

ment, as well as internal architectural barriers, and the enabling of an accessible format for the provision of information and communication, transport, and other services. The accessibility of the views of all members of society regarding the right to Inclusive Education of children with disabilities must certainly be taken into account here.

- ▶ **Statistics on the number of children with disabilities** in regular schools, disaggregated by gender, age, form of disability, and achievement, as well as the number of children not included in the regular education system at all or attending some other form of education. It is expected that the ministries of education collect this data regularly for the purposes of planning and reporting, i.e. monitoring the participation of children with disabilities in Inclusive Education. Quality and realistic data helps better planning in education and can prevent unplanned situations in which the necessary financial, human, technical, and other resources are missing.
- ▶ **Mandatory cross-sectoral cooperation** of institutions in charge of any component related to the education of children with disabilities, including health and social work institutions, law and order institutions, and others, in order to provide specialised support to children/students with disabilities, such as learning Braille, sign language, speech and motor skills rehabilitation, the creation of materials with simplified text, etc. It is also necessary to regularly exchange the data from these institutions with the ministries of education as the main stakeholder responsible for education.
- ▶ **The existence of indicators for monitoring and reporting** on the state of Inclusive Education, i.e. progress in the realisation of Inclusive Education. Binding human rights

agreements ratified by BiH, which are the foundation of the international human rights protection regime, require regular reporting on progress on their implementation. The purpose of this document is to help monitor their implementation. Therefore, monitoring and use of indicators need to be included in the legislation. The indicators and monitoring should be used at the level of all ministries of education in order to get a complete picture of the state of Inclusive Education in the country, which is reported to various international bodies.

In accordance with the stated priorities and experiences presented in the documents of the European Agency for Special Needs and Inclusive Education, the **Working Group** consisting of representatives from the ministries of education from various levels of the administrative organisation of BiH, canton, entity and BiH state organizations, as well as representatives of the Republika Srpska (RS) Ombudsman's Office for pre-school, primary and secondary education in BiH, has chosen to focus this document on the indicators in the field of legislation, financing, and participation. The *requirements* for each of the areas describe the conditions that need to be met in order for Inclusive Education to progress in the desired direction. The identified *indicators* measure the fulfilment of these conditions and specify the aspects that need to be assessed or monitored in order to determine that the condition to which they refer is fulfilled. Several indicators can describe each individual condition.

Glossary

Accessibility

Accessibility is a concept that looks at the extent to which an environment, service, or product provides access to as many people as possible, especially people with disabilities.

Assessment

A procedure that involves the examination, interaction, and observation of individuals or groups with identified or potential health conditions, impairments, or restrictions on activity or participation. An assessment may be needed for rehabilitation-related interventions or measuring eligibility for support in education, social care, or other services.

Assistive devices, also

Assistive Technologies (AT)

Any device that is designed, made or adapted for people with disabilities in order for them to have equal opportunities to participate in all segments of life and society. The products can be purpose-built for people with disabilities or be widely used.

Augmentative and Alternative

Communication (AAC)

Communication methods that complement or replace spoken and written communication, with or without the use of assistive technology.

Communication

Includes language, text display, Braille, sign language, tactile communication, large print, accessible multimedia content, written communication, sound recordings, simple language, screen reader and augmentative and alternative models, means and forms of communication, such as accessible information and communication technologies.

Disability

“Disability is an evolving concept and results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.”⁶

Discrimination

“Discrimination shall be deemed to be any different treatment including any exclusion, restriction, or preference based on actual or presumed grounds towards any person or group of persons and those related to them on the basis of their race, colour, language, religion, ethnicity, disability, age, national or social origin, affiliation with a national minority, political or other beliefs, financial status, membership in a trade union or other association, education, social status and gender, sexual orientation, gender identity, gender characteristics, as well as any other circumstance that has the purpose or consequence of preventing or endangering any person’s recognition, enjoyment, or realisation, on an equal basis, of rights and freedoms in all areas of life”⁷, including the denial of reasonable accommodation.

Early intervention

It encompasses strategies that provide the child with experience and opportunities in early and preschool age (from birth to age 6) with the goal of improving the acquisition and application of behaviours that shape and influence the child’s interactions with people and objects. The goal of early intervention is to ensure the acquisition of the necessary knowledge, resources, and support for families with children at risk of developing disability and social exclusion, in order to maximise the physical, cognitive, and emotional development of the child, while respecting the diversity of families and communities.

6 Preamble of the Convention on the Rights of Persons with Disabilities.

7 Law on the Prohibition of Discrimination, unofficial consolidated text (“Official Gazette of BiH”, No. 59/09 and 66/16).

Habilitation and rehabilitation

Habilitation and rehabilitation imply effective and appropriate measures that enable persons with disabilities to attain maximum independence, full physical, mental, social, and vocational ability, as well as full inclusion and participation in all aspects of life.⁸

Inclusion

In the context of education, inclusion refers to the process of reacting to diversity with the aim of overcoming barriers to learning and participation with an emphasis on those individuals who may be at risk of marginalisation, exclusion or failure (European Agency 2013, 11).

Inclusion Index: Developing Learning and Participation in Schools

(Booth & Ainscow, 2002) Inclusion in education includes:

- ▶ Valuing all students and staff equally.
- ▶ Increasing the participation of students in, and reducing their exclusion from, the cultures, curricula and communities of local schools.
- ▶ Restructuring the cultures, policies and practices in schools so that they respond to the diversity of students in the locality.
- ▶ Reducing barriers to learning and participation for all students, not only those with impairments of those who are categorised as 'having special educational needs'.
- ▶ Learning from attempts to overcome barriers to the access and participation of particular students to make changes for the benefit of students more widely.
- ▶ Viewing the difference between students as resources to support learning, rather than problems to be overcome.
- ▶ Acknowledging the right of students to an education in their locality.
- ▶ Improving schools for staff as well as for students.

- ▶ Emphasising the role of schools in building community and developing values, as well as in increasing achievement.
- ▶ Fostering mutually sustaining relationships between schools and communities.
- ▶ Recognising that inclusion in education is one aspect of inclusion in society.

Inclusive Education

Inclusive Education is essentially quality education: the term "inclusive" emphasises that quality education is provided for all children and young people. At the same time, it refers to the system (for example, inclusive schools, systems of Inclusive Education) and to persons (for example, those engaged in or participating in education or the realisation of the right to education). The following definitions of Inclusive Education, which are in line with Article 24 of the Convention on the Rights of Persons with Disabilities, have been added for the purpose of further information and understanding:

- ▶ *Inclusive Education implies educational environments that adapt curricula thanks to trained, professional, and attentive teaching staff according to the abilities of each student so that education in regular schools is available to all students without discrimination.*
- ▶ *Inclusive Education refers to the school's ability to provide quality education to all children, regardless of their differences.*
- ▶ *Inclusive Education is education based on the right of all children to a quality education that meets basic learning needs and enriches lives. It focuses particularly on vulnerable and marginalised groups and strives to develop the full potential of each individual.*
- ▶ *"Inclusion is seen as a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in*

8 Convention on the Rights of Persons with Disabilities, Article 26.

*content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children.*⁹

Individual Education Plan (IEP)

An IEP is a written document that is created individually for each child at all levels of upbringing and education.¹⁰ It is based on a dynamic assessment of the relationship between a child's functioning (cognitive, emotional, social, and physical) and current and planned levels of knowledge and skills. The IEP represents a compilation of the child's characteristics, needs, and goals of the subject program. It determines the ways to support, adjust the learning process, and fulfil the individual needs and potentials of the child. Depending on the disabilities and difficulties in development, individual abilities and needs of children, the IEP enables: modification and adjustment of the content of the subject programme; changing the methodology by which the contents of the subject program are realised and supplementing it with sign language, Braille, assistive technology etc. For the preparation, implementation, monitoring, and adaptation of the plan, the school forms a team consisting of: teachers, educational personnel of the school or the resource centre, in addition to the participation of parents/guardians. Cooperation, competencies and responsibilities in the implementation of the IEP are clearly distributed and affirmed.¹¹ The IEP can identify reasonable accommodations and special support needed individually by the student, including the provision of compensatory aids, special teaching materials in alternative/accessible formats, techniques, and means of communication, and communication aids and assistive and information technologies. Support can also be provided by

a qualified teaching support assistant, either in a group or individually, depending on the needs of the students.¹²

Individual Transition Plan (ITP)

The ITP a part of the individual development-educational plan (IEP) whose goals, measures, and activities are aimed at a timely professional orientation of students in the process of transitioning from one educational level to another and then from the education system to the labour market/employment. It is implemented in two phases: at the end of primary school and at the end of secondary education. In the first phase, cooperation is established between primary and secondary schools. Exchange of information and the identification of potential and aptitudes of the child with the aim of moving to the next level of education that should prepare them for an independent professional life. In the second phase, the ITP focuses on the recruitment process. All the while the best interest of the child is the imperative.

International Classification of Functioning, Disability and Health (ICF)

A classification that establishes uniform and standard terminology and a framework for describing health and health-related conditions. The ICF belongs to the "family" of international classifications developed by the World Health Organization.

Organisations of persons with disabilities (DPOs)

Organisations or associations established with the aim of promoting and advocating for the human rights of persons with disabilities, with most members as well as the governing bodies of these organisations being persons with disabilities.

9 UNESCO (2005.) Guidelines for Inclusion: ensuring access to education for all, Paris.

10 At the level of preschool, primary and secondary education.

11 https://www.academia.edu/34887717/OBRAZAC_ZA_INDIVIDUALNI_RAZVOJNO_OBRAZOVNI_PLAN_IOP.

12 General Comment no. 4. to Article 24 of the Convention on the Rights of Persons with Disabilities - Right to Inclusive Education, paragraph 32.

Person with disability

Persons with long-term physical, mental, or sensory impairments who, due to societal or environmental barriers, may be limited in their ability to participate in society and enjoy equal status with those without such impairments.

Progressive realisation

The concept of “progressive realisation” describes a central aspect of states’ obligations in connection with international human rights treaties. At its core is the obligation to take appropriate measures towards the full realisation of economic, social, and cultural rights to the maximum of their available resources.¹³

Quality education

implies that education:

- ▶ provides access to learning for all students, especially those who fall into vulnerable categories, tailored to their needs;
- ▶ provides a safe and non-violent learning environment where all rights are respected;
- ▶ develops the personality and talents, as well as the intellectual and physical abilities of students, encouraging them to complete the educational program in which they are enrolled;
- ▶ promotes democracy, respects human rights and social justice in a learning environment that recognises the needs of all participants;
- ▶ enables students to develop appropriate competencies, self-confidence, and critical thinking, helping them to become responsible citizens with greater employment opportunities;
- ▶ communicates universal and cultural values to students by enabling them to make their own decisions;
- ▶ confirms the results of formal and non-formal learning in a transparent manner based on objective assessment, which enables the recognition of acquired knowledge and compe-

tencies for further studies, employment, and other goals;

- ▶ has at its disposal qualified teachers who are committed to continuous professional development;
- ▶ is not subject to corruption.

Reasonable accommodation

According to Article 2 of the UN Convention on the Rights of Persons with Disabilities, “Reasonable accommodation means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.”

Reasonable accommodation in the education system represents appropriate adjustments (professional, programmatic, didactic, methodical, different creative ways of approach) which enable and facilitate access to general education and acquisition of necessary knowledge and skills on an equal basis with peers for students with disabilities. Unlike the obligation to ensure general accessibility, the obligation to ensure reasonable accommodation takes effect from the moment the child requests it, i.e. when it is recognised that the child will need some adjustments in order to learn and participate in the educational process like other children, their peers attending the same class. The duty to make reasonable accommodations is equated with taking steps to ensure the best possible education for students with disabilities. The goal of reasonable accommodation is to provide every child with a disability with a quality education that will best suit his or her abilities.

Reasonable accommodations are directly related to the students individually and the specific situation of each student. Denial of reasonable accommodation is a form of disability discrimination and a student may seek protection of his or her rights in court on this basis. This obligation must

¹³ Frequently Asked Questions on Economic, Social and Cultural Rights, Fact Sheet No. 33.

be respected from the earliest age, i.e. from the inclusion of children with disabilities in preschool education. By denying this at lower levels of education, the development of a child's potential may be slowed down, thus hindering progress at higher levels of education. Reasonable accommodation as a condition for active participation of children with disabilities in the educational process does not always have to be of a material nature, but is a matter of will, compromise, and expertise of teaching staff and school administration, so it is important to include reasonable accommodation in binding files to make teaching staff aware of these obligations. Its provision must not be a cost to the student, but the system must plan and provide funds.

To best respond to the diverse needs of students with disabilities, it is very important that the students themselves, i.e. their parents and guardians, be involved in the educational process. This is also enshrined in the Convention, and should it be absent, the principle of the participation of human rights holders in decision-making that concerns them would not be respected, which would reduce the effectiveness of the quality of Inclusive Education.

Example: The school where the student with a hearing impairment is being educated decides to install an induction (hearing) loop in all classrooms without consulting the student, as this is one of the ways to enable access to information and communication. However, the student does not use a hearing aid and does not benefit from an induction loop. The student can read from the lips, so a reasonable accommodation in this case would be for all employees and students to turn to the student as they talk to him, so that he can see their lips clearly. This does not require any financial allocations. In case the student uses sign language for communication, the student then needs to be provided with a sign language interpreter or teaching staff and the students need to master sign language in order to be able to communicate with the student with a hearing impairment.

Right to Education

The right to education as declared in Article 26 of the 1948 Universal Declaration of Human Rights is at the heart of Inclusive Education:

- ▶ (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. [...]
- ▶ (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It 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. [...]

Inclusion deals with providing an appropriate response to a wide range of learning needs in formal and non-formal educational settings. Rather than addressing the marginal question of how some students can be integrated into regular education flows, Inclusive Education is an approach that seeks ways to transform education systems and other learning environments to respond to student diversity. The goal of inclusion is aimed at enabling teachers and students to feel comfortable with diversity and to see it as a quest and abundance of the learning environment, not as a problem.

Universal Design

Universal Design (UD) in education ensures that educational content is accessible to all users (including students, parents, employees, administrators, and visitors), taking into account their wide range of characteristics (age, disability, learning style, gender, ethnicity, etc.) when designing all educational products and environments. It was originally used in the field of architecture, and now it also applies to commercial and IT products. UD values diversity and inclusion.

UD is applied in many educational products (computers, websites, software, textbooks, laborato-

ry equipment) and environments (classrooms, libraries, student support department, canteens, distance learning courses). Unlike adaptation for a particular person with a disability, UD practice in education is proactive and benefits all students, including those who do not have a need for disability-related adaptation in school.¹⁴

14 Resource: Access to school and educational environment II. - Universal Design for Learning (UNICEF, 2014) - handbook and webinar <https://www.unicef.org/eca/sites/unicef.org.eca/files/Booklet%2011%20-%20Serbian%20Version.pdf>.

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- ▶ Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (“Official Gazette of BiH”, No. 18/03);
- ▶ Framework Law on Secondary Vocational Education and Training in Bosnia and Herzegovina (“Official Gazette of BiH”, No. 63/08);
- ▶ Law on the Agency for Preschool, Primary and Secondary Education (“Official Gazette of BiH”, No. 88/07) and
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Indicators for monitoring the implementation of Inclusive Education in Legislation

Legislation in education should be based on the fundamental obligation to ensure **the right of every child with a disability to quality Inclusive Education**. Legislation should be guided by a coherent vision and emphasise the shared responsibility of all educators, leaders and decision makers to realise that vision.

The concept of inclusion in education through legislation must be clearly defined as a matter that increases quality and equity for all students. The legislation is based on **a fundamental commitment to ensure the right of every student** to inclusive and equitable opportunities in accordance with the **principles of the UN Convention on the Rights of the Child (UNCRC) and the UN Convention on the Rights of Persons with Disabilities (UNCRPD)**. Inclusion in education for every child is ensured by legislation that protects the rights of **all vulnerable groups**, including children with disabilities. It is crucial that the **views of students and families** are taken into account when drafting, harmonising and implementing legislation. It is necessary to ensure **the same quality of educational services** regardless of differences in geographical location (such as isolated or rural areas).

Legislation in this document includes laws, regulations, and lower bylaws such as ordinances, instructions, decrees, decisions, etc.

Education authorities include the institutions of the Ministry of Education, pedagogical institutes, other institutes, etc., whose primary duty is education at each administrative level of the organization of Bosnia and Herzegovina.

The sources of verification of these indicators are laws and bylaws issued by education authorities.

CONDITION 1

Full harmonisation of legislation in education (state, entity, canton legislation of BD) with international agreements such as the UN Convention on the Rights of Persons with Disabilities, the UN Convention on the Rights of the Child, general comments of the United Nations treaty bodies that monitor the implementation of human rights agreements.

1.1. A clear commitment to the implementation of Inclusive Education for children with disabilities through a clear and unambiguous understanding of Inclusive Education.

Sources of verification: Laws on upbringing and education at all levels¹⁵, bylaws, strategic documents in the field of education.

¹⁵ Due to the different names of the laws on education in BiH, all sources of verification use this term which refers to the relevant laws on preschool education, laws on primary, secondary, and higher education and upbringing/education.

1.2. The principles of Inclusive Education (universal education, equity, adaptation, flexibility, self-determination, access, parent/guardian participation) are an integral part of education policies.

Sources of verification: Laws on upbringing and education at all levels, bylaws, strategic documents in the field of education.

1.3. The terminology that defines Inclusive Education in all laws and regulations is in line with the official translation of the UNCRPD in the three official languages of Bosnia and Herzegovina, where Article 7 refers to “children with disabilities”.

Sources of verification: Laws on education at all levels, bylaws, strategic documents in the field of education as well as all other laws and regulations that in any way regulate the issue of Inclusive Education.

1.4. Strategies and policies, as well as laws and regulations, clearly define that the implementation of Inclusive Education is based on approaching disability in terms of respect for human rights principles such as equality and non-discrimination, innate dignity and diversity, respect for the developmental abilities of children with disabilities, and the right of children with disabilities to preserve their identity.

Sources of verification: Laws on upbringing and education at all levels, bylaws, strategic documents in the field of education.

1.5. A prescribed obligation to ensure reasonable accommodation in accordance with the principles of non-discrimination and equality, as well as sanctions for denial of reasonable accommodation which constitutes discrimination on the grounds of disability.

Sources of verification: Laws on education at all levels, bylaws, strategic documents in the field of education, Law on the Prohibition of Discrimination of BiH, Guidelines for dealing with violence

against children in BiH, Protocol on dealing with peer violence in the education system/Protocol on dealing with violence at school, Protocol on dealing with violence, abuse, and neglect of children.

1.5.1. A defined procedure for prevention, protection and complaint of discrimination based on disability

Sources of verification: Laws on education at all levels, bylaws, strategic documents in the field of education, Law on the Prohibition of Discrimination of BiH, Guidelines for dealing with violence against children in Bosnia and Herzegovina, Protocol on dealing with peer violence in the education system/Protocol on dealing with violence at school, Protocol on dealing with violence, abuse, and neglect of children, special bylaws, instructions of the Ministries of Education.

CONDITION 2

Legislation in education covers all levels of education.

2.1. Legislation regulates Inclusive Education at all levels of education (preschool, primary education, secondary education, higher education, and adult education).

Sources of verification: Laws on upbringing and education at all levels, bylaws, strategic documents in the field of education.

2.2. A defined obligation of the founding/relevant institution to provide financial resources for the implementation of Inclusive Education at all levels of education.

Sources of verification: budgets (state, entity, canton, municipal).

2.2.1. Education regulations include the segment



of Inclusive Education of children with disabilities at all levels of education, in accordance with education laws and the requirements of Article 24 of the UNCRPD with clearly defined roles, rights and responsibilities of all actors (students, parents/guardians, teachers, school, etc.).

Sources of verification: Regulations on upbringing and education.

2.2.2. Established procedures for enrolment, access, mode of operation, attendance, and progress for all children at all levels of education.

Sources of verification: Laws on education at all levels, bylaws, strategic documents in the field of education, laws on adult education.

2.2.3. Defined measures to support learning and participation tailored to the needs and potentials of each student while promoting equity and equal opportunities in access to the curriculum and other activities.

Sources of verification: Regulations on upbringing and education, standards, norms.

2.2.4. Defined responsibilities of the educational personnel so that education and a successful transition to adulthood are the result of a synergy between respect for individual rights and the development of abilities and the realisation of potential.

Sources of verification: Regulations on upbringing and education.

CONDITION 3

Legislation in education regulates the issues of education and professional de-

velopment of teachers, educational staff, non-teaching staff, etc. with a special emphasis on diversity.

3.1. Inclusive Education as a compulsory course is included in the curriculum of initial education of teaching staff, with a special emphasis on compulsory practice based on the understanding of human diversity, growth and development, human rights model of disability, and strategies for recognising the functional ability, a child's strengths and learning styles in order to optimise participation in education processes.

Sources of verification: Laws on higher education, faculty curricula.

3.1.1. Development and implementation of a curriculum of Inclusive Education for all future professions of teachers and other education professionals, which includes mandatory direct practice with a special focus on children with disabilities.

Sources of verification: Faculty curricula.

3.2. Prescribed obligation of continuous professional development of teachers and other education professionals through mandatory attendance of organised education in the field of Inclusive Education, its application in school practice, which includes the adoption of additional competencies (learning to use assistive technologies and alternative means of communication, Braille, sign language, and development, planning, implementation, and monitoring of individual educational programs), in order to understand the specific learning requirements and focus on learning outcomes.

Sources of verification: Laws on education at all levels, regulations on professional development of teachers, pedagogical standards, reports on education in which they participated.

3.2.1. The development of training catalogues for Inclusive Education with learning outcomes for

teachers.

Sources of verification: Training catalogues.

3.2.2. Defined periodic assessment and evaluation of schools, pedagogical institutes, teachers and other education professionals.

Sources of verification: Regulations on supervision and monitoring of professional associates and teachers.

3.3. Developed guidelines and a support system for: personalisation; teaching content using different teaching methods; development and implementation of individual educational plans and programmes focussed on learning outcomes.

Sources of verification: Regulations on upbringing and education.

CONDITION 4

Legislation in education regulates the issues of ensuring the right to diversity and equity in all educational institutions for all students.

4.1. Rules and procedures have been established to promote an integrated approach with an emphasis on assessing the required learning support for the child, taking into account academic, behavioural, social, and emotional needs, as well as environmental factors in order to remove barriers and create a responsible and sensitised approach and understanding of the strengths and needs of children/students with disabilities, which must include, but are not limited to:

4.1.1. Cooperation and partnership between the education sector and the health sector related to professional observation of children up to 3 years of age and necessary medical reha-

bilitation, including public institutions in the field of social protection, health, and education using and understanding ICF (as defined by WHO) *Conceptualisation model of existing understanding of functioning dynamics and difficulties in the context of environmental and personal factors.

Sources of verification: Recommendations for improving Inclusive Education in BiH by the Ministry of Civil Affairs of BiH.

4.1.2. Cooperation and partnership between the education and the social policy sector related to the provision of habilitation and social rehabilitation services as well as the provision of educational and rehabilitation support to children with disabilities and teaching staff.

Sources of verification: Protocol on cross-sectoral cooperation.

4.1.3. Cooperation and partnership between the education sector and organisations of persons with disabilities related to promotion and advocacy of the rights of persons with disabilities, raising awareness in the community about needs and abilities of persons with disabilities and counselling in specific areas and topics related to disability.

Sources of verification: Protocol on cross-sectoral cooperation

4.1.4. Cooperation and partnership between the education sector and professional organisations and institutions as resource centres for the provision of services in the field of social and medical rehabilitation, and improving the personal and professional competencies of parents and teaching staff.

Sources of verification: Protocol on cross-sectoral cooperation.

4.1.5. Ensuring reasonable accommodation without delay, in order to respect non-discrimination, equal opportunities, and treatment of all



students without exception.

Sources of verification: Regulations on education, IEP, reports of educational institutions, minutes of school inclusion teams, testimonies of parents/guardians/students.

4.1.6. Creation of development maps, individual transition programs, and individual educational programs.

Sources of verification: Regulations on upbringing and education, curricula, reports of educational institutions, testimonies of parents/guardians/students.

4.1.7. Defining access to grievance mechanisms for students with disabilities regarding violations or denial of the right to education.

Sources of verification: Regulations on upbringing and education, testimonies of parents/guardians/students.

4.2. Each student with a disability, in addition to a certificate of completion, receives an Individual Transition Plan that takes into account the interests, skills, and expectations of the child and family describing their achievements and abilities in relation to the next educational level, labour market, or inclusion in the community.

Sources of verification: School report, Individual Transition Plan, testimonies of parents/guardians/students.

CONDITION 5

Legislation in education regulates issues of monitoring and accountability for all educational institutions and students as a prerequisite for quality and realistic planning of future activities and resources.

5.1. A prescribed obligation to continuously monitor the state of Inclusive Education.

5.1.1. Creation and implementation of indicators for regular monitoring and reporting on the progress of exercising the right to quality Inclusive Education for all children.

Sources of verification: Regulations on upbringing and education.

5.1.2. Defined quality in education (e.g. the five dimensions recommended by UNESCO: equity, relevance, pertinence, effectiveness, and efficiency).

Sources of verification: Laws on upbringing and education at all levels, bylaws, strategic documents in the field of education, report on the work of the Ministries of Education, annual reports of the Human Rights Ombudsman of BiH, annual report of the Ombudsman for Children of RS, special reports of the Ombudsman and recommendations on individual complaints (issued in order to eliminate the identified violations).

5.2. A prescribed obligation to monitor the functionality of the education system

5.2.1. Developed and implemented an instrument for the self-evaluation of students and evaluation of parents and teaching staff.

Sources of verification: Rulebook on monitoring the work of the school, bylaws, strategic documents in the field of education, existence of instruments for self-evaluation of students, evaluation of parents and teaching staff, testimonies of parents/guardians/students.

5.2.2. Education authorities (ministries, pedagogical institutes, other institutes, education departments) have established and are implementing rules for a system for monitoring teaching performance, learning support, and

socialisation.

Sources of verification: Rulebook on monitoring the work of the school, School Development Plan, instruments for evaluating the work of schools.

5.3. uniform rules for keeping records and a system to monitor the level of participation (rates of enrolment, school completion, drop-outs and exclusion, transfer to/from special schools).

Sources of verification: school performance reports, Student Performance Analysis.

5.4. A prescribed obligation of the Ministry of Education to publicly publish and promote information from the relevant legislation concerning the right to education of all children and the right to complaints related to education on the websites of the Ministry of Education, as well as to use all other means and forms of public information in accordance to the principles of transparency and openness.

Sources of verification: Laws on upbringing and education at all levels, bylaws, strategic documents in the field of education, testimonies of parents/guardians/students, number of resolved appeal procedures.



Indicators for monitoring the implementation of Inclusive Education in Participation

Participation implies involvement in all situations in one's life. Individuals are involved if they engage behaviourally, emotionally, and cognitively in activities that are typical of their environment and directed toward achieving socially or personally meaningful goals.

By respecting the different interests, knowledge, skills, abilities of the child and their environment, an adequate professional orientation is achieved, with the ultimate goal of exercising the right to independent life and work.

In the area of participation, an overview of access to education, enrolment – admission, and school selection, as well as issues relating to the curriculum (participation in the teaching process, learning and teaching, school activities), identification and assessment of needs, and planning, is given. This requires fulfilling the following:

- 1 Admission policies promote access to regular upbringing and education for every child.
- 2 The curriculum guidelines of the state/entity/canton/Brčko District fully regulate the educational inclusion of each student.
- 3 The knowledge assessment systems of the state/entity/canton/Brčko District fully follow the principles of inclusive assessment and do not constitute an obstacle to participation in learning and activities.
- 4 The identification of educational needs and assessment methods fully promotes and supports inclusion.

Only in this way can it be ensured that every person feels safe, respected, and equal. An environment is created that recognises and appreciates the diversity of the community and respects, supports, encourages, and rewards each student.

CONDITION 1

Admission policies promote access to regular upbringing and education for all children.

1.1. Access to quality upbringing and education at all levels is provided for every child.

Sources of verification: Laws on upbringing and education at all levels

1.1.1. The percentage of children enrolled in preschool and school facilities (public and private), including percentage of children with disabilities.

Sources of verification: Ministry of Civil Affairs of BiH, Agency for Statistics of BiH and cantonal agencies for statistics, reports of preschool and school institutions (state and private).

1.1.2. Parents/guardians of children with disabilities have support and training on their child's rights, developmental specificities, and available support services.

Sources of verification: Regulations on enrolment of children in preschool and school institutions, testimonies of parents/guardians/students.

1.1.3. All children with disabilities are enrolled in schools/preschools in the enrolment area of their place of residence.¹⁶

Sources of verification: Laws on upbringing and education at all levels, testimonies of parents/guardians/students.

1.2. The establishment of rules for the participation of children with disabilities in the educational process (preschool, primary and secondary education, higher education, and adult education).

1.2.1. Ensuring a zero rate of non-participation in upbringing and education.

Sources of verification: Reports of relevant ministries of education.

1.2.2. Number and percentage of students with disabilities in/at: regular classes, special classes, special schools, home, health and social care institutions, homes for minors, and those excluded from the education system.

Sources of verification: Annual work program (AWP) of educational institutions, reports from the health and social sector, reports on the implementation of AWP.

1.2.3. Provision of an assessment of the learning environment, considering the child's opinion.

Sources of verification: Law on Preschool/Primary/Secondary Education, testimony of parents/guardians/students.

1.3. The establishment of rules for adapted transport.

1.3.1. The percentage of children using (adapted) transport.

Sources of verification: Laws on upbringing and education at all levels, pedagogical standards, reports of relevant ministries.

1.4. The establishment of rules for the provision of information and communication aids for students in accordance with their needs to ensure the accessibility of teaching materials, communication with the environment, participation in work, distance learning, etc.

1.4.1. Specification of information and communication aids for each type of disability and educational needs.

Sources of verification: Pedagogical standards and norms.

1.4.2. Guidelines for ensuring the accessibility of teaching materials.

Sources of verification: Pedagogical standards and norms.

1.5. A prescribed obligation to plan and ensure accessibility of all levels of educational institutions.

1.5.1. New educational facilities designed and built on the principle of universal design through accessibility standards.

Sources of verification: Pedagogical standards and norms, testimonies of parents/guardians/students.

1.5.2. For existing facilities, a timeframe has been set for adaptation to meet the requirements in accordance with General Comment no. 2 and valid bylaws on building an accessible environment.¹⁷

¹⁶ In the RS, the enrolment area is the Republika Srpska, but only for a small number of children who, due to the severity of their disabilities, are enrolled in schools for children with disabilities from the territory of the Republika Srpska. All other children should be enrolled in preschool and school facilities closest to their place of residence.

¹⁷ Decree on Spatial Standards, Urban-Technical Conditions and Norms for Preventing the Creation of Architectural-Urban Barriers for Persons with Disabilities (Official Gazette of the Federation of BiH No. 5/00,48/09), Rulebook on Conditions for Planning and Design of Facilities for the Unimpeded Movement of Children and Persons with Reduced Physical Abilities (Official Gazette of RS, No. 44/11).



Sources of verification: Pedagogical standards and norms, testimonies of parents/guardians/students.

CONDITION 2

The curriculum guidelines of the state/entity/canton/Brčko District fully regulate the educational inclusion of each student.

2.1. Established rules on the flexibility of the curriculum to respond to the educational needs of all students, including those with disabilities.

Sources of verification: Rulebook on upbringing and education, learning outcomes, curricula, IEP, testimonies of parents/guardians/students.

2.2. Established rules to create a curriculum that is linked to the real-life needs of students and academic learning.

Sources of verification: Curricula, IEP, Rulebook on Inclusive Education, other regulations in the field of inclusion.

CONDITION 3

The knowledge assessment systems of the state/entity/canton/Brčko District fully follow the principles of inclusive assessment and do not constitute an obstacle to participation in learning and activities.

3.1. Established rules for assessing a wide range of learning outcomes.

3.1.1. Children with disabilities are involved in state-level knowledge assessments.

Sources of verification: International research and testing programs (PISA, TIMSS, PIRS),

reports of the Ministry of Education or another competent body that organises these knowledge assessments, testimonies of parents/guardians/students.

3.2. Established assessment rules that include and encourage the success of all students, and clearly defined rules for assessing children with disabilities in accordance with their educational plan and individual approach.

Sources of verification: Rulebook on assessment.

3.2.1. Each student, including students with disability, receives a supplement to the educational document on the completed level of education, which describes their achievements and competencies.

Sources of verification: Rulebook on upbringing and education (description of student achievements), testimonies of parents/guardians/students.

3.3. Established rules for a series of assessments used to enable all students to showcase their skills.

3.3.1. The types of knowledge assessment correspond to the needs and abilities of students.

Sources of verification: Laws on upbringing and education at all levels, Rulebook on Inclusive Education, testimonies of parents/guardians/students.

3.3.2. Support during knowledge testing for better understanding has been ensured.

Sources of verification: Rulebooks on upbringing and education, reports of pedagogical institutes, reports of educational institutions, testimonies of parents/guardians/students.

CONDITION 4

Identification of the scope of support in accordance with the needs and methods of assessment fully promote and support inclusion (participation in assessment, planning, educational process, and preschool/school activities).

4.1. The procedures are non-discriminatory and based on the principles of good practice.

4.1.1. The initial identification of children's needs is carried out holistically and takes into account primarily the needs and interests of the child and the assessment of functional abilities.

Sources of verification: Rulebook on upbringing and education, reports of educational institutions, testimonies of parents/guardians/students.

4.1.2. Planning of individual development maps including collaboration with parents/guardians.

Sources of verification: Rulebook on upbringing and education, Rulebook on the content and manner of keeping pedagogical documentation and records, reports of educational institutions, testimonies of parents/guardians/students.

4.1.3. Children are involved in planning their own educational goals according to the principle of a person-centred approach to planning.

Sources of verification: Rulebook on upbringing and education, reports of educational institutions, testimonies of parents/guardians/students.

4.2. Teachers use an appropriate range of instruments to assess their teaching strategies, including self-assessment.

4.2.1. Training programmes for independent work in educational institutions include the content and development of competencies in the application of an appropriate range of instruments.

Sources of verification: Ordinance on the manner and conditions of taking professional exams.

4.2.2. Professional development plans meet the needs of the workplace.

Sources of verification: Rulebook on professional development, assessment, and promotion of teachers, Catalogue of Training Programmes.

4.2.3. Teachers participate in the process of professional development and reflect on the practice of applying the appropriate range of instruments.

Sources of verification: Rulebook on monitoring the work of teachers, reports of relevant ministries/pedagogical institutes, reports of educational institutions.

4.3. Children are involved in extracurricular activities in accordance with the expressed interests that meet their needs and contribute to the development of skills, attitudes, and knowledge.

4.3.1. The number of children involved in extracurricular activities.

Sources of verification: Laws on upbringing and education at all levels, report on the work of schools, report of the ministry of education/pedagogical institutes.

4.3.2. School activities are free in order to be available to everyone.

Sources of verification: Laws on upbringing and education at all levels, Rulebook on upbringing and education, reports of the Ombudsman, reports of educational institutions, testimonies of parents/guardians/students.



4.4. The value of the peer group in learning, building positive relationships, friendships, and acceptance is recognised.

4.4.1. Peers are included in mutual support programmes with a special focus on peers who are at risk of social exclusion.

Sources of verification: Rulebook on inclusive upbringing and education, reports of educational institutions, testimonies of parents/guardians/students.

4.5. Children with disabilities receive support in the process of transition from one educational level to another while ensuring reasonable accommodation and equality in the assessment and testing process as a confirmation of their abilities and achievements on an equal basis with others.

4.5.1. Transition plans are created for children with disabilities.

Sources of verification: Rulebook on inclusive upbringing and education, reports of educational institutions, testimonies of parents/guardians/students.

4.6. Children staying in institutions for long-term care of persons with disabilities are provided with access to Inclusive Education through their connection with inclusive institutions in the community.

4.6.1. The percentage of children residing in institutions involved in the regular educational process.

Sources of verification: Ministry of Education/Department of Education, Ministry of Labour and Social Policy/Ministry of Social Welfare, reports of educational institutions, testimonies of parents/guardians/students.

4.7. The elimination of exclusion of persons with disabilities from standard quantitative and qualitative data collection mechanisms, including parents' refusal to acknowledge the existence of a child's disability, the lack of a birth certificate, or invisibility within institutions.

Sources of verification: Reports containing data on the number of children enrolled in preschool and school institutions disaggregated according to gender, disability, social status, etc.

4.7.1. Data are collected in collaboration with maternity hospitals, health centres, paediatric clinics, family counselling centres, early growth and development centres, social work centres, and other organisations.

Sources of verification: The Institute of Public Health, Reports of educational institutions on enrolment, Reports of the Department of Social Activities/Municipalities.



Indicators for monitoring the implementation of Inclusive Education in Financing

“QUALITY IS THE DEGREE TO WHICH A SET OF INHERENT CHARACTERISTICS MEETS THE REQUIREMENTS”¹⁸.

The quality of financing for Inclusive Education is the degree to which education funding ensures **the right of every student to inclusive and equitable opportunities** in accordance with the principles of the UN Convention on the Rights of the Child (UNCRC) and the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

In essence, the concept of quality of financing should be understood in terms of ensuring a systematic financial approach to **provide the budgetary resources** to ensure the right of every student to fair educational opportunities in accordance with human rights principles and all relevant international guidelines on equity, non-discrimination, and a society of equal opportunities.

The creation of a financial framework and budget allocations for Inclusive Education requires the **introduction of a separate code or budget item** confirming the existence and amount of allocations, and information on this must be clear, accurate, objective, valid, and easily accessible to all parties interested in Inclusive Education.

CONDITION 1

The budget of the Ministry of Education fully supports the financing of Inclusive Education at all levels (preschool, primary, general and vocational secondary, higher education and adult education)

1.1. The relevant education authorities have included in their regular annual budgets a budget item intended to finance the implementation of Inclusive Education.

1.1.1. Creation of a plan for the integration of financing from the budget and donor projects in the field of Inclusive Education with an emphasis on children with disabilities.

Sources of verification: Budgets of all levels of education.

1.2. Budget allocated for Inclusive Education covers the necessary financing support for the development of a teaching process in which students with disabilities are included, and through which the principle of equal opportunities and equal participation in the education process are met.

1.2.1. Financing for access to Inclusive Education for all students is provided by the relevant education authorities.

Sources of verification: Budgets of relevant institutions (Government), budgets from all levels of education.

¹⁸ International Organization for Standardization (ISO) 9000:2015 clause 3.6.2. https://transition-support.com/quality_iso.html

1.2.2. Budget allocations for Inclusive Education must include, but are not limited to, covering the costs of accessibility of information and communication, transportation of children with disabilities, reasonable accommodation and professional support in teaching.

Sources of verification: Budgets of relevant institutions (Government municipalities), budgets from all levels of education.

1.3. Budget allocation intended for improving the knowledge of future and existing teaching staff on Inclusive Education.

1.3.1. Financing for the professional development of teaching staff and other education professionals is provided by the relevant education authorities.

Sources of verification: Budgets from all levels of education.

CONDITION 2

The financing of Inclusive Education with emphasis on children with disabilities is based on the educational needs of the student.

2.1. Financing is planned on the basis of collected data on the number of children/students with disabilities and the identification of necessary adjustments and accompanying services to meet their needs.

Sources of verification: Laws on upbringing and education at all levels, budgets of all levels of education.

2.2. Appropriate finance is allocated to identify the needs and appropriate services for the transition of students with disabilities between different stages of education (from preschool to primary, from primary to secondary, and from

secondary to university) and to support the transition from one phase to another.

Sources of verification: Laws on education at all levels, budgets from all levels of education, reports of educational institutions.

2.3. Educational institutions develop projects aimed at the development of Inclusive Education with a focus on people with disabilities.

Sources of verification: Reports of state/entity/cantonal Ministries of Education, Ministries of Social Work and Policy, Ministries of Health, reports of educational institutions.

CONDITION 3

Financing laws fully lead to a flexible, effective and successful response to the needs of every child.

3.1. The method of financing is based on the input of data/needs that directly link the financing of the required resources.

Sources of verification: Laws on upbringing and education at all levels, according budgets.

3.2. Professionals, parents/guardians and citizens understand the rules and procedures related to the search and allocation of resources.

Sources of verification: Budget Law, testimonies of parents/guardians/students and teaching staff in schools.

3.3. Resources can be easily managed from the local level/school (with appropriate centralised monitoring to avoid unnecessary overlap).

Sources of verification: Budget Law, reports and analyses of the Ministry of Education, reports of educational institutions.

3.4. Budgetary resources are allocated on time at all levels of education.

Sources of verification: Decision on budget adoption.

3.5. Education authorities are creating a reallocation plan for the needs of Inclusive Education in the case of budget savings.

Sources of verification: Budget revision.

3.6. The relevant education authorities regularly coordinate the financing of Inclusive Education with the obligation to ensure progressive realisation through ensuring and improving the quality of Inclusive Education.

Sources of verification: Report and analysis of the increase in allocations, budget revision.

CONDITION 4

The budget for Inclusive Education also includes co-financing the support of appropriate services and the necessary cross-sectoral cooperation.

4.1. Dedicated budget allocations ensure the provision of learning resources, the application of assistive technology and other teaching aids and aids needed for a personalised approach to learning and teaching, thus promoting the independence and autonomy of students.

Sources of verification: Budgets of the Ministries of Education and other relevant ministries with which cross-sectoral cooperation has been signed.

4.2. Dedicated allocations ensure the availability and use of barrier-free school space.

Sources of verification: Ministry reports, school reports, budgets of other relevant ministries with which cross-sectoral cooperation has been signed.

4.3. Clear instructions for schools on mechanisms for financing Inclusive Education in order to increase the capacity of school communities to respond to different needs and provide support to students.

Sources of verification: Rulebook on upbringing and education.

4.4. Through cross-sectoral cooperation, the financing of quality support services with appropriate levels of expertise of professionals in the field of Inclusive Education has been ensured.

Sources of verification: Laws on education at all levels, ordinances, budget (budget line), of other relevant ministries with which cross-sectoral cooperation has been signed.

4.5. Budget allocations integrate cross-sectoral connectivity and cooperation (health, social care, spatial planning and construction, local levels of government, DPOs, professional and other organizations).

Sources of verification: State/entity/canton budgets, municipal budget, city budget.

4.6. The financing needed for professional networking activities (psychologists, doctors, teachers, social workers) has been allocated.

Sources of verification: state/entity/canton budgets, municipal budget, city budget.

4.7. A financial framework has been established for research, data collection, analysis, and proposal-making on policies, plans, and programs in accordance with Article 31 of the CRPD for the promotion of Inclusive Education.

Sources of verification: Budgets from all levels of education.



CONDITION 5

The transparency of financing continuous monitoring and periodic review of funding programs

5.1. Education authorities continuously monitor financial allocations for Inclusive Education at all levels of education.

5.1.1. The results of investments in Inclusive Education at all levels of education are regularly monitored and evaluated.

Sources of verification: Financial reports of the Ministries of Education, Departments of Education, Ministries of Finance.

5.2. Mechanisms have been established to review Inclusive Education financing programmes.

Sources of verification: Governments, Ministries of Education, Departments of Education, Ministries of Finance.

Reporting on financial allocations and achievements

5.3. There are mechanisms for the systematic collection of expenditure data.

Sources of verification: Budget Law, reports of the Ministry of Education, Department of Education.

5.4. The relevant education authorities create comprehensive reports on the implementation of the plan for financing Inclusive Education.

Sources of verification: Financial reports of the Ministry of Education, the Department of Education, and the Ministries of Finance.

5.5. All levels of education have the obligation to regularly report to the respective ministry on the use of finances received for the implementation of Inclusive Education.

Sources of verification: Financial reports of the Ministry of Education, Department of Education.

5.6. Reports must be clear, publicly available, and available to all stakeholders.

Sources of verification: Ministries websites, other printed materials.

