



## Inclusive education in Hungary (V4 roundtable Bratislava 2nd, June, 2017)

The National Federation of Associations of Persons with Physical Disabilities (“MEOSZ”) was established by stakeholder-persons in 1981, as an independent, non-profit, non-governmental umbrella organisation. MEOSZ represents 110 member associations made up of 850 local groups, and 160.000 individual members from all over Hungary. The overall goal of MEOSZ is to identify and eliminate social obstacles, prejudices and all forms of discrimination in order to cease segregation of persons with physical disabilities within the society. Association fights against all types of discrimination using high level of expertise in different fields and dedicated to achieve equal opportunities and full participation in the society for all persons with physical disabilities living in Hungary by representing, protecting and promoting their interests and advocating for their rights. For more information, please visit [www.meosz.hu](http://www.meosz.hu)

### **CRPD Article 24: Education**

Education is vitally important for us. If education is not accessible for persons with disabilities (including certainly children and adults with physical disabilities), as education is the gate and way to get proper awareness and at the same time to learn how to take part in the community and in the society. Education should be the first step of realisation of your personal and goal plans or dreams. It leads to the labor market and productive creativity.

If the education is far from the correct inclusion, for the children has foreseen them to face disadvantages in every field of their further life.

Children and young people with ‘severe and multiple’ disabilities, as a result of their state, may be deprived of practicing their right to education. Nearly 3,500 children between the ages of 7 and 23 are affected by such restriction. They are often classified into a different educational category, called developing education. The admittance of a child in this category may be denied by schools, and parents may be obliged to have their child educated at home or in an institution with a large number of students. While other children are provided pedagogical education in 20-30 hours per week, children with severe-multiple disabilities are often provided pedagogical education in 8 hours only.

A serious concern, furthermore, is that educational institutions are not accessible, reaching those is unsolved, since educational institutions for children with disabilities are often remote from their residence and transportation is not accessible either.

Regarding inclusive education barriers which keep persons with disabilities out of education in disproportionately large numbers can be attributed to multiple factors, including: Parents often overprotect their children with disabilities and want them to attend to special school. Parents tend to consider segregated education as a protective environment which can prevent abuse, bullying and ill-treatment of and violence against students with disabilities.

States tend to simply rely on this position and may say that they do not want to interfere with family life and deciding on schooling is the choice of the parents. These arguments of parents and States parties support the segregation of persons with disabilities which cannot be accepted in an inclusive education system.

It is important to declare that the above mentioned arguments do not serve the children’s with disability interests and totally against the spirit of the Convention.

Act CXCV of 2011 on public education does not contain the requirement of inclusive education. Hungary does not comply with the requirements laid down by Section 20 of the General Comment No. 4 of the CRPD Committee (CRPD/C General Comment/4) according to which an adequate quantity and quality of public and private educational institutions and

programs must be available for persons with disabilities at all levels of the education system (lifelong learning).

Experiences of the National Federation of Associations of Persons with Physical Disabilities (MEOSZ) show that in addition to the fact that the possibility for inclusive education does not exist, the integrated educational conditions remain significantly limited for children with disabilities using wheelchair. Furthermore, according to MEOSZ, the Hungarian Government is also obliged to inform parents properly about the unlawful nature and negative consequences of segregated education as well as positive effects of inclusive education.

Moreover, accessible education is often not provided for students with physical disabilities near their home, so they are required to travel long distances or move in to social institutions. This constitutes difficult living conditions and a disproportionate burden for their family. Consequently, Section 39 the General Comment No. 2 of the CRPD Committee (which states that the inclusive education system as a whole shall be accessible including buildings, information and communication is not being implemented in Hungary).

According to our Federation the Hungarian society considers disabled students as persons who are different from normal students and who have special needs, but we believe that every need is human and 'normal' within an inclusive education system and only solution to the needs should be special. The Hungarian legislation in effect does not reflect on this approach since it uses the term of 'students with special educational needs' (SEN).

No mentioning lack of accessibility of the buildings, one basic element of introducing inclusive education is hiring such specialists (teachers and assistive staff) who have the necessary skills for inclusive education. According to The National Federation of Associations of Persons with Physical Disabilities it would be important to include the human rights model of disability to the curriculum of teacher's training in Hungary.

In summary, in our view, the Hungarian Government does not fulfil its obligations either under Article 24 of the CRPD or the recommendations set out in the above-mentioned concluding observations of CRPD Committee, because

- In Hungary, there is no system of inclusive education and physically disabled persons are often required to study in segregated conditions;
- The developing training and education of severe and multiple disabled children are discriminatory on the basis of disability;
- In the lack of adequate accessible structure, the participation at all levels of education and the possibility of life-long learning are not provided for physically disabled persons;
- The parents of disabled children are not properly informed about the unlawful nature and negative consequences of segregated education as well as positive effects of inclusive education.
- Often, inclusive education is not provided for physically disabled students near their home, so they are required to travel long distances or move in to social institutions
- The terminology used in the Hungarian legislation in effect is based on the approach that considers disabled students as persons with SEN rather than persons whose needs are human and 'normal' similarly to others
- The notions of universal design and reasonable accommodation have not been transposed into the Hungarian legislation which negatively affects education as well;
- Human rights model of disability is missing from the curriculum of teacher's training;

Mobile special education network is facing a skills shortage, so disabled children studying in mainstream schools do not receive the developments required of them.

Consequently, Section 39 the General Comment No. 2 of the CRPD Committee (CRPD/C/GC/2) which states that the inclusive education system as a whole shall be accessible including buildings, information and communication is not being implemented in Hungary.

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and 'normal' within an inclusive education system and only solution to the needs should be special. The Hungarian legislation in effect does not reflect on this approach since it uses the term of 'students with special educational needs' (SEN).

Both examination system and stepping forward to the secondary or the higher education mean also a hardly understandably huge challenge. Requirements are not prepared or opened to accept and being adapted to the individual special needs of the candidate person with disability. Therefore for students to enter or end a course, a training expects much extra efforts. Transparency of the scholarships reachable for candidate with disability (if they existing) are not always uncovered. Interpreting the last comment of the Committee the listed obstacles are obviously against the spirit of law:

*“Adaptability - the Committee encourages States parties to apply the Universal Design for Learning (UDL) approach. UDL is a set of principles, providing teachers and other staff with a structure to create adaptable learning environments and develop instruction to meet the diverse needs of all learners. It recognizes that each student learns in a unique manner and involves developing flexible ways to learn: creating an engaging classroom environment; maintaining high expectations for all students, while allowing multiple ways to meet expectations; empowering teachers to think differently about their own teaching; and focusing on educational outcomes for all, including those with disabilities. Curricula must be conceived, designed and applied to meet and adjust to the requirements of every student, and providing appropriate educational responses. Standardised assessments must be replaced by flexible and multiple forms of assessments and recognition of individual progress towards broad goals that provide alternative routes for learning.”*  
CRPD/C/GC/4 25)

The National Federation of Associations of Persons with Physical Disabilities as one of the largest and most effective NGO working for persons with physical disabilities thus consider obvious and basic that its proceeding should always mean the result of very thorough and profound preparation work.

Appearing real chance to improve the body-text of the Committee on the Rights of Persons with Disabilities The National Federation of Associations of Persons with Physical Disabilities lived the times, and in order to be able to bring the voices of Hungarian persons with physical disabilities to the Committee, translated the Draft General Comment into Hungarian, published it on its website and launched a call for comments to all its member associations and individual members. The comments strongly relied on the observations and suggestions coming from Hungarian persons with physical disabilities and their organizations. The procedure brought the expected result. Three suggestions:

- 12 c) paragraph CRPD/C/GC/4

*„Whole person approach: recognition is given to the capacity of every person to learn, and high expectations are established for all learners, including learners with disabilities. Inclusive education offers flexible curricula, teaching and learning methods adapted to different strengths, requirements and learning styles. This approach implies the provision of support and reasonable accommodation and early intervention so that they are able to fulfil their potential. The focus is on learners' capacities and aspirations rather than content when planning teaching activities. It commits to ending segregation within educational settings by ensuring inclusive classroom teaching in accessible learning environments with appropriate supports. The education system must provide a personalized educational response, rather than expecting the student to fit the system.”*

- 55 paragraph (CRPD/C/GC/4)

*„Full participation in political and public life is enhanced through the realisation of the right to inclusive education. Curricula for all students must include the topic of citizenship and the skills of self-advocacy and self-representation as fundamental fundamental basis for participation in political and societal processes. Public affairs include forming and participating in student organisations such as students’ unions and States Parties should promote an environment in which persons with disabilities can form, join and effectively and fully participate in such student organisations through all forms of communication and language of their choice (art 29).“*

- 61 e) paragraph (CRPD/C/GC/4)

*„A requirement for all new schools to be designed and built following the principle of Universal Design through accessibility standards, together with a time frame for adaptation of existing schools in line with the Committee’s general comment No. 2 (CRPD/C/GC/2). The use of public procurement to implement this element is encouraged. “*

became the official part of the codified text.