

## PROBLEMS REGARDING CHILDREN WITH DISABILITIES

### PRESS CONFERENCE

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On the basis of issues dealt with regarding children with disabilities, the Ombudswoman finds the main problems in the exercise of their rights to be:

1. Children with autism spectrum disorder. The new Placement of Children with Special Needs Act (ZUOPP), enacted in 2011, categorised children with autism spectrum disorder among children with disabilities as an independent category. However, the problem is that the commencement of the implementation of ZUOPP has already been postponed twice. It is necessary to ensure the comprehensive treatment of children with autism spectrum disorder, which must take place early, and which includes experts from various fields and education profiles. Thus, early diagnosis is crucial, and may significantly contribute to better outcomes for child's socialisation and education. Thus, the Ombudswoman proposed that the Ministry of Health, in cooperation with paediatric clinics in Slovenia, accelerate the training of paediatricians and other healthcare workers to suitably and professionally work with children with diagnosed autism spectrum disorder. Special attention should also be paid to professional work with childcare workers, teachers and other expert workers in education who encounter problems related to children with autism spectrum disorder in their work. Detailed programmes and instructions for the implementation of work should be prepared as soon as possible, which will facilitate the realisation of the children's right to education. We will bring this to the attention of the Minister of Education, Science and Sport, whom we intend to meet next week. In addition, suitable forms should be organised to inform parents about all the problems which arise in the education of autistic children and enable them to resolve individual problems as fast as possible. The Ministry of Health issued *Guidelines for the comprehensive treatment of persons with autism spectrum disorder* in 2009, but they are being realised too slowly.
2. Children with Down syndrome. It is known that children with Down syndrome do not fall behind to the same extent in all fields. Parents and experts are increasingly in favour of the inclusive education of children with Down syndrome in regular forms of education, as these children gain a lot from inclusive education in the entire academic field, primarily in literacy and maths. Their ability to communicate and verbal skills also improve, and they are more fully socialised. However, the problem in Slovenia is that access to regular forms of education for these children is very narrowed and limited. Our school system is too rigid and productivity-oriented for these children to find a place in the company of their peers.

3. Severely physically handicapped children who may also be chronically ill or have an autism spectrum disorder. One of their biggest problems is exercising the right to have an assistant. The applicable ZUOPP already offers a legislative option, but the entry into force of the new ZUOPP will further improve and widen the chances of being granted an assistant. Thus an assistant (temporary) will be granted also to chronically ill children, children with autism spectrum disorder, and children with emotional and behavioural disorders, when necessary on the advice of experts. However, until the entry into force of the new ZUOPP, this option is not available.
4. Deaf pupils and secondary school students who are educated with their peers in regular forms of education cannot exercise the right to an interpreter, as, for the time being, there is no legal basis for this. The problem is again in the delay of the implementation of the new ZUOPP, which will provide this possibility. The right will be granted to deaf people communicating in the Slovenian sign language by a decision as to who will be able to exercise this right.
5. We found a problem with ensuring suitable space and other conditions for educate children with disabilities in the primary school with adapted programme in Ptuj. The school is old, dilapidated and unsuitable for classes. Efforts to build a new school have been in progress for several years, but it has been dogged by constant new problems and new excuses. The problem is specific, as the school includes children from several municipalities, not all of which are willing to co-finance the new construction. The state would contribute 50 per cent of the investment and the remainder should be ensured by the founder, i.e. the Municipality of Ptuj. The latter has been striving to acquire the shares of funds from the fifteen municipalities which are the co-founders of the school and where the children being educated here come from. An additional problem is that the Ministry of Education, Science and Sport (MESS) would like to extend the financing of the investment to four years (from 2012 to 2016), which means that the Municipality (municipalities) would have to ensure the majority of the funds in order to build the school in a year or two. Construction in phases seems less appropriate, as the conditions for children with disabilities at the school under construction would be as inappropriate in the present school, perhaps even dangerous.

Regarding the aforementioned problems, the Ombudswoman, in addition to alerting the competent state authorities and institutions to the need to arrange the position of all groups of children with disabilities, will undertake some rather unusual activities. Nevertheless, we believe that these problems will not begin to be solved very soon, so we wish to encourage the competent authorities to take concrete action more rapidly.

6. The MESS recently issued a negative opinion on the concept of educational work in hospital departments. The Secondary, Higher Vocational and Adult Education Directorate at the MESS deems disputable the education of secondary school students in hospital departments, which has been normal practise for many years, but

has never been suitably regulated by law. Now that this is supposed to happen and the concept of educational work in hospital departments is about to be approved by the Council of Experts (it has been in preparation for several years), the MESS decided to halt it.

7. We have received information that an amendment to the new ZUOPP is being drafted to further postpone its entry into force (presumably by one year), to which the Ombudswoman strongly objects. In our opinion, it is unacceptable to pass laws the entry into force of which is then postponed.