

Legal Framework for Raising Disabled Children and Scientific and Theoretical Issues

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Abstract – The main law defining the system of social protection of persons with special needs was the Law on Social Protection of Persons with Disabilities in the Republic of Uzbekistan. As noted in the preamble, the law provides equal opportunities for persons with disabilities, including children with disabilities, to enjoy the same rights and freedoms as other citizens of the Republic of Uzbekistan; creation of favorable conditions for civilian duties a Osin. Article 3 of the Act states that our state provides special care for children with disabilities.

Keywords – Child, Upbringing, Law, Social Security, Opportunity, Freedom, Disabled.

Summarizing the period when our country gained independence, we can see that our government has been focusing on the most vulnerable groups in our society in the process of protecting and protecting human interests. It is obvious that the Government of the Republic of Uzbekistan has been considered as an important factor of family and family upbringing in recent years in social reforms aimed at upbringing the young generation as worthy representatives of society. In particular, the First President emphasized that the family plays an important role in the education of the younger generation as a key part of society: "Speaking of family, we must first acknowledge that the family ... is a source of upbringing that will directly influence the future generations." ... The children understand and feel the demands of society through the School of Family Life. The announcement of the new year 2014 as the "Year of a Healthy Child" at the initiative of President Islam Karimov is important in ensuring the continuity and stability of government policy in education and upbringing the future of

any society. In this regard, the new laws, rules and regulations on the development and improvement of family institution in our country are intended to reflect the requirements of today and tomorrow, make necessary changes and additions to the current legislation, and increase public attention to this issue. Implementation of these tasks, first of all, makes the necessity of the close linking of social upbringing with family content one of the most urgent tasks of today. Since special correction pedagogy is a component of general pedagogy, these tasks have also become a priority in this area, the implementation of which requires new ways and means of linking special pedagogy with family education and social education. The development of the state and society, and its prospects, are determined by the physical and physical health of its citizens and citizens. The birth of an unhealthy, disabled child with good expectations is not only a tragedy for any family, it also poses a number of concerns to society.

It is worth noting that the dramatic and controversial changes in social, political, economic, and especially environmental areas that have come into the world in recent years have led to an increase in the number of children with physical and mental disabilities. As President Karimov said, "A country with healthy children will be strong, and children in a strong country will be healthy." Upbringing a healthy generation is a very important task, as well as a result of humanitarian policy. Creation of favorable conditions in the auxiliary school for the mentally retarded students with equal opportunities with all other citizens, creating the conditions for full life, participation in the social, economic and political life of the society, as well as fulfilling their civic duty enough. Adoption of state documents on social protection, timely medical and correction care of persons with disabilities in the country shows that radical changes in the attitude of persons with disabilities in the life of an independent state are in reality.

After all, the state social protection of the most vulnerable groups - the elderly, the disabled, orphans and families with many children, ensuring their guaranteed rights is the core of the state's social and spiritual policy. Article 46 of the Constitution of the Republic of Uzbekistan, Article 23 of the Education Act, and special laws provide for the establishment of specialized educational institutions for the education, upbringing and treatment of children with physical or mental disabilities and who need lengthy treatment. Co-operation with family, school and community is of paramount importance in addressing, correcting and developing the deficiencies in children in need, with state support. The implementation of these requirements, that is, education and adaptation for children in need, requires specialized knowledge and deep knowledge of the physical and mental characteristics of a child with a disability. The education and training of mentally retarded children is one of the main tasks of a particular family and society. However, this problem has not been researched so far. A healthy generation is, first of all, the development of children physically and mentally healthy, spiritually, culturally and physically. However, the health, education and upbringing, social protection of children with disabilities for a variety of reasons depends on the state's policy in this regard, on the treatment of persons with disabilities who are excluded from society, and their families..

Since independence, Uzbekistan was one of the first CIS countries to draw attention to the issue of disability and in 1991 adopted the Law on Social Protection of Disabled People in the Republic of Uzbekistan, which is a model for

other republics to adopt such laws. In order to ensure the implementation of the provisions of the Law on Adaptation of the Environment to the Opportunities and Needs of the Disabled, the document "On Environmental Design with Disabilities Consideration" was adopted and our country was the leader among the CIS countries. The country has developed a State program for the rehabilitation of people with disabilities.

The basic principles of state policy in the field of social protection of persons with disabilities in Uzbekistan are based on the documents adopted in the world. First of all, it is the Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on November 20, 1989 and entered into force on October 2, 1990. It is known that Uzbekistan was one of the first countries to ratify this world-wide document.

Article 2 of the present Convention states that children shall be subjected to discrimination on the basis of race, race, color, sex, language, religion, political and other beliefs, regardless of their national, ethnic or social origin, material status, health, or other circumstances. should not be condemned. " Paragraph 23 of the Convention focuses on the rights of children with special needs, including emphasizing that a mentally or physically disabled child should live a full and decent life in a way that promotes his or her dignity, fosters self-confidence and facilitates community participation.

Another important document defining the social protection of persons with disabilities is the Law of the Republic of Uzbekistan "On protection of public health" of August 29, 1996. Adoption of new versions of the Law, adopted on April 15, 1999 and May 12, 2001, in accordance with the requirements of life, is a clear indication of the importance of the Government of the Republic to this issue. According to Article 6 of the Act, one of the functions of local authorities in the field of public health is the establishment and operation of institutions for rehabilitation of persons with disabilities. Article 22 of the Law, entitled "The Rights of Persons with Disabilities," makes clear the rights of persons with disabilities, including children with disabilities. They have the right to receive medical and social assistance, to receive all kinds of rehabilitation, medicines, prosthetic and orthopedic products, vehicles on preferential terms, as well as to undergo vocational training and retraining. Persons with disabilities have the right to free medical care and home-based care in facilities under state health, labor and social protection systems.

The state policy in the area of social protection of persons with disabilities in Uzbekistan is aimed at ensuring that persons with disabilities have the same rights and dignity as they do for their own rights.

There are all opportunities for education for children with disabilities. Regulatory and legal foundations of this issue have been created in the country. In this regard, the international document on the right of children with disabilities to education in Uzbekistan - the Education for All movement, adopted at the World Education Forum in Dakar (Senegal) on April 26-28, 2000, was the first to be ratified. The document states that education should be provided to all children in the world, including children from low-income families and those with disabilities. For this, priority should be given to the creation of safe, healthy, inclusive and resource-friendly learning environments.

The main law defining the legal basis of education in the Republic is the Law of the Republic of Uzbekistan "On Education" (August 29, 1997). The law provides a separate paragraph on the organization of education and training of people with disabilities. Paragraph 23 of this Law states that training, education, treatment, and rehabilitation of children and adolescents with physical or mental disabilities is carried out in specialized institutions. Children and adolescents are admitted to these institutions and released with the consent of their parents or other legal representatives, with the conclusion of the medical and psychological and pedagogical commission. Students of specialized educational institutions are partially or fully funded by the state.

A child with a disability can be sent to a special educational institution only with the consent of the parents. This will create the necessary legal basis for inclusive education.

The issues related to education and training of persons with disabilities are discussed in more detail in the Law on Social Protection of Persons with Disabilities in the Republic of Uzbekistan. Part IV of the Law, entitled "Education and Training of Disabled Persons", which consists of nine articles (19-27), provides guidance on how the issue should be addressed and how it should be implemented: providing access for persons with disabilities to education. (Article 19); preschool education of children with disabilities (Article 20); general secondary, specialized secondary and higher education of persons with disabilities (Article 21); home-based education and training of children with disabilities (Article 22); out-of-school education of children with disabilities (Article 23); education and

education of children with disabilities in inpatient facilities (Article 24); vocational training and training for persons with disabilities (Article 25); forms of education, training and skills development for persons with disabilities (Article 26). The last article 27 of the chapter, "Sign Language," recognizes the recognition of sign language as a means of interpersonal communication.

The law states that the state guarantees the necessary conditions for the education and training of persons with disabilities (Article 19). Public education authorities, in cooperation with health and social care authorities, should ensure pre-school and extra-curricular education of children with disabilities, vocational training of persons with disabilities, and their secondary, secondary special and higher education in accordance with individual rehabilitation programs.

Article 21 of the Law on Social Protection of Persons with Disabilities in the Republic of Uzbekistan addresses the implementation of general secondary, secondary special and higher education for persons with disabilities. It is envisaged that education of persons with disabilities should be provided in all educational institutions and, if necessary, in specialized educational institutions. At the same time, children with disabilities who undergo treatment in inpatient and preventive and rehabilitation institutions are not excluded from the education and are provided trainings.

Article 22 of the Act deals with the education and upbringing of children with disabilities at home. As shown here, education and upbringing work at home is possible when the education and upbringing of children with disabilities is not possible in general or special pre-school and school facilities, and with parental consent. Relevant educational institutions are obliged to assist parents with education for children with disabilities.

In order to ensure compliance with the requirements of this article, the Ministry of Public Education of the Republic of Uzbekistan has developed a special document - Home Education No. 159 for children with physical or mental developmental disabilities and who need long-term treatment. General guidelines for the organization of home education for the groups mentioned in the instructions (Chapter 1), the organization of home education (Chapter 2), and the rights and obligations of parents and legal representatives of children with disabilities in the organization of individual home education programs (chapter 2). Chapter 3) is detailed and explicit.

In addition, a child with a home-based learning disability needs other specialists in addition to teachers in various disciplines (speech therapist, defectologist, etc.), and if such specialists are not in school, the district departments of public education, the Center for Psycho-Pedagogical Diagnosis and Vocational Guidance. ", It is also stated that the district health departments need to find a specialist and attach it to a student.

In summary, the instruction set out the process of organizing home education of children with disabilities in detail, with the institutions responsible for organizing and overseeing them. However, there are a number of problems with these activities. First and foremost, many people who are in need of services under this document are unaware of the existence of such a document and its benefits. Secondly, there are not enough specialists to carry out such training. Third, training of such specialists is not perfect.

Education of children with disabilities of preschool and school age in special institutions is organized in accordance with the Regulation on the education of children and adolescents with mental and physical disabilities (approved by the order of the Ministry of Public Education of the Republic of Uzbekistan No. 47, March 4, 2005). The regulation specifies the organization of activities of correctional educational institutions, types of correction and training institutions, directions of education. According to the rules the following educational services are provided for children with special needs:

- Incomplete secondary education for mentally retarded children (9 years);
- General secondary education for children with complex disabilities (9 years);
- Primary education of children with mental retardation (5 years);

As is the case in other countries of the world, when it comes to children with deep intellectual disabilities, it is particularly difficult to involve children with such disabilities in general education. Currently, children aged 4 to 18 are mentally retarded and are brought up in Muruvvat homes with their parents or welfare agencies. The law does not provide any educational services for such a child. According to the home education directive, children with severe or severe mental disorders cannot receive education by inviting teachers to come home. Neither are they accepted by auxiliary schools. The new Law on Education should address this issue as well.

These issues are reflected in a number of laws and regulations adopted in accordance with the Constitution of the Republic of Uzbekistan. A number of articles of the Constitution (63, 64, 65, 66), paragraphs 6 and 41 of the State Program for Healthy Generation, Family Code (1998), Mother and Child Screening Program (1998), Child Rights Guarantees "(2008), State Program "Year of Social Protection "(2007), State Program "Year of Youth "(2009), State Program "Year of harmoniously developed generation "(2010) and many other documents. , Social Support, Adolescence, Vocational Education, Physical Education, Inclusive Education, Healthy Teaching Measures that give children a chance to demonstrate their abilities and capabilities are highlighted.

Thus, the state has done much to ensure that the right to education for children with mental or physical development is reflected in the legislation. The work in this direction is ongoing. And despite the unresolved issues, our country is confidently moving towards international standards in the realization of the right of children with disabilities to education.

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