

## IMPROVING THE ORGANIZATIONAL-LEGAL MECHANISM OF PUBLIC ADMINISTRATION EDUCATION OF PEOPLE WITH DISABILITIES

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*The theoretical question of improving the organizational-legal mechanism of public administration education of persons with disabilities. Based on the analysis, generalization and systematization of scientific sources highlights ways to improve this mechanism. Directions improve performance by adding government departments and reorganization of their functions. Outlined directions of improvement of the regulatory-legal framework for persons who wish to study for inclusive methods. Made in Article findings may be used in the theoretical study and practical development strategy for inclusive practices in education.*

**Key words:** public administration inclusion, inclusive space, inclusive education, children with special needs.

**Analysis of recent research and publications.** Widely investigate the problem of social integration of children with special needs abroad: F. Wood, D. Woodron, G. Grapple, D. Laueve, T. Keller, K. Kroft. During the last decade, domestic scientists, in particular V. Bondar, T. Yevtukhova, I. Ivanov, V. Lyashenko, L. Myskov, O. Stolyarenko, A. Shevchuk, O. Savchenko devote their research work on the problem of attracting children with special needs to study in general education institutions, their rehabilitation and socialization to social norms. Issues of inclusion, inclusive education and the peculiarities of the introduction of innovations in the context of inclusive education are violated in their writings by such scholars as: S. Yefimov, A. Kolupayev, Y. Nida, N. Sofiy, I. Yukhymets and others. Researchers of the topical problems of the system of training specialists in the context of public administration and state administration are engaged by such researchers as E. Astakhov, Y. Bolybash, V. Grabovsky, D. Karamyshev, O. Obolensky, V. Kremen, V. Kukhareenko, V. Lugovyi, T. Lukina, V. Lunyachek, V. Melnikov, P. Petrovsky, S. Seryogin and others.

**Selection of previously unsettled parts of the general problem.** Different aspects of the organization of training for people with special needs, in particular in the process of inclusiveness, are presented in the scientific works of domestic and foreign specialists, but at the same time the study of public administration by its own inclusive education has not been studied sufficiently and requires in-depth elaboration in issues of improving the mechanisms of public administration, through the processes of interaction between the authorities and educators for building a humane process of education of people with special needs within inclusive education at the regional level.

**The purpose of the article.** The main purpose of this work is to develop, on the basis of theoretical generalizations and analysis of the practice of public administration in the field of education of people with special needs, ways of improving it at the regional level in Ukraine.

**Presenting main material.** For the effective functioning of inclusive education, it is necessary to develop mechanisms for the organization and implementation of inclusiveness in public education management, taking into account the social infrastructure of Ukraine. In the current regulatory framework of Ukraine, the issue of families with children with special needs is devoted to various codes, decrees and laws. These documents regulate issues of pensions, rehabilitation and education of children with special needs. Analyzing the current legislation of Ukraine, we observe that the issues of the rights of people with special needs in the Laws of Ukraine "On the Rehabilitation of Disabled Persons in Ukraine", "On the Basics of Social Protection of Disabled Persons in Ukraine" are reflected more to the post-Soviet approaches to the education of people with special needs, where the training is foremost in special general-education boarding schools that are isolated from the general education system.

The main problem of the legislative provisions on education of people with special needs in Ukraine is the lack of mechanisms of state administration that would ensure their implementation. The Law of Ukraine "On Amendments to Legislative Acts on General Secondary and Preschool Education Regarding the Organization of the Educational Process" dated July 6, 2010 No. 2442-VI is today the only one that mentions inclusive classes for the creation of optimal conditions for the training of individuals with special needs. However, the Law on Inclusive Education is superficial, since it does not foresee any changes or improvements in legislation in this direction, as evidenced by the dismissal by the Verkhovna Rada in January 2011 of the draft Law of Ukraine on the Education of Persons Who Need to Correction Physical and (or) mental development (special education). Although there are a number of acts that are concentrated in the acts of the Cabinet of Ministers of Ukraine and especially in the documents of the specially

authorized central executive body in the field of education, which regulate the problems of education of people with special needs. But due to the lack of mechanisms for public administration in education, there are no specific goals and criteria for effectiveness, and planned actions do not have an integrated approach.

The regulation of the legislative framework of Ukraine regarding the provision of people with special needs with the right to education and full integration into society is being improved and closer to the European standards. Creation of an inclusive educational space is conditioned by the fact that the Verkhovna Rada of Ukraine ratified the provisions of a number of international documents. Accordingly, there is a need to amend the Laws of Ukraine "On Education", "On Pre-School Education", "On General Secondary Education", "On Extracurricular Education" regarding the basic principles, guarantees and standards of education of children with special needs, based on the provisions of the UN Convention On the Rights of Persons with Disabilities, the UN Convention on the Rights of the Child, Resolution No. 48/96 of the General Assembly of the United Nations "Standard Rules for Equal Opportunities for the Disabled" [56; 124; 127; 138; 158]. At the same time, it is necessary to synchronize the provisions of the Laws of Ukraine "On Fundamentals of Social Protection of Disabled Persons in Ukraine" and "On the Rehabilitation of the Disabled in Ukraine" [144] with the requirements of the said acts of international law, and to adopt a separate legislative act on education for children with special needs, in which consolidated all norms and regulations concerning the full integration of people with special needs into society, creation of conditions for education at all its levels from preschool, school to higher educational institutions, provision of work, to create a smooth environment for such persons.

The very process of creating the conditions for the introduction of inclusive education is realized through the executive authorities, where the Cabinet of Ministers of Ukraine acts as the leading subject of the implementation of inclusive education, and the central executive body is the Ministry of Education and Science of Ukraine (hereinafter – the Ministry of Education and Science of Ukraine) whose main task is to ensure the formation and the implementation of public administration in the spheres of education and science, intellectual property, scientific, scientific and technical and innovation activities, informatization, formation and using national electronic information resources, creating conditions for the development of the information society, as well as in state supervision over the activities of educational institutions regardless of their subordination and ownership.

So the Ministry of Education and Science of Ukraine adopted a number of documents. In particular: Order No. 1153 "On Measures of the Ministry of Education and Science for the fulfillment of tasks specified in the Resolution of the Cabinet of Ministers of Ukraine dated December 3, 2009 No. 1482-p.", "On Approval of the Plan of Measures for the Implementation of Inclusive and Integrated Education at General Education Institutions for the Period until 2012", in the "Regulation on Special Classes for Children with Special Educational Needs in General Educational Institutions" approved by the Decree of the Ministry of Education and Science of Ukraine of December 9 2010 № 1224 refers to the organizational and methodological principles of the educational process of children with special needs in special classes of general educational institutions. However, the impact on the formation of an inclusive environment in Ukraine through the MES is very limited due to the lack of clearly defined powers, therefore the scope of its powers should be extended, namely, the powers related to the normative-legal, material and technical provision of inclusive education, as well as the provision of MES Ukraine in this area of control and supervision powers. In the Department of General Secondary and Preschool Education, which operates within the structure of the Ministry of Education and Science of Ukraine, it is important to facilitate the coordination of the implementation and normative and legal regulation of inclusive education in preschool and general educational institutions, and it is also considered necessary to create a new structural unit whose authority will be the implementation of inclusive education at all its levels – Department of inclusive education of Ukraine. The main task of this structural unit will be to determine the directions of public administration in the field of education to ensure the constitutional rights and state guarantees for children with special needs, namely, the implementation of complex rehabilitation of such children, their acquisition of domestic and social skills, the development of abilities, the implementation of international practice to increase the number secondary education institutions with inclusive education.

The Ministry of Social Policy of Ukraine is a state executive body whose main task is to establish and implement a state policy in the field of providing social services to socially vulnerable groups of the population, respectively, and to persons with special needs and to formulate state policy on ensuring state social standards and state social guarantees for the population, and It is also the main body in the system of executive bodies for the formation and implementation of

public administration in the field of labor relations, that is, they are responsible for the training and retraining of specialists. And for the provision of education and upbringing of children with special needs, well-trained specialists are needed, and although the main tasks of the Ministry of Social Policy do not include tasks directly related to the implementation of inclusive education in Ukraine, in the activity of the ministry, however, it is tangible to the problems of people with special needs, which necessitates the expansion of the tasks of the Ministry of Social Policy of Ukraine, giving them the authority to exercise control and supervisory powers in the field of public administration in ensuring the implementation of inclusive Education in Ukraine.

In accordance with the principles of inclusiveness, persons with special needs must be provided with medical and psychological support. The main body in the system of central bodies of executive power is the Ministry of Health of Ukraine, whose main task is to form and ensure the implementation of public administration in the field of health care. Among the main competencies of the Ministry of Health of Ukraine there are no such issues as those concerning the implementation of inclusive education in Ukraine. Therefore, the authorities of the Ministry of Health of Ukraine need to be supplemented with tasks for the organization of medical care for children with special educational needs and include the implementation of control and supervision measures for medical care of the above category of persons. Ministry of Health of Ukraine in their work to ensure the rights of persons with disabilities to integrate people with disabilities into society should provide hospitals with innovative technologies for early diagnosis of children that will establish the psychophysical deviations and subject to the provision of quality rehabilitation of these children prevent concomitant somatic pathology. The lack of qualified medical personnel in complex rehabilitation provided to persons with disabilities makes it necessary to create complex mechanisms of governance, which would provide training to medical professionals in the field of rehabilitation in accordance with modern European standards and creating a consistent phased work with families of children.

The Ministry of Information Policy of Ukraine acts as an important body of state administration in the field of implementation of the ideas of inclusion, since it is intended to promote the change of public stereotypes and perceptions about persons with special needs. His task is to create different formats of social advertising in order to overcome stereotypes and assimilate the "masses" of society, because of the lack of interest in the creation

of an inclusive society, the attention of the public is not sufficiently high on the vital achievements and talents of people with special needs, their uniqueness, their significance for our well-being. Therefore, it is appropriate to expand the authority of the ministry, which provides for targeted policies to address the problems of people with special needs through social advertising, brochures, booklets, billboards, the establishment of enhanced control, and the objectivity of information on inclusive education. The Ministry of Information Policy of Ukraine, in the course of its activities, is not only appropriate to form a hostile attitude towards people with special needs, but to show them from the standpoint of partners.

The next integral part in the implementation of inclusive education is the implementation of individuals with special needs of creative intellectual abilities. Therefore, the Ministry of Family, Youth and Sport will focus its activities on accessibility for children with special needs of competitions, competitions, tournaments, exhibitions, festivals of creativity, conferences, forums organized by them. The authority of the ministry is responsible for the development of a network of out-of-school institutions. Ensuring the accessibility of out-of-school education for children with special needs will ensure the needs of children for knowledge and creativity, satisfaction and development of their interests and abilities, will positively influence the formation of world outlook and value orientation systems, and will accelerate the socialization of children with special needs. According to the head of the Ukrainian Greek Catholic Church Svyatoslav Shevchuk, the significance of the institution of the family today is leveled: "Today, from 60% to 90% of couples in some regions disintegrate during the first five years. About 70% of children grow without a family. Tomorrow these children will not be able to create a full family. We fall into a vicious circle of human weakness, loss of foundations in society "[1]. Therefore, the Ministry of Family, Youth and Sports has its activities in relation to measures for the social and legal protection of children with special educational needs, social and psychological rehabilitation; the creation of legal economic and social conditions for the functioning and strengthening of families, especially families, where a child with special needs education needs to be deployed more actively and effectively.

The introduction of inclusive education involves not only the provision of educational rights for people with special needs, but also their full integration into society. The process of integration is impossible without adjusting the infrastructure of the city, the country to the needs of people with special needs. So the Ministry of Regional

Development, Construction and Housing and Communal Services of Ukraine has already made some efforts to implement the UN Convention on the Rights of Persons with Special Needs in the field of accessibility of the environment and universal design. In particular, a number of normative documents were adopted that ensure the implementation of their rights to people with special needs. But due to the lack of mechanisms for implementation and quality control, compliance with the requirements of the current legislation is not ensured, and the environment remains inaccessible and barrier. Although the creation of a universal design is a long-term project and requires financial resources. Given the well-established strategy and compliance with European standards in public administration, the universal design will be useful to all strata of society.

The next state executive body, acting as the subject of inclusive education in Ukraine, is the local state administration. Among the powers and functions of local state administrations, which are defined in the Law of Ukraine "On Local State Administrations", there are no issues related to the implementation of inclusive education in Ukraine. Only in Clause 4 Part 1 of Art. 23 defined the authority in the field of social security and social protection of the population, which states that the local state administration promotes people with special educational needs. However, the Law does not specify the mechanisms of public administration that the local state administration would carry out such activities. Taking into account that local state administrations implement state policy in the field of education at the local level, it is important to define legislation, their powers and functions regarding the implementation of inclusive education in Ukraine. After all, local state administrations, within the limits defined by the Constitution and laws of Ukraine, carry out state control in the respective territories, in compliance with the legislation on the education of youth and minors. Also, the local state administration carries out the financing of educational institutions and organizations, for the construction, expansion, reconstruction, repair and maintenance of educational institutions. Therefore, it is appropriate to make the following changes to the Law of Ukraine "On Local State Administrations", namely: in Part 1 of Art. 16 to add a new paragraph which will establish that local state administrations should exercise state control over ensuring the implementation of the right of persons with special needs for inclusive education; in clause 1, part 1, Article 22, be complemented with authority for the implementation of state administration in the field of inclusive education; in Clause 3 of Part 1 of Article 22 to supplement the powers of mate-

rial and financial provision of inclusive education institutions; in Clause 4 of Part 1 of Article 22 to supplement the powers with the preservation of institutions of inclusive education, as well as their extension.

Inclusion-related processes in Ukraine are difficult and quite slow. This is primarily due to the rejection of the society of people with special needs, including children. This is clearly distinguished from the local authorities of education, which is not always timely and properly communicated to the leaders, teachers of educational institutions content of legislative and regulatory acts. The lack of interest of the local state administration and the heads of educational institutions in the inclusive implementation is reflected in the lack of conditions for providing inclusive education due to inadequate funding and provision of material and technical and teaching and methodological resources. Also, a major problem is the low level of involvement of NGOs, the lack of pedagogical staff for working with children with special needs, the leveling of educational work among parents and children in educational institutions, all of which leads to a negative attitude of healthy children and their parents to "other" children. in class or group. Therefore, in the process of inclusive education, it is important for the local state administration to facilitate the organization of conferences, meetings, seminars, trainings, practical classes with pedagogues to provide information on the specifics of work with students with special needs. Create creative teams of teachers or interdisciplinary teams that would include a psychologist, a social teacher, class leaders who will increase the level of competence, and will acquire new skills to provide quality educational services for children with special needs. In the educational process, it is necessary to use innovative technical means for the effective mastering of the curriculum, facilitating the communication and mobility of the educational process of children with special needs, accordingly, the school leadership in cooperation with the local authorities should take care of their acquisition. It is necessary to involve the medical-psychological service for conducting social pedagogical work with the parents of children with peculiarities of psychophysical development, involving parents in group and collective forms of work, such as practical seminars, lectures-presentations, consultations, and diagnostics and correction of the socio-psychological state. children with special needs, with the subsequent mandatory provision of this information to class teachers and teachers. Such cooperation is important as parents do not always know how to transfer socially disadvantaged children to knowledge, sometimes – how

to deal with a child, cooperation with parents will ensure the maximum realization of the potential of the child with special needs and will promote the protection of their rights to education in the same way as all other children.

Having followed the processes of introduction of inclusive education in Ukraine by the state administration, various problems emerged on the way of inclusion due to non-elaboration of legislation. But despite the shortcomings, the regulatory framework for inclusive education in Ukraine continues to evolve among the latest documents on the development of inclusive education in Ukraine, there is a letter from the Ministry of Education and Science, Youth and Sport of Ukraine dated April 2, 2012 No. 1 / 9-245 "On receipt of the document on education for pupils with special needs of general educational institutions" and from 18.05.2012 № 1 / 9-384 "On the organization of inclusive education in general educational institutions", which accompanies the instructions-methodological letter "Organization of educational-yhovnoho process in inclusive education". The instructional and methodological sheet was developed with the purpose of intro-

ducing the Procedure for the organization of inclusive education in general educational institutions where guidance is given on the implementation of individual development programs, individual curricula, individual curricula and the application of certain methods for assessing pupils with special needs.

**Conclusions and suggestions.** Therefore, ensuring the qualitative functioning of inclusive education and integration of people with special needs into society requires the cooperation of subjects and objects of the inclusive educational space, which envisages mutual improvement, mutual enrichment of these parties, deepening of the desirable qualities, achievement of the expected adaptation and socialization of people with special needs and improvement of socially useful affairs and conditions of life.

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