

**LAW
OF THE REPUBLIC OF BELARUS**

**ON EDUCATION
OF PERSONS WITH PECULIAR
PSYCHOPHYSICAL DEVELOPMENT
(SPECIAL EDUCATION)**

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OF PERSONS WITH PECULIAR
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Passed by the House of Representatives
Approved by the Council of the Republic

on April 7, 2004
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This Law determines the legal, economic, social, and organizational basis of special education, and is aimed at creation of necessary conditions for getting education by persons with peculiar psychophysical development, as well as for social adaptation and integration of such persons into the society.

Part 1

GENERAL PROVISIONS

Article 1. Main Terms and Their Definitions

1. In this Law the following main terms and their definitions are used:
 - 1.1. *special education* means a process of education and training of persons with peculiar psychophysical development, including special conditions for getting appropriate education, rendering correction assistance, social adaptation and integration of such persons into the society;
 - 1.2. *a person with peculiar psychophysical development* means a person who has physical and/or mental abnormalities that prevent from getting education without providing for special conditions;
 - 1.3. *a child with peculiar psychophysical development* means a person with peculiar psychophysical development at the age under 18;
 - 1.4. *physical and/or mental abnormalities* mean abnormalities that restrict social activities and have been confirmed in accordance with the procedures established by the legislation;
 - 1.5. *multiple physical and/or mental abnormalities* mean two or more physical and/or mental abnormalities confirmed in accordance with the procedures established by the legislation;
 - 1.6. *serious physical and/or mental abnormalities* mean physical and/or mental abnormalities confirmed in accordance with the procedures established by the legislation, and marked to such an extent that getting education in accordance with the educational standards (special ones including) is beyond their abilities; and educational capability is restricted by gaining basic knowledge of outward things, skills of self-service, acquiring elementary habits of work and elementary vocational training;
 - 1.7. *early complex aid* means a system of measures which includes identification, examination, correction of physical and/or mental abnormalities, individualized education of a child with peculiar psychophysical development at the age under three years subject to psychological, medical and pedagogical support in the family, educational establishments and health institutions;
 - 1.8. *correction of physical and/or mental abnormalities* means a system of psychological and pedagogical, and medical and social measures aimed at correction or weakening of physical and/or mental abnormalities;
 - 1.9. *psychological, medical and pedagogical examination* means study (using special methods and techniques) of individual peculiarities of a child's individuality, development of his/her cognitive, emotional and volitional spheres, potentials, and state of health with the aim to determine special conditions for getting education;
 - 1.10. *special conditions for getting education* mean conditions of education and training, including special curricula and training techniques, individual technical training aids, special textbooks and manuals, adapted environment for vital activity, as well as pedagogical, medical, social and other types of assistance absence of which makes mastering respective curricula by the persons with peculiar psychophysical development impossible or difficult;

- 1.11. *general type educational establishment* means the educational establishment set up for education and training of persons who have not got any physical and/or mental abnormalities, preventing from getting education without creating special conditions;
 - 1.12. *integrated education and training* means arrangement for special education, when education and training of persons with peculiar psychophysical development is carried out in the general type educational establishments that have created special conditions for stay of such persons and getting education by them;
 - 1.13. *special educational establishment* means the educational establishment set up for education and training of persons with peculiar psychophysical development;
 - 1.14. *education at home* means arrangement for special education, when mastering certain curricula by persons with peculiar psychophysical development, who do not visit any educational establishment temporarily or perennially due to the state of their health, is carried out at home.
2. Definitions of other terms shall be included in separate Articles of this Law.

Article 2. Legislation of the Republic of Belarus on Special Education

1. Legislation of the Republic of Belarus on Special Education shall be based on the Constitution of the Republic of Belarus and shall include the Law of the Republic of Belarus “On Education” dated October 29, 1991 (Bulletin of the Supreme Council of the Republic of Belarus, 1991, No. 33, p. 598; National Register of Legal Acts of the Republic of Belarus, 2002, No. 37, 2/844), this Law and other legislative acts.
2. Should other rules be laid down by any international agreement of the Republic of Belarus which differ from the rules contained in this Law, the rules laid down by such international agreement shall be applied.

Article 3. Goals of Special Education

The goals of special education are as follows:

- exercising by persons with peculiar psychophysical development of their rights to education and correction assistance through ensuring their accessibility and creation of special conditions for the same;
- social adaptation and integration of the mentioned persons into the society, including acquisition of self-service skills, training for labour and vocational activities, family life.

Article 4. Governmental Policy in the Field of Special Education

1. Governmental policy in the field of special education shall be aimed at:
 - 1.1. creation of favourable legal, economic, social and organizational conditions for exercising by persons with peculiar psychophysical development of their rights to education;
 - 1.2. development of system of special education;
 - 1.3. ensuring conditions under which persons with peculiar psychophysical development can get education in accordance with their state of health and cognitive abilities in all levels of basic education;
 - 1.4. creation of conditions for timely identification of children with peculiar psychophysical development, rendering them early complex and correction-pedagogical assistance;
 - 1.5. creation of conditions for development of integrated education and training;
 - 1.6. social and psychological support of families that bring up children with peculiar psychophysical development.
2. Organizational basis of carrying out governmental policy in the field of special education shall be formed with the governmental special education development programs. The governmental special education development programs for persons with peculiar psychophysical development shall be elaborated by the empowered governmental authorities together with the attracted non-governmental organizations (associations) at least once in ten years and shall be approved by the Government of the Republic of Belarus.

Article 5. Rights of Persons with Peculiar Psychophysical Development to Education

1. Persons with peculiar psychophysical development have the right to education in accordance with their cognitive abilities in the educational environment which is adequate to their state of health.
2. Rights of persons with peculiar psychophysical development to special education shall be exercised on the basis of the decision made by the governmental Correction and Development Training and Rehabilitation Center in respect of a child, and opinion of the medical and rehabilitation commission in respect of an adult, except when otherwise is provided for by this Law or other legislative acts.

Article 6. International Cooperation in the Field of Special Education

1. International cooperation in the field of special education shall be carried out within the framework of international agreements of the Republic of Belarus, international and national projects and programs in the field of education, as well as agreements of natural persons and legal entities carrying out their activities in the field of special education – entered into with international organizations, foreign natural persons and legal entities.
2. Foreign natural persons and legal entities carrying out their activities in the field of special education shall realize international cooperation through:
 - 2.1. establishing contacts with international organizations, natural persons and legal entities carrying out their activities in the field of special education, including training of specialists, sharing teaching technologies, curricula interchange, sharing experience of organization of such special education;
 - 2.2. invitation of specialists from foreign states for participation in pedagogical, psychological, medical, research activities in the field of special education;
 - 2.3. sending specialists to foreign states with a view to carry out pedagogical, psychological, medical, research activities in the field of special education;
 - 2.4. carrying out – together with international organizations, foreign natural persons and legal entities or by their request – investigation in the field of special education, in accordance with the procedure established by the legislation;
 - 2.5. organization of and participation in international congresses, conferences, symposia, as well as in the work of international organizations and associations;
 - 2.6. carrying out foreign economic activities aimed at performance of tasks specified by this Law, and at development of international contacts in conformity with the legislation.

Part 2

SPECIAL EDUCATION SYSTEM

Article 7. Structure of the Special Education System

1. Special education system includes the following:
 - 1.1. participants of the educational process;
 - 1.2. educational standards, and curricula and syllabus elaborated on their basis;
 - 1.3. establishments that ensure special education; scientific and methodological, and other organizations that ensure efficient functioning of such special education system;
 - 1.4. Republican governmental authorities and local executive and administrative bodies within their terms of reference related to special education sphere.
2. Special education may be implemented in the following levels of basic education:
 - 2.1. pre-school education;
 - 2.2. general basic education;
 - 2.3. general secondary education;
 - 2.4. vocational education;
 - 2.5. specialized secondary education;
 - 2.6. higher education;

2.7. post-graduate education.

3. Special education may be implemented in the course of additional education (including extracurricular education and training), raising the level of skills and retraining of the personnel.

Article 8. Educational Standards for Special Education

1. Educational standards for special education shall specify mandatory minimum contents of special education, optimum academic load, apprenticeship depending on the type of an educational establishment with reference to different categories of persons with peculiar psychophysical development; include requirements to the graduating students' training level taking into account their social adaptation, and to documents of education.

2. Educational standards for special education shall be elaborated by the Ministry of Education of the Republic of Belarus together with other republican governmental authorities. Other interested public bodies (organizations), non-governmental organizations (associations) may also participate in elaboration of educational standards for special education.

3. Procedure of elaboration and approval of educational standards for special education shall be specified by the Government of the Republic of Belarus.

Article 9. Scientific and Methodological Support of Special Education System

1. Scientific and methodological support of the special education system includes textbooks, manuals, methodological teaching facilities, training aids, tests and educational technologies, methodological-teaching and information-analytical materials.

2. Institutions, structural units that carry out scientific and methodological support of the special education system, and their functions shall be specified by the Ministry of Education of the Republic of Belarus.

Article 10. Forms of Special Education

1. Special education of persons with peculiar psychophysical development shall be carried out taking into account their needs and abilities, in the form of respective basic educational level as well as additional education.

2. Combination of different forms of education as well as education according to individual syllabus shall be permitted for persons with peculiar psychophysical development.

Article 11. Procedure of Admission to Educational Establishments, Move, and Final Certification of Persons with Peculiar Psychophysical Development, their Employment and Patronage

1. Admission of persons with peculiar psychophysical development to the establishments ensuring special education in the pre-school, general basic, general secondary educational levels shall be carried out by consent of their lawful representatives on the basis of decision made by the governmental Correction and Development Training and Rehabilitation Center.

2. Admission of persons with peculiar psychophysical development to the establishments ensuring vocational, specialized secondary, higher and post-graduate education shall be carried out in conformity with the rules of admission approved according to the procedures established by the legislation, taking into account the List of Indications and Counter-Indications related to occupations and professions as approved by the Ministry of Health of the Republic of Belarus.

3. When admitting persons with peculiar psychophysical development to the establishments ensuring vocational, specialized secondary, higher and post-graduate education, special conditions for passing entrance examinations shall be created (deaf-and-dumb translation/interpretation, use of technical

social rehabilitation aids, etc.). Such conditions created for the persons with peculiar psychophysical development shall be preserved during centralized testing.

4. Move of children with peculiar psychophysical development from one establishment ensuring special education in the pre-school, general basic, general secondary educational levels to another educational establishment of the appropriate level shall be carried out by consent of their lawful representatives on the basis of decision made by the governmental Correction and Development Training and Rehabilitation Center and in agreement with the local executive and administrative body located in the same district with the admitting educational establishment, in accordance with the procedures established by the Ministry of Education of the Republic of Belarus.
5. Move of persons with peculiar psychophysical development from one establishment ensuring vocational and specialized secondary education to another educational establishment of the appropriate level shall be carried out by their own consent and in agreement with the local executive and administrative body located in the same district with the admitting educational establishment, in accordance with the procedures established by the Ministry of Education of the Republic of Belarus.
6. Should the establishment ensuring specialized education cease its functioning, its founder shall move persons with peculiar psychophysical development to another educational establishment of the appropriate level, in accordance with the procedures established by the legislation.
7. Procedures and features of final certification of persons with peculiar psychophysical development, who have mastered appropriate curricula in a respective educational level, and procedures and features of giving qualification and issue of documents of education shall be specified by the Ministry of Education of the Republic of Belarus.
8. Local executive and administrative bodies, together with the educational establishments, shall take appropriate measures to employment of persons with peculiar psychophysical development.
9. Educational establishments shall provide for patronage of persons with peculiar psychophysical development within two years after their graduation from such educational establishments. Contents and procedure of patronage shall be specified by the Ministry of Education of the Republic of Belarus.

Part 3

PARTICIPANTS OF EDUCATIONAL PROCESS, THEIR RIGHTS AND OBLIGATIONS

Article 12. Participants of Educational Process

Participants of educational process in the field of special education include the following:

- pupils and trainees with peculiar psychophysical development;
- legal representatives of persons with peculiar psychophysical development;
- specialists and other workers carrying out activities in the field of special education.

Article 13. Rights and Obligations of the Trainees and Pupils with Peculiar Psychophysical Development

1. Pupils and trainees with peculiar psychophysical development shall be entitled to:
 - 1.1. free pre-school, general basic, general secondary, vocational education in accordance with their cognitive abilities – in the governmental establishments ensuring special education, as well as specialized secondary or higher education – on competitive basis;
 - 1.2. choose any educational establishment depending on their state of health and taking into account recommendations of the governmental Correction and Development Training and Rehabilitation Center;

- 1.3. free psychological, medical and pedagogical examination carried out in the governmental Correction and Development Training and Rehabilitation Centers;
 - 1.4. free psychological, medical and pedagogical correction of physical and/or psychological abnormalities in the governmental establishments ensuring special education;
 - 1.5. creation of special conditions for getting education making account of existing peculiarities of psychophysical development;
 - 1.6. education according to individual curricula and syllabus;
 - 1.7. transport to the educational establishments by specially equipped transport facilities. Procedures for transportation arrangement shall be specified by the Government of the Republic of Belarus or any body authorized by the Government;
 - 1.8. free use of textbooks and manuals;
 - 1.9. remote education. Conditions and procedure of arrangement for remote education shall be specified by the Government of the Republic of Belarus or any body authorized by the Government.
2. Pupils and trainees with peculiar psychophysical development shall undertake to:
 - 2.1. meet the requirements of curricula and syllabus;
 - 2.2. keep within the bylaws and house-rules of any respective educational establishment.
 3. Other rights and obligations granted to the trainees and pupils with peculiar psychophysical development in the field of special education shall be specified by the legislation as well as by the bylaws of the educational establishment ensuring special education.

Article 14. Rights and Obligations of Legal Representatives of Persons with Peculiar Psychophysical Development

1. Legal representatives of persons with peculiar psychophysical development shall be entitled to:
 - 1.1. receive complete and reliable information on the types, methods and course of psychological, medical and pedagogical examination of a child with peculiar psychophysical development, and on its results;
 - 1.2. be present at psychological, medical and pedagogical examination of a child with peculiar psychophysical development carried out in the governmental Correction and Development Training and Rehabilitation Center, discuss the results of such examination;
 - 1.3. revision of the decision made by the governmental Correction and Development Training and Rehabilitation Center, in accordance with the procedure established by this Law;
 - 1.4. choose any educational establishment, form of getting special education, taking into account recommendations of the governmental Correction and Development Training and Rehabilitation Center;
 - 1.5. participate in elaboration and implementation of individual educational curricula and corrective programs, be present at studies and correctional lessons;
 - 1.6. be rendered advice, and visit studies organized by any educational establishment in order to gain special knowledge in the field of education and training of persons with peculiar psychophysical development.
2. Legal representatives of persons with peculiar psychophysical development shall undertake to create special conditions for development, training and upbringing, and education of persons with peculiar psychophysical development in accordance with their cognitive abilities, as well as for strengthening their health, their social adaptation and integration into the society.
3. Other rights and obligations of legal representatives of persons with peculiar psychophysical development in the field of special education shall be specified by the legislation.

Article 15. Specialists and other Workers who Work in the Field of Special Education

1. Educational specialists who carry out their activities in the field of special education must have special vocational pedagogical training. Qualifying requirements made of educational specialists shall be set forth in their job descriptions approved in accordance with the procedure established by the legislation.

2. Medical specialists who carry out their activities in the field of special education shall get special medical training. Qualifying requirements made of medical specialists shall be set forth in their job descriptions approved in accordance with the procedure established by the legislation.
3. Assistant teachers and other workers shall render assistance for arrangement of the educational and training process for persons with peculiar psychophysical development. Qualifying requirements made of assistant teachers and other workers shall be set forth in their job descriptions approved in accordance with the procedure established by the legislation.

Article 16. Rights and Obligations of Specialists and Other Workers in the Field of Special Education

1. Specialists and other workers who carry out their activities in the field of special education are entitled to:
 - 1.1. raise the level of their skills according to procedure established by the legislation;
 - 1.2. rate (salary) increase depending on types and kinds of educational establishments, and of complexity of executed work, on conditions and according to the procedure established by the Government of the Republic of Belarus.
2. Specialists and other workers who carry out their activities in the field of special education undertake to:
 - 2.1. carry out educational activities maintaining special conditions necessary for education and training of persons with peculiar psychophysical development;
 - 2.2. carry out their activities adhering strictly to the rights of persons with peculiar psychophysical development, and maintaining humane treatment of them;
 - 2.3. carry out their activities in interaction with the health organizations.
3. Other rights and obligations of specialists and other workers who carry out their activities in the field of special education shall be specified by the legislation, statutes of respective educational establishments, job descriptions.

Part 4

ORGANIZATION OF SPECIAL EDUCATION. ESTABLISHMENT ENSURING SPECIAL EDUCATION

Article 17. Organization of Special Education

Special education shall be organized by:

- establishments ensuring special education;
- at home;
- health organizations;
- social security institutions.

Article 18. Establishment Ensuring Special Education

Establishment ensuring special education include:

- special educational establishments;
- general type educational establishments that have created conditions for education of persons with peculiar psychophysical development.

Article 19. Special Educational Establishments

1. Special educational establishments include:
 - 1.1. pre-school special institutions;
 - 1.2. special general schools (boarding schools);

- 1.3. subsidiary schools (boarding schools);
 - 1.4. correction and development training and rehabilitation centers;
 - 1.5. other special educational establishments.
2. Special educational establishments shall be created subject to physical and/or mental disorders for the following persons:
 - 2.1. with intellectual inadequacy;
 - 2.2. with abnormalities of speech;
 - 2.3. with abnormalities of hearing;
 - 2.4. with abnormalities of sight;
 - 2.5. with abnormalities of mental development (difficulty of education);
 - 2.6. with abnormalities of locomotor apparatus;
 - 2.7. with serious and/or multiple physical and mental abnormalities.
 3. Special educational establishment may be governmental and private.
 4. Any special educational establishment is a legal entity and carries out its activities on the basis of its Bylaws approved by the founder in accordance with the legislation.
 5. Special educational establishment shall undergo certification and state accreditation in accordance with the procedure established by the legislation.
 6. Licensing of the activities of special educational establishments shall be carried out in accordance with the procedure established by the legislation.
 7. Procedure of formation and functioning of special educational establishments mentioned in paragraph 1 of this Article shall be specified by the Ministry of Education of the Republic of Belarus.

Article 20. General Type Educational Establishments for getting Education by Persons with Peculiar Psychophysical Development

1. General type educational establishments shall create conditions for integrated education and training of persons with peculiar psychophysical development taking into account their physical and/or mental abnormalities.
2. General type educational establishments that have created conditions for integrated education and training of persons with peculiar psychophysical development shall open:
 - 2.1. special classes (groups);
 - 2.2. integrated (joint) education and training classes (groups);
 - 2.3. correctional and pedagogical aid posts;
 - 2.4. centers of professional and social rehabilitation in the establishments ensuring vocational education.
3. Special classes (groups) for persons with peculiar psychophysical development may be formed in the establishments ensuring pre-school, general basic, general secondary and vocational education. Persons who have physical and/or mental abnormalities (disorders) shall be taken in such special classes (groups).
4. Integrated (joint) education and training classes (groups) may be formed in the general type establishments in all levels of basic education for co-education of persons with peculiar psychophysical development and persons who have not got any physical and/or mental disorders.
5. Correctional and pedagogical aid posts may be created in the establishments ensuring pre-school, general basic, general secondary education, for rendering timely qualified correctional and pedagogical help to children with peculiar psychophysical development who have eternal or temporary difficulty in mastering the curricula.

6. Centers of professional and social rehabilitation may be created in the institutions ensuring vocational education and perform the function of ensuring vocational and specialized secondary education, vocational training of persons with peculiar psychophysical development in accordance with their cognitive abilities, as well as ensure conditions for rendering necessary correctional and rehabilitation help to persons with peculiar psychophysical development, occupational orientation and social adaptation of the trainees and their subsequent integration into the society.
7. The number of persons with peculiar psychophysical development in the general type educational establishments that have created conditions for staying and education of such persons with peculiar psychophysical development shall not be more than 20 % of the total number of students.
8. Procedure of opening and functioning of special classes (groups), integrated (joint) education and training classes (groups), correctional and pedagogical aid posts, centers of professional and social rehabilitation shall be specified by the Ministry of Education of the Republic of Belarus.

Article 21. Special Preschool Institutions

Special pre-school institutions shall be opened for education and training of children with peculiar psychophysical development and ensure pre-school education, correction of physical and/or mental disorders, formation of a personality, training for getting education in the next level.

Article 22. Special General Secondary Schools (Boarding Schools)

1. Special general secondary schools (boarding schools) shall be opened for education and training of students with abnormalities of speech, hearing, sight, mental development (difficulty of education), locomotor apparatus, and ensure their general basic and general secondary education.
2. Procedure and particulars of getting general basic and general secondary education by persons mentioned in paragraph 1 of this Article shall be specified by the Ministry of Education of the Republic of Belarus.

Article 23. Subsidiary schools (boarding schools)

1. Subsidiary schools (boarding schools) shall be created for education and training, correction of physical and/or mental abnormalities, and social adaptation of the trainees who have intellectual inadequacy (mental deficiency).
2. Subsidiary schools (boarding schools) shall ensure special education in accordance with the students' cognitive abilities.
3. Procedure and particulars of getting education in the general basic educational level by persons mentioned in paragraph 1 of this Article shall be specified by the Ministry of Education of the Republic of Belarus.

Article 24. Correction and Development Training and Rehabilitation Centers. Psychological, Medical and Pedagogical Examination of Children with Peculiar Psychophysical Development

1. Correction and Development Training and Rehabilitation Centers are special educational establishments that provide for creation of a complex system for rendering psychological, medical and pedagogical help to persons with peculiar psychophysical development, and education of persons with serious and/or multiple physical and /or mental abnormalities; carry out diagnostic, pedagogical, correction and development, methodological, consulting, and informational-analytical activities.
2. Governmental Correction and Development Training and Rehabilitation Centers shall be established by the district (municipal), regional (of the Minsk region) executive and administrative bodies.

3. Governmental Correction and Development Training and Rehabilitation Centers may create rooms containing educational equipment, and deliver (in accordance with the procedure established by the legislation) computer equipment, training aids and other educational equipment for temporary use to persons with peculiar psychophysical development and, if necessary, to the establishments ensuring special education.
4. Psychological- medical- and pedagogical commission shall be formed in such governmental Correction and Development Training and Rehabilitation Centers with the aim to carry out psychological, medical and pedagogical examination of children with peculiar psychophysical development.
5. Such commission shall include specialists with higher psychological, pedagogical, medical education, who have been trained at special extension courses, which facts are subject to confirmation by appropriate standard-pattern documents of education. Such psychological- medical- and pedagogical commission shall be presided by the Manager of the Correction and Development Training and Rehabilitation Center who bears responsibility for the commission's activities.
6. Psychological medical and pedagogical examination shall be carried out by consent and in the presence of the legal representatives of children with peculiar psychophysical development, provided that their rights related to such examination have been explained.
7. Psychological- medical- and pedagogical commission, after collective discussion of the examination results shall make its decision, which includes rating of physical and/or mental abnormalities and recommendations concerning arrangement for the educational process for a child with peculiar psychophysical development.
8. Primary psychological medical and pedagogical examination of children with peculiar psychophysical development shall be carried out by the district (municipal) Correction and Development Training and Rehabilitation Center. In certain cases stipulated for by the legislation primary examination may be carried out in the regional (of the Minsk region) Correction and Development Training and Rehabilitation Center.
9. Should there be disagreement with the decision made by the district (municipal) Correction and Development Training and Rehabilitation Center, repeated examination of a child with peculiar psychophysical development shall be carried out upon application of his/her legal representatives in the regional (of the Minsk region) Correction and Development Training and Rehabilitation Center.
10. Should there be disagreement with the decision made by the regional (of the Minsk region) Correction and Development Training and Rehabilitation Center where the initial examination of a child was carried out, his/her repeated examination shall be carried out in another regional (of the Minsk region) Correction and Development Training and Rehabilitation Center upon application and at the option of the child's legal representatives.
11. Decisions made by regional (of the Minsk region) Correction and Development Training and Rehabilitation Centers on the basis of the results of such repeated examination may be appealed by the child's legal representatives in accordance with the procedure established by the legislation.
12. Should there exist any bedroom diagnosis with indications of obvious physical and/or mental abnormalities, the territorial health institutions shall send information on such child (by consent of his/her legal representatives) to the governmental Correction and Development Training and Rehabilitation Center for the purpose of rendering him/her correctional and pedagogical help in accordance with the procedure established by the legislation.

Article 25. Education at Home

1. For persons with peculiar psychophysical development who, due to medical indications, temporarily or eternally are unable to visit educational establishments, conditions shall be created for their at-

home education in the levels of pre-school, general basic, general secondary and vocational education,

2. List of indications to education at home, procedure of arranging at-home education shall be specified by the Ministry of Education of the Republic of Belarus as agreed with the Ministry of Health of the Republic of Belarus, Ministry of Labour and Social Security of the Republic of Belarus.
3. Decision on education at home shall be made by the Education Department (Service) of the local executive and administration body on the basis of applications filed by legal representatives of persons with peculiar psychophysical development, opinion of the medical and consulting commission and decision of the governmental Correction and Development Training and Rehabilitation Center – in the levels of pre-school, general basic, general secondary education; and opinion of the medical and rehabilitation commission – in the level of vocational education.
4. Education at home shall be arranged by an accredited educational establishment located in the same area where the trainee resides, or by the accredited educational establishment located in the area where the trainee has been trained prior to occurrence of medical indications to at-home education.

Article 26. Education in Health Institutions

1. For persons with peculiar psychophysical development, who undergo hospital treatment in the health institutions, conditions shall be created for their education in the levels of pre-school, general basic, general secondary and vocational education, according to the procedure established by the Ministry of Education of the Republic of Belarus as agreed with the Ministry of Health of the Republic of Belarus.
2. Decision on education of persons, who undergo hospital treatment in the health institutions, shall be made by the Health Department (Service) of the local executive and administration body on which territory such health institution is located, on the basis of information submitted by such health institution.
3. Education of persons, who undergo hospital treatment in the health institutions, shall be carried out by the respective accredited educational establishments located in the same district with such health institution.

Article 27. Education in Social Service Institutions

1. Social service institutions shall ensure getting special education by persons with peculiar psychophysical development admitted to such institutions.
2. Procedure of arrangement for special education of persons with peculiar psychophysical development in the social service institutions shall be specified by the Ministry of Labour and Social Security of the Republic of Belarus as agreed with the Ministry of Education of the Republic of Belarus and the Ministry of Health of the Republic of Belarus.

Part 5

EDUCATIONAL PROCESS

Article 28. Educational Process Arrangement

1. Arrangement for educational process in the establishments ensuring special education shall provide for creation of special conditions for education of persons with peculiar psychophysical development, including remote education using information and communication technologies, additional correctional and pedagogical assistance aimed at correction or overcoming of physical and/or mental abnormalities.

2. Educational process shall be carried out on the basis of appropriate syllabus and curricula using different forms of special education arrangement, training aids and methods taking into account specific character of physical and/or mental abnormalities.

Article 29. Special Education Syllabus and Curricula

1. Special education syllabus and curricula shall be elaborated on the basis of educational standards of respective basic education level, and educational standards of respective special education level.
2. Special education syllabus and curricula include:
 - 2.1. early complex assistance curriculum;
 - 2.2. correction study curriculum;
 - 2.3. special syllabus and curricula for children for whom education in accordance with any educational standards (special standards including) is beyond their abilities and all their educational capabilities are restricted by gaining rudimental knowledge of outward things, acquiring elementary labour skills.
3. Education according to special syllabus and curricula shall be carried out in special educational establishments, special classes (groups) of integrated (joint) education and training in the general type educational establishments that have created conditions for education of persons with peculiar psychophysical development.
4. Special syllabus and curricula shall be elaborated on the basis of standard syllabus of educational establishments that ensure pre-school, general basic, general secondary, and vocational education taking into account the nature of physical and/or mental abnormality of the respective category of persons with peculiar psychophysical development; and shall include a correctional component. Such special syllabus correctional component shall provide for correctional studies aimed at correction and compensation of physical and/or mental abnormalities.
5. Procedure of elaboration and approval of special education syllabus and curricula shall be specified by the Ministry of Education of the Republic of Belarus.

Article 30. Educational Process for Children under Three, with Peculiar Psychophysical Development

1. Educational process for children under three with peculiar psychophysical development shall be organized within the early complex assistance – in the family, health institutions, and educational establishments; it shall include identification of physical and/or mental abnormalities, recovery or compensation of broken organism's functions, prevention and/or elimination of activity restrictions, as well as development tracking, education of children with peculiar psychophysical development, advice to and training of their legal representatives in the methods of attendance and special assistance to such children in their families.
2. Particulars of arrangement for special education of children under three with peculiar psychophysical development shall be specified by the Ministry of Education of the Republic of Belarus and the Ministry of Health of the Republic of Belarus.

Article 31. Particulars of arrangement for Special Education of Certain Categories of Persons with Peculiar Psychophysical Development

1. Education of persons with abnormalities of sight shall be arranged using typhlo-technical aids, special equipment in compliance with hygiene and sanitary requirements to arrangement for educational process for the given category of persons. Education of the eyeless (the blind) shall be carried out on the basis of the Braille raised-point system; education of poor-sighted shall be carried out on the basis of the enlarged-print manuals.
2. Education of persons with abnormalities of hearing in all levels of basic education shall be carried out with sound-amplifying equipment of shared and individual usage, technical aids ensuring presentation

of educational material on the visual basis. Education of persons with abnormalities of hearing in the establishment ensuring vocational, specialized secondary and higher education shall be carried out using deaf-and-dumb interpretation.

3. Depending on degree of the loss of hearing, educational process for persons with abnormalities of hearing shall be arranged within the two divisions (the first and the second). Educational process in the second division shall be arranged in the Belarusian or Russian (in oral, written, and dactyl forms) and pantomime languages. Procedure and particulars of arrangement for educational process within the first and second divisions shall be specified by the Ministry of Education of the Republic of Belarus.
4. Study of any foreign language by persons with abnormalities of hearing who study within the second division, and by persons with abnormalities of speech shall be organized by request of the trainees.
5. Depending on degree of mental deficiency, educational process for persons with intellectual inadequacy shall be arranged within the two divisions (the first and the second). Education of persons with intellectual inadequacy within the second division, who are unable to master special curricula, shall be arranged according to individual syllabus and curricula; such syllabus and curricula shall be elaborated by specialists carrying out educational process and approved by the managers of the educational establishment. Procedure and particulars of arrangement for educational process within the first and second divisions shall be specified by the Ministry of Education of the Republic of Belarus.

Article 32. Terms of Education of Persons with Peculiar Psychophysical Development

1. Terms of education of persons with peculiar psychophysical development shall be fixed depending on the level of education and shall be determined by this Law and other legislative acts.
2. Terms of education of persons with peculiar psychophysical development depends on the nature, degree of expression of physical and/or mental abnormalities, ability to master curriculum, and shall be: 4 – 5 years for general elementary education; 10 – 11 years for general basic education; 12-13 years for general secondary education; 14 years – for education in special night (study in shifts) schools.
3. Term of education of persons with intellectual inadequacy who study within the first division in subsidiary schools (boarding schools), special classes (groups), classes of integrated (joint) education and training shall be 10 years. For persons with intellectual inadequacy who study within the first division classes may be formed for profound social and vocational training where period of education shall be 1 – 2 years.
4. Term of education of persons with intellectual inadequacy who study within the second division in subsidiary schools (boarding schools), special classes (groups), correction and development training and rehabilitation centers shall be 9 years.

Part 6

MANAGEMENT IN THE FIELD OF SPECIAL EDUCATION

Article 33. Public Management in the Field of Special Education

1. Public management in the field of special education shall be carried out by the President of the Republic of Belarus, the Government of the Republic of Belarus, republican governmental authorities, local executive and administration bodies within their terms of reference.
2. The Ministry of Education of the Republic of Belarus is a republican governmental authority that implements the governmental policy, carries out regulation, management and public control in the

field of special education, and coordinates activities of other republican governmental authorities in the field of special education.

Article 34. Management of the Establishment Ensuring Special Education

1. Management of the establishment ensuring special education shall be based on combination of principles of undivided authority and self-administration and carried out in conformity with the legislation and Bylaws of such educational establishment.
2. Direct management of the establishment ensuring special education shall be carried out by its Manager appointed in accordance with the procedure established by the legislation.
3. Self-administration bodies (councils, boards of trustees) shall be formed in the establishment ensuring special education. Procedure of formation and functioning of such self-administration bodies shall be specified by the Ministry of Education of the Republic of Belarus.
4. Management of the establishment ensuring special education shall be carried out in close interaction between the governmental education control authorities, legal representatives of persons with peculiar psychophysical development, respective non-governmental organizations (associations).

Part 7

FINANCING AND MATERIAL AND TECHNICAL BASIS OF ESTABLISHMENTS ENSURING SPECIAL EDUCATION

Article 35. Financing of Establishments Ensuring Special Education

1. Governmental establishments ensuring special education shall be financed from the funds of the governmental and/or local budgets; private establishments ensuring special education shall be financed from the constitutor's funds.
2. Additional source of finance of establishments ensuring special education shall be:
 - 2.1. return from sales of products, execution of work, and rendering services;
 - 2.2. voluntary contributions of legal entities and natural persons;
 - 2.3. other sources;received in compliance with the legislation.
3. Cost of education in private establishments ensuring special education shall be fixed in accordance with the legislation.
4. Establishments ensuring special education may carry out business activity not conflicting with the legislation; provided that such business activity is carried out only to certain extent necessary to attain the goals stated in their Bylaws for which attaining such establishment have been created, corresponds to such goals, meets the subject of their activities, and contributes to further development of such educational establishments.

Article 36. Material and Technical Basis of Establishments Ensuring Special Education

Material and technical basis of establishments ensuring special education shall be formed depending on the form of arrangement for special education, educational level, type of the establishment ensuring special education; and shall include premises, buildings, equipment, individual technical and other aids necessary for arrangement for education and training of persons with peculiar psychophysical development.

Part 8

FINAL PROVISIONS

Article 37. Coming into Effect

1. This Law shall come into effect from the day of its official publication.
2. Unless otherwise is provided for by the Constitution of the Republic of Belarus, until legislation of the Republic of Belarus is brought to conformity with this Law, legal standard acts of the Republic of Belarus shall be applied to the extent to which they are not in conflict with this Law.

Article 38. Bringing the Legislation to Conformity with this Law

The Council of Ministers of the Republic of Belarus, within six months from the date when this Law comes into effect, shall:

- prepare and submit in accordance with established procedure its proposals aimed at bringing legislative acts of the Republic of Belarus to conformity with this Law;
- bring resolutions of the Government of the Republic of Belarus to conformity with this Law;
- provide for revision and abrogation by the republican bodies subordinate to the Council of Ministers of the Republic of Belarus of their legal standard acts conflicting with this Law;
- take other measures providing for observance of this Law.

President
of the Republic of Belarus

A. Lukashenko

May 18, 2004
No. 285-3

I, the undersigned, Svetlana I. Roussanova, a certified translator of the Professional Translators and Interpreters' Guild, declare that the translation of the present document is to the best of my knowledge and belief a true and faithful rendering of the original in Russian and Belarusian, done to the best of my ability as a professional translator of Russian, Belarusian and English.