

THE RIGHT TO EDUCATION OF CHILDREN WITH DISABILITIES IN POLAND VIS-A-VIS THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES – INCLUSION OR EXCLUSION?

Dr. Karolina Słotwińska

University of Szczecin, Poland
e-mail: karolina.slotwinska@usz.edu.pl; <https://orcid.org/0000-0003-0735-6299>

Abstract. The article examines the Polish legal system in terms of the education for children with disabilities through the lens of Article 24 of the Convention on the Rights of Persons with Disabilities, which enshrines the universal right to education on an equal basis with others. In Poland, three parallel educational models coexist: segregated (special schools), integrated (integration schools and units), and inclusive (mainstream public schools), with the choice of educational path formally left to parents. The study critically analyses whether this pluralistic architecture fulfils the Convention's requirement of inclusion as the primary model of education. The article argues for a systemic reorientation of educational policy towards full inclusion: strengthening public schools as the primary educational environment, removing structural barriers through accessibility and reasonable accommodation, and gradually phasing out segregated solutions. Such a strategy is necessary to ensure the effective implementation of Article 24 of the Convention and to guarantee children with disabilities equal and meaningful access to education.

Keywords: international law; human rights; right to education; rights of people with disabilities.

1. INTRODUCTION AND OUTLINE OF THE RESEARCH PROBLEM

Article 24 of the Convention on the Rights of Persons with Disabilities¹ clearly states the right of persons with disabilities to undertake education. Persons with disabilities have universal access to education on an equal footing with people without disabilities. Currently, in Poland, there are three systems of education for students with disabilities: the system of segregation education – special schools and centres; the system of integration education – integration schools and schools with integration units; the system of inclusive education – public schools. It is solely at the parents' discretion to choose

¹ A/RES/61/106, adopted by the General Assembly of the United Nations (UN) on 13 December 2006, and opened for signature on 30 March 2007 [hereinafter: Convention].

the educational path for a child with a disability certificate. Does the education system for children with disabilities designed this way correspond to the assumptions of the Convention on the Rights of Persons with Disabilities? How should the right of persons with disabilities to education be interpreted? Is the system based on their inclusion or is perhaps exclusion a base form. Which model ultimately leads to ensuring appropriate conditions for the development of persons with disabilities, thus contributing to the selection of better methods and the provision of a more complete education?

2. GENERAL CHARACTERISTICS OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

The rights of persons with disabilities have been regulated at both national and international level. Globally, the Convention on the Rights of Persons with Disabilities is the act of the highest importance. It has been ratified by 193 countries and the European Union (countries that have signed the Convention but have not ratified it include, among other, Tajikistan, Tonga and the USA). Its adoption marked a special moment in several aspects. First, it had a special dimension among human rights acts. It is because the Convention combined first generation rights (civil and political) with those of the second generation (social and economic) [Stein 2007]. Secondly, it provided legal protection for people who are particularly vulnerable to discrimination, often multi-faceted. Third, the Convention presented disability as a natural and widespread phenomenon resulting from human diversity, rejecting the paradigm of disability as a health deficit [Lord and Stein 2023]. Moreover, the Convention has changed the ontology of human rights, shifting the focus from group protection (previously widely protected – for example in the case of ethnic minorities, women or children) to the affirmation of the individual subjectivity of each person, regardless of their functionality. In this sense, it does not so much protect persons with disabilities as a group particularly at risk of abuse, but proposes an inclusive approach to all of humanity, pointing out that physical, mental and cognitive diversity is a natural part of the human condition [Stein 2007]. Therefore, the Convention is a unique human rights act, because of its structure, content, but also because of the axiology of human rights.

3. ARTICLE 24 OF THE CONVENTION – SEMANTIC SCOPE

Article 24 of the Convention on the Rights of Persons with Disabilities creates a comprehensive, dogmatically coherent and axiologically consistent standard of the right to education of persons with disabilities, constituting a qualitative change in relation to earlier instruments of international human rights protection. This provision is not limited non-discrimination in access

to education, but places at the heart the positive obligation of States Parties to provide inclusive education at all levels.

The right to education – in the classical sense – is sometimes classified as a “second generation” right, i.e. of a social or cultural character (sometimes also economic). This is the spirit in which, among others, the Constitution of the Republic of Poland of 2 April 1997² is held; it places this right in Chapter II, among economic, social and cultural freedoms and rights [Zaborniak-Sobczak 2022]. Under the Convention on the Rights of Persons with Disabilities, however, this concept is significantly modified: Article 24 – *de lege lata* – breaks the dichotomy of the “first” and “second” generation by normative coupling civil and political rights with economic, social and cultural rights within a single, indivisible protection regime [Gauthier de Beco 2014, 91-92]. The consequence of such a construction is that access to education cannot be seen only as freedom from discrimination; it implies positive obligations of the state to provide adequate material, personnel and organisational conditions that enable students with disabilities to participate in the learning process in a real, full and continuous way.

Article 24 imposes such an obligation on States Parties, going beyond the classic formula of a negative prohibition of discrimination. It is therefore the responsibility of the States Parties to ensure an inclusive education system that enables full integration at all levels of teaching and learning. Key importance to the interpretation of Article 24 is brought by General Comment No. 4 of the UN Committee on the Rights of Persons with Disabilities,³ which clearly states that “parallel systems” – including special schools operating alongside public schools – are incompatible with inclusion. Therefore, the state must transform the entire education system through legislative and administrative actions, including, among others, adaptation of curricula, preparation of teaching staff and elimination of architectural and communication barriers. However, the transition from a segregation model to an inclusive model requires not only that spaces and methods be adapted, but also that the organisational culture of the school, including the attitudes of teachers and communities towards diversity be changed.⁴

It should therefore be stressed that the only model solution in the light of the Convention is inclusive education, understood not as a “variant” alongside other mechanisms, but as a normative standard binding States *de lege lata*. In UNICEF’s approach⁵, inclusive education refers to a process

² Journal of Law of 1997, No. 78, item 483 as amended.

³ General Comment No. 4 (2016) on the Right to Inclusive Education, Committee on the Rights of Persons with Disabilities, CRPD/C/GC/4.

⁴ Cf. Italian example: Ferri 2017.

⁵ The Right of Children with Disabilities to Education: A Rights-Based Approach to Inclusive Education in the CEECIS Region, UNICEF Regional Office for Central and Eastern Europe and the Commonwealth of Independent States, Geneva 2017, 5-6.

of systemic transformation in which the burden of adjustment lies not on the student but on the school and the education system as a whole, thus reversing the classic responsibility vector: it is the responsibility of public institutions to shape the educational environment so that the diverse needs of students are the starting point and not a “problem to be solved”.

Inclusion, understood in this way, is in full harmony with the social model of disability adopted in the Convention: limitations in participation stem primarily from environmental barriers – architectural, communication, organisational and cultural – not from the characteristics of the individual. The consequence of this perspective is a shift from a compensation logic in which the student “is adapted” to an immutable school, towards universal design for learning logic, in which the program, methods, assessment, resources and space are planned in advance as flexible and accessible.

The normative content of the inclusion obligation covers, in particular, immediate prohibition of exclusion from the public system at any stage of education; provision of reasonable accommodation and personalised support as rights-claims; the guarantee of accessibility of infrastructure, materials and technologies (including alternative formats, AAC, sign language and Braille); preparation and continuous improvement of teaching and specialist staff, including development of work competences in diverse classes; redesigning of the teaching organisation through flexible forms of work, co-conducting of classes, reasonable accommodation in assessment and assistant support; appropriate funding mechanisms that reward accessibility and support as close as possible to the catchment-area school instead of perpetuating segregation; real participation of students, parents and organisations of persons with disabilities in the design and evaluation of solutions; and establishment of effective monitoring and accountability instruments, including inclusion indicators, complaints and redress measures and supervision of public authorities.

In this paradigm, it is crucial to distinguish integration – understood as the incorporation of the student into the unchanged structure of the school – from inclusion, which implies the transformation of the school and the system so that diversity is the norm. Inclusive education does not therefore consist in “attaching” the student to the existing framework, but in its reconstruction – programmatic, methodical and organisational – enabling real participation and learning of equivalent value.

In conclusion, Article 24 of the Convention is not only an equality clause, but a complete programmatic norm requiring a transition from a reactive model of protection (*ad hoc* interventions after an infringement has occurred) to a proactive model of ensuring the conditions for full and equal participation in education. Its implementation requires parallel legislative, institutional and social actions: legislative and executive changes, building human resources competences, redesigning funding and supervision,

systematically removing barriers and shaping a school culture based on acceptance of diversity. It is only coordinated actions understood in this way that allow us to build a truly inclusive education system, consistent with the axiology of the Convention and the principle of indivisibility of human rights. Inclusive education is a conventional standard resulting from Article 24, as it is clearly indicated as a target model for the realisation of the right to education. The Convention rejects both the segregation and integration model in its traditional form, recognising that only inclusive education in the public environment – with reasonable accommodation and individual support – implements the principle of equality and full participation in society.

Pursuant to Article 2 of the Convention, reasonable accommodation means “necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.” This means that States Parties are obliged to take all measures to eliminate discrimination and ensure equality [Cała-Wacinkiewicz 2025]. This sets the Convention apart from previous general non-discrimination clauses, indicating in detail the need for solutions. In the context of education, it includes at least: adjustments in presentation, adjustments in response – expression, adaptation of time, work schedule and adaptation of space [Harrison, Bunford, Evans, et al. 2013], although it should be remembered that this is a broad conceptual category [Belża-Gajdzica, Ciborowski, Knopik, et al. 2024].

According to the recommendations given in General Comment No. 4, refusal to provide reasonable accommodation constitutes a form of discrimination on the basis of disability. This is both material and procedural – the school or the governing body must actively identify the need for improvement and take action to implement it.

Article 24 of the Convention, understood in this way, directly yields another obligation for States Parties, i.e. a ban on the exclusion of persons with disabilities from the universal education system on the basis of the fact of disability itself. Segregation – understood as directing students to separate institutions or classes solely because of their health or functionality – violates the essence of the right to inclusive education, as it perpetuates social barriers and exclusion. The Convention requires that all forms of support be provided in a public environment and that separation occur only in exceptional, justified cases arising from the best interests of the child and not from the limitations of the system.

Thus, reasonable accommodation and the prohibition of segregation are interrelated pillars of the realisation of the right to inclusive education. The first one provides flexibility and individualisation of support, the second one guarantees that this support will be implemented in a way that ensures

the social and educational integration of the student with peers that do not have disabilities.

4. EDUCATION SYSTEM FOR STUDENTS WITH DISABILITIES IN POLAND

The education system for students with disabilities in Poland is based on three basic acts. The most important legal act regulating education of students with disabilities is the Education Law,⁶ which in Article 1(5) and (6) states that the education system ensures the adaptation of the content, methods and organisation of teaching to the psychophysical capabilities of students and the possibility of using psychological and pedagogical assistance. Article 35 of the Law provides for the possibility of establishing special and integration schools. Pursuant to Article 127(14) of the Law, students who hold a decision on the need for special education (issued by public psychological and pedagogical clinics) have the right to receive education in the form and on terms specified in implementing acts. Key relevant regulations include, first of all, Regulation of the Minister of National Education of 9 August 2017 on the conditions of organising education of and care for children and young persons with disabilities, socially unfit and at risk of social maladjustment⁷ which defines, among others, organisational forms, staff requirements, rules of work of support teachers and individualisation of teaching. Another legislative act is Regulation of the Minister of National Education of 9 August 2017 on the organisation and provision of psychological and pedagogical assistance in public pre-schools, schools and institutions,⁸ that characterises individual forms of support, such as rehabilitation classes or specialist classes. The Teacher's Charter⁹ is another act supporting the education system of students with disabilities. It defines the requirements for the qualifications of support teachers and specialists conducting classes with students with disabilities.

De lege lata, the Polish education system provides for three basic models of the organisation of education of students with disabilities: segregation, integration and inclusion. Their coexistence is historically conditioned and reflects the evolution of educational policy – from the care and specialist approach, through gradual integration, to the incorporation of elements of inclusive education in response to international obligations, including those resulting from Article 24 of the Convention on the Rights of Persons with Disabilities [Chrzanowska 2019].

⁶ Act of 14 December 2016, Journal of Laws of 2024, item 750 as amended.

⁷ Journal of Laws of 2017, item 1578.

⁸ Journal of Laws of 2017, item 1591.

⁹ Journal of Laws of 2023, item 984 as amended.

The segregation model's foundation is special schools and centres intended exclusively for students with a specific type of disability. Its legal basis is laid down in Article 35(1-2) of the Education Law and the provisions of the Regulation of the Ministry of Education of 9 August 2017 on the conditions for organising education. Education takes place in small units, according to programs adapted to the psychophysical capabilities of students and with the participation of qualified specialist staff. Although such an environment promotes intensive therapeutic support, the literature emphasises its social cost: isolation and consolidation of integration barriers [Szpak 2017].

The integration model is implemented in integration schools and in public schools with integration units, pursuant to Article 35(2) of the Education Law and said Regulation of 9 August 2017. Students with disabilities and students without disabilities learn together, and the didactic process is conducted by the subject teacher in cooperation with the support teacher (specialist in special education). This solution broadens the scope of student participation in the life of the school, but still – as indicated in the literature – it is determined by the medical paradigm of disability: the student is perceived primarily from the perspective of deficits, not environmental barriers [Szpak 2017].

The inclusive model (inclusive education) assumes that the starting point is a public school, which adapts the curriculum, methods, organisation and learning environment to the diverse needs of students. Support includes reasonable accommodation, individualisation of learning objectives and content, use of assistive technologies and, where necessary, aid of an educational assistant. The legal basis is provided, among others, in Article 1(5) of the Education Law (the principle of adapting the content, methods and organisation of teaching to the psychophysical capabilities of students) and the regulations on psychological and pedagogical assistance contained in the Regulation of the Ministry of Education of 9 August 2017 on the organisation and provision of this assistance. In doctrinal terms, this model is consistent with the social understanding of disability and the axiology of the Convention; in practise, as aptly noted in the literature, it is still at the stage of institutionalisation and improvement of organisational solutions [Szumski 2019].

The assumptions of the Polish education system – although *de lege lata* not ruling out inclusive education – still allow, and in practise even reward, the functioning of special institutions and integration solutions. This empirically translates into the dominance of segregation and integration models [Skałbania and Grewiński 2017], which leads to a situation where formal declarations conducive to inclusion remain largely disconnected from the conventional standard included in Article 24 of the Convention. The teleological and systematic interpretation of Article 24 – in conjunction with Articles 2 (reasonable accommodation), 4 (general obligations), 5 (equality and non-discrimination) and 9 (accessibility) – leads to a conclusion that “inclusive

education" is not so much one of the possible means of realising the right to education, but a necessary form of that right. The *ratio legis* of this provision consists in ensuring "full and effective participation" of students with disabilities in the universal education system, that is, in public schools, by means that transform the learning environment rather than "match" the student to it.

The segregation model, even if it offers intensive therapeutic support, is by definition based on the separation of the addressees of the norm and builds social barriers that the Convention requires to remove. As a result, it is in conflict with the principle of equality in access to the common good—full participation in the education system—and with the imperative of combating stigmatisation. The integration model, in turn, while extending the scope of participation, is essentially assimilative: it makes the student's presence dependent on his or her ability to adapt to the unchanged organisation of the school, and the support focuses on compensating for the "deficits" of the individual. Such construction – implicitly rooted in the medical paradigm of disability – fails the "full and equal" participation test because it does not remove environmental barriers and does not make diversity a starting point for the design of the learning process.

Only inclusive education fully implements the obligations arising from Article 24 of the Convention. By implementing accessibility and universal design, it transforms the essential elements of the learning process (programme, methods, evaluation, environment and communication) so as to enable comparable learning outcomes to be achieved without the need for institutional separation. Only in the inclusive paradigm can the four classical attributes of the right to education – availability, accessibility, acceptability, adaptability – be coherently linked with the Convention's constitutive requirement for participation in mainstream education within public schools. Finally, inclusive education as a systemic standard remains the only model consistent with the social view of disability: it places sources of constraints in environmental barriers and therefore generates an obligation to redesign the school rather than select students.

In conclusion, from the perspective of the axiology and normative structure of the Convention, only inclusive education realises the content of Article 24: it combines the freedom dimension (equality of access without segregation) with the benefit dimension (real support and adjustment in a public school), guaranteeing full and effective participation in education at all its levels. Segregation and integration models, as transitional or historically conditioned solutions, are not able to implement this content completely, as they leave intact structural barriers contrary to the purpose and spirit of the Convention.

5. THE ROLE OF THE PARENT IN CHOOSING THE EDUCATIONAL PATH OF A CHILD WITH DISABILITIES

Against the background of previous findings, according to which inclusive education is the only model capable of fully implementing the standard of Article 24 of the Convention, the role of parents (legal guardians) in choosing the educational path becomes a guarantee, but not an absolute one: it is exercised within the horizon of the constitutional right to rear their children in accordance with their own convictions (Article 48(1) of the Constitution of the Republic of Poland) and within the limits of the statutory and conventional regime, which prefers inclusive solutions.

Pursuant to Article 35(1) and (2) of the Education Law, special education is organised on the basis of a decision on the need for special education issued by a public psychological and pedagogical clinic. This decision contains indications as to the appropriate form of education (generally available, inclusive or special), while parents (guardians) have the right to choose a particular institution. The ministerial regulation on the conditions of organising education and care imposes an obligation on the governing bodies and schools to ensure the implementation of the recommendations resulting from the decision in the institution chosen by the parents – provided that it meets organisational and personnel requirements. The decision must be submitted to the school principal to launch appropriate adjustments.

The role of parents of persons with disabilities in the implementation of the full right to education is therefore multifaceted and crucial. It is up to them to choose the form of education, because it is them who decide whether the child will realise the school obligation in a public, integrative or special school, provided the institution is able to implement the recommendations included in the decision. Parents also participate in the development of an individual educational and therapeutic plan, approval of didactic and program adjustments, as well as in monitoring the child's progress. They have the right to request a change of the institution or form of education if the current organisation of the educational process does not meet the needs of their child. They may refuse the child's referral to a special institution, even if such a solution is recommended by the clinic, provided that the school chosen by them is able to provide adequate education conditions.

According to generally applicable standards, parents have a wide autonomy in choosing the educational path. In practise, parents are often sceptical about the choice of inclusive education. However, this scepticism is largely structural: it results from the limited availability of genuinely inclusive institutions, the shortage of staff – especially of support teachers – and concerns about isolation in peer groups [Chrzanowska 2019]. These are environmental and organisational barriers, precisely those that, in line with the

Convention's social model of disability, should be removed by public authorities by ensuring accessibility, reasonable accommodation and personalised support in public schools.

Consequently, some parents choose a special school not out of conviction but out of necessity. Such "conditional autonomy" is contrary to Article 24 of the Convention, which requires the State to design the system in such a way that the inclusion option is realistically available and adequately supported – materially, personnel-wise, organisationally and culturally – in the nearest public school. In other words, as long as the choice of special education is forced by a lack of inclusive solutions, we deal not with a free choice of parents, but with a deficit in the implementation of the conventional standard.

6. BARRIERS TO THE IMPLEMENTATION OF INCLUSIVE EDUCATION IN POLAND

Such a model of education for persons with disabilities in Poland leads directly to the question about the degree of substantive realisation of the right to education referred to in Article 24 of the Convention. While the ratification of the Convention has established an obligation on the part of the Republic of Poland to implement inclusive education, practise reveals a clear gap between compliance "on paper" and conformity "in action". In a systemic perspective, this means tension between the formal admission of inclusive solutions and their actual availability and quality in public schools.

The sources of this gap are multi-faceted. Firstly, there are organisational and staff barriers: insufficient number of specialists, lack of qualifications of teachers in public schools and insufficient supervision over the implementation of recommendations resulting from decisions on the need for special education [Lewicka-Zelent and Chemicz 2019]. Secondly, cultural barriers and attitudes play a significant role: parents and teachers remain sceptical about inclusion, often motivated by the fear that diversity of educational needs will reduce the quality of the teaching process. As the research of the European Agency for Special Needs and Inclusive Education¹⁰ shows, deficits in training and substantive support hinder the change of attitudes and the improvement of competences of teaching staff, which directly translates into schools' limited capacity to implement the inclusive standard. As a result, we are dealing not so much with a lack of normative basis, but with an implementation deficit, which requires correlated actions: strengthening supervision and accountability, expanding the personnel pool

¹⁰ European Agency for Special Needs and Inclusive Education, Country Report: Poland, EASY, Brussels 2025, 14.

and training facilities and ensuring real, not only nominal, access to mainstream education support.

Architectural barriers remain a significant obstacle – the lack of elevators, ramps or adjusted toilets – as well as organisational limitations in conducting rehabilitation classes or specialist therapies. Failure to adapt school spaces to the needs of students with different types of disabilities results in their actual exclusion from some educational activities [Lewicka-Zelent and Chemicz 2019].

These barriers were also noticed by the UN Committee on the Rights of Persons with Disabilities. Analysing the first Polish report, the Committee expressed serious concerns about the implementation of inclusive education. In particular, it was pointed out that there is a lack of coherent strategy and legal regulations for inclusive education, which results in insufficient support for students with disabilities in public schools. Children with moderate and severe disabilities are at the highest risk of exclusion.¹¹

The Committee's recommendations of this type clearly underline that Poland should take measures aimed at establishing comprehensive legislation and implementation measures that will realistically reduce the barrier to an inclusive education system and ensure access to all students regardless of their disability.

CONCLUSIONS

Against the background of previously made findings – according to which the primacy of Article 24 of the Convention determines the model nature of inclusive education – the analysis of the Polish education system leads to a conclusion that the implementation of the Convention standard is incremental and fragmented. Poland, by ratifying the Convention and introducing into the Education Law solutions enabling education in public schools (Article 1(5); Article 35(1-2)), has *de lege lata* recognised inclusion as an acceptable course of education policy. However, this did not translate into its universality: inclusive education functions in parallel with integration solutions and the special school system, and its real availability remains limited.

The pluralism of the forms of education, as recognised by national law, must be assessed in the light of the *ratio legis* of Article 24 and of the interpretation given in General Comment No. 4. The Committee makes it clear that maintaining “parallel systems” reproduces segregation and is contrary to the Convention's objective of transforming mainstream education towards full inclusion. This means that pluralism is not an intrinsic value, but can at most

¹¹ United Nations Committee on the Rights of Persons with Disabilities, Concluding Observations on the Initial Report of Poland, 2018, UN Doc. CRPD/C/POL/CO/1, para. 44(e).

serve a temporary function, provided that there is a clear strategy to phase out segregation solutions and gradually strengthen the public school as a place for the fundamental realisation of the right to education. The Committee's concluding observations on Poland¹² are also kept in this spirit, calling for the removal of barriers to education in public schools and for limiting the role of special institutions.

The argument that the Convention "does not exclude" segregation education can be maintained only in a narrow, implicit and exceptional way: as an incidental, short-term solution, strictly justified by the best interests of a particular child, with full guarantees of return to the mainstream. Meanwhile, practise shows that the choice of a special school is determined not so much by the profile of educational needs as by the deficits of the public system – the lack of support, the lack of support teachers, insufficient availability or the parents' fear of stigmatisation in the classroom. Such "conditional autonomy" on the part of parents does not prove the implementation of the conventional standard, but exposes the implementation deficit on the part of the state.

From the perspective of the social model of disability adopted by the Convention, it is crucial to shift the burden of responsibility: it is the school and the whole system that are to remove environmental barriers through accessibility, reasonable accommodation and universal design, so that student diversity is the starting point, not an obstacle. Only inclusive education can consistently link a non-discriminatory component of immediate enforceability (including the claims nature of reasonable accommodation) to the four attributes of the right to education – availability, accessibility, acceptability, adaptability – and to the constitutive requirement of participation in the mainstream. Integration and segregation models, even if they provide therapeutic support, remain essentially assimilating or separative and do not neutralise structural sources of exclusion.

Consequently, it must be assumed that the current architecture of the Polish system, by maintaining parallel solutions, does not fully fulfil the obligation under Article 24. The implementation of the conventional standard requires a consistent reorientation of educational policy: priority for a public school closest to the child's place of residence, strengthening staff and supervision over the enforcement of decisions, guaranteeing accessibility and accommodation of a claims nature, and building an organisational culture of the school based on acceptance of diversity. The *de lege ferenda* pluralism of forms should be regarded as a transitional instrument, subordinated to the objective of a truly inclusive system – the only scheme capable of realising the content of the right to education within the meaning of Article 24 of the Convention.

¹² Ibid.

REFERENCES

Bełza-Gajdzica, Małgorzata, Mariusz Ciborowski, Tomasz Knopik, et al. 2024. *Racjonalne usprawnienia w edukacji: poradnik dla nauczycieli i nauczycielek*. Warszawa: Instytut Badań Edukacyjnych.

Cała-Wacinkiewicz, Ewelina. 2025. "Article 5, point 4." In *Ustawa o zapewnianiu spełniania wymagań dostępności niektórych produktów i usług przez podmioty gospodarcze. Komentarz*, edited by Ewelina Cała-Wacinkiewicz and Wojciech Staszewski. Warszawa: C.H. Beck.

Chrzanowska, Iwona. 2019. "Edukacja włączająca w badaniach naukowych – perspektywa rodzica" In *Edukacja włączająca w przedszkolu i szkole*, edited by Iwona Chrzanowska and Grzegorz Szumski, 92-105. Warszawa: Fundacja Rozwoju Systemu Edukacji.

Ferri, Delia. 2017. "Inclusive Education in Italy: A Legal Appraisal 10 years after the CRPD." *Ricerche di Pedagogia e Didattica – Journal of Theories and Research in Education* 12, no. 2. <https://doi.org/10.6092/issn.1970-2221/7070>

Gauthier de, Beco. 2014. "The Right to Inclusive Education According to Article 24 of the UN Convention on the Rights of Persons with Disabilities: Background, Requirements and [remaining] Questions." *Netherlands Quarterly of Human Rights* 32, no. 3. <https://doi.org/10.1177/016934411403200304>

Harrison, Judith R., Nora Bunford, Steven W. Evans, et al. 2013. "Educational Accommodations for Students with Behavioural Challenges: A Systematic Review of the Literature." *Review of Educational Research* 83, no. 4:551-97

Lewicka-Zelent, Agnieszka, and Dorota Chimicz. 2019. "Barriers in Polish Inclusive Education in the Opinion of Students' Parents with Special Educational Needs." *Society. Integration. Education. Proceedings of the International Scientific Conference. Volume III*. <https://doi.org/10.17770/sie2019vol3.3932>

Lord, Janet, and Michael A. Stein. 2023. *Convention on the Rights of Persons with Disabilities*. United Nations Audiovisual Library of International Law. https://legal.un.org/avl/pdf/ha/crpd/crpd_e.pdf.

Skałbania Barbara, and Mirosław Grewiński. 2017. "Specjalne potrzeby edukacyjne dzieci i dorosłych–wyzwania i konsekwencje dla polityki oświatowej i społecznej." *Polityka i Społeczeństwo* 3(15):81-94.

Stein, Michael A. 2007. "Disability Human Rights." *California Law Review* 95:75-121.

Szpak, Agnieszka. 2017. "Edukacja włączająca uczniów niepełnosprawnych–aktualne wyzwania." *Zeszyty Naukowe Zbliżenia Cywilizacyjne* XIII, no. 4:12-45.

Szumski, Grzegorz. 2019. "Koncepcja edukacji włączającej." In *Edukacja włączająca w przedszkolu i szkole*, edited by Iwona Chrzanowska and Grzegorz Szumski, 14-24. Warszawa: Fundacja Rozwoju Systemu Edukacji.

Zaborniak-Sobczak, Małgorzata. 2022. "Konstytucyjne prawo do nauki uczniów z niepełnosprawnością i jego realizacja w systemie szkolnictwa ogólnodostępnego." *Przegląd Prawa Konstytucyjnego* 5(69):303-14.