

REGULATORY AND LEGAL REGULATION OF INCLUSIVE EDUCATION

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Abstract:

This study explores the methodological aspects of developing students' learning motivation through the philosophical and psychological analysis of literary works. It presents various ways to enhance motivation and provides recommendations on the theory and methods of forming learning motivation in literature lessons.

Keywords: Philosophical and psychological analysis, motivation, need, learning, education.

Introduction

Education is the only source of human development, social well-being and development of the country. Especially quality education is a guarantee of stability. How to ensure the quality of education in general? The question of what everyone needs to do to enjoy it is more important and relevant today than ever. Education is a fundamental social right of citizens of every country. It is of great importance to streamline the relations in the sphere and make the opportunity for proper education a reality for all people by strengthening the legislative framework. For example, citizens with specific learning difficulties, i.e., persons with disabilities, will need to ensure inclusiveness in the education system so that all citizens can receive a quality education. At the same time, it is important to note that no country can guarantee the right to education for everyone without ensuring inclusiveness in the national education system. This is because inclusive education creates the opportunity for personalized learning based on the individual characteristics of each person. Inclusive education is a system in which

the needs and quality of education of every person are met, creating a set of conditions for equal education for all citizens.

BASIC SECTION

In this regard, let us refer to the following source, which expresses the essence of the concept of inclusive education. According to him, "Inclusive education is a process of general development and implies access to education for all, including students with special needs. Inclusive education is organized taking into account the needs of all students, respecting their rights and abilities, and aiming to achieve social justice and equality. Inclusive education recognizes that students with disabilities with special needs, but also students without disabilities, can receive education in secondary institutions. To do this, educational institutions and educators must be ready for an inclusive education system, and inclusive physical conditions and learning opportunities at the educational institution level must fully meet these educational requirements. Inclusive education is based on an ideology that excludes any discrimination against students and ensures that all people are treated equally, while creating necessary conditions for pupils with special educational needs".¹

From this it can be understood that inclusive education is a standard of social education that denies any discrimination in the educational process, proving that certain signs of disability will not be any obstacle to education. Based on modern educational trends, it can be said that now inclusive education is an integral part of this constantly improving education system. Because inclusive education shows that it is in a constant development with a focus on respecting the rights and abilities of every human being in accordance with the recognized principles and democratic values of human rights. At the same time, if we turn to the "Universal Declaration of Human Rights", we can see that the education of every human being is enshrined in separate international norms. In particular, according to Article 26 of the same Declaration, "Everyone has the right to education. In education, at least primary and general education should be free. Primary education should be compulsory. Technical and vocational education should be accessible to everyone, and higher education should be within the reach of everyone.

¹ U.Botayev, N.Latipova, A.Abdulkhalilov, N.Saidova. Methodological foundations of the processes for ensuring a "barrier-free environment" in higher educational institutions, Tashkent-2022. 21-22 b.

Education should be aimed at the full development of the human person and strengthening respect for human rights and fundamental freedoms. Education should promote mutual understanding, goodwill and friendship among all peoples, racial and religious groups, and contribute to the work of the United Nations in peacekeeping."²

The fact that these norms are mentioned in the most comprehensive and authoritative legal document in the world means that it is the most important and right of every person in the world to have access to knowledge. It is known that each country that has ratified international legal instruments is obliged to implement the norms contained in international legal instruments. By ratifying the "Universal Declaration of Human Rights" on September 30, 1991, Uzbekistan has enshrined the right to education by paying special attention to its basic document, namely the Constitution. According to it, Uzbekistan, as an equal subject of international relations, expresses compliance with the established norms and principles of international law. According to the new norms included in the Constitution of the Republic of Uzbekistan in a new edition, adopted on the basis of a referendum on April 30, 2023, the author of which is the people of Uzbekistan, now Uzbekistan has created the constitutional legal framework for the status of a social state representing the rights and legitimate interests of all citizens. This is especially evident in the context of the country, where a coherent social policy is implemented. It is precisely the logical concepts that complement the social state phenomenon with the concept of inclusiveness. It is this process of inclusivity that balances social inequalities and disparities in society. In this regard, the idea put forward in this research work is that no country can guarantee the right to education for everyone without ensuring inclusiveness in the education system. Considering that the state, as a political organization, leads society and exercises social governance, inclusiveness is the most important area of public policy.

Same-sex relations are regulated by norms of law. Bearing in mind that education is an inalienable human right and that the social situation of citizens differs, in any circumstances, educational opportunities, adapted for persons with special educational needs, are guaranteed by law. Therefore, the social nature of the state is strengthened by legal foundations.

² National Center for Human Rights of the Republic of Uzbekistan, Universal Declaration of Human Rights, National Law Information Center "Justice" Tashkent-2023.- 24 p.

It should be recognized that in the context of legal democratic countries, practices and best practices used in the education system may not be effective unless the legal framework for the development of inclusive education is strengthened, including the field of education, among all sectors. Because it is a legal factor that determines the direction of regulation and systemic development of relations in the industry. Any reforms by the legal nature of the Constitution of the Republic of Uzbekistan shall be strengthened, first of all, by law. The only example is that the constitutional legal framework for the development of education is also recognized at the level of basic law. To put it more precisely, according to Article 50 of the Constitution of the Republic of Uzbekistan: "Everyone has the right to education. Provides the development of the state continuous education system, its varieties and forms, state and non-state educational organizations. The state will create conditions for the development of preschool education and training. The state guarantees free general secondary education and primary vocational training. General secondary education is compulsory. Pre-school education and training, general secondary education, are under state control.

Educational institutions will provide inclusive education and upbringing for children with special educational needs."³ The breadth and richness of content of the functions that the state performs in the field of education is evident in its progressive education policy. As mentioned above, we can see an inclusive approach to the issue of organization and development of different types of lifelong learning. That is, the legal foundations for the organization and improvement of all types of education, including all issues, are enshrined in the Law of the Republic of Uzbekistan "About Education". According to Article 7 of this Law, the types of education are:

- preschool education and training;
- general secondary and secondary special education;
- professional ta'lim;
- higher education;
- postgraduate education;
- retraining and staff development;

³ Law of the Republic of Uzbekistan of 23.09.2020 N ZRU-637 "On Education" Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5013007>

- After-school education.⁴

The education system will be activated through the implementation of these norms, reflected in legislation. The distinctive feature of the analyzed norms on the guarantee of educational rights and the development of lifelong education in the Constitution of the Republic of Uzbekistan and the law of the Republic of Uzbekistan "On Education" means not only the rights of every person, but also the highest value of human rights through the development of the education system. Special attention is also paid to another norm cited in Article 50 of the Basic Law, namely the creation of conditions adapted to the forms of education based on the capabilities of each person. In this regard, according to Article 15 of the Law of the Republic of Uzbekistan "On Education", the forms of education are:

- education away from production (full-time);
- education (correspondence, evening, distance); dual education;
- home education and independent education;
- teaching and educating seniors;
- lim inklyzing;
- external-order education;
- training in the field of defense, security and law enforcement.⁵

In the framework of this law we can see the creation of the necessary conditions for students and the fundamental law, that is, guarantees the rights of everyone to education as defined by the Constitution of the Republic of Uzbekistan, and expresses a legally logical sequence in proportion to the norms concerning the development of lifelong education of the state. The basic and correct way of comprehensive improvement of all stages, forms and types of education is based on an inclusive approach. This is because inclusiveness represents a targeted approach to every aspect of the education sector while expressing a broad scope. Improving an inclusive education system is both a complex and effective process. Its complexity ensures a clear and complete attention to every aspect of education, while its effectiveness lies in the sustainable systematic development of this area.

⁴ Law of the Republic of Uzbekistan of 23.09.2020 N ZRU-637 "On Education" Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5013007>

⁵ Law of the Republic of Uzbekistan of 23.09.2020 N ZRU-637 "On Education" Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5013007>

Article 20 of the Education Act Inclusive education aims to ensure equal access to education in educational institutions for all learners, taking into account the diversity of individual educational needs and individual opportunities.

Inclusive education is organized in educational organizations for children (individuals) with physical, mental, sensory (sensory) or mental defects.

The procedure for organizing inclusive education is determined by the Cabinet of Ministers of the Republic of Uzbekistan.⁶

In substance, it can be said that inclusiveness in education is the creation of opportunities for citizens to receive quality education based on opportunities. At the same time, it is worth emphasizing the importance of inclusive education and its importance in the context of the social state. It is known that because of certain signs of disability, some citizens feel excluded from society and feel discriminated against. In fact, these categories of citizens appear to be discriminating against themselves. Because no one in society is hindering or discriminating against them. However, it is necessary to strengthen the legal responsibility of unreasonably restricting citizens from engaging in certain activities due to certain signs of disability. But today there are unfortunately enough citizens who say that it makes no sense to perform certain actions. This stereotype has been formed over many years. It is impossible to lose this all at once, but an optimal solution to the problem is only through inclusive education. That is, the signs of disability as a result of the formation of thinking and change of thinking through education mean that there is no obstacle to the realization of everyone's talents, if any. That's why inclusive education is incredibly important. This means that the implementation of a single state education policy will pay a deeper attention to the issue of inclusive education and ensure the sustainability of inclusive education in the activities of educational institutions, and most importantly, the sphere of inclusive education should be constantly improved in accordance with modern trends, among other areas. Today's world is changing rapidly, new views and opportunities are emerging due to the achievements of modern science and innovative technologies. Naturally, those who are among the first to take advantage of these opportunities and those that implement best practices will be ahead of the curve than other industries. Viewed from this perspective, inclusive education further enhances its relevance in the context of

⁶ Law of the Republic of Uzbekistan of 23.09.2020 N ZRU-637 "On Education" Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5013007>

the social state. As a result, there is more interest in society than there is in the need for inclusive education. In turn, an increase in interest rather than need accelerates the development of the industry. Because bringing innovation to the industry is approached in a general manner, not just a one-size-fits-all approach. Naturally, where there are accountability and progressive factors, any industry rises. Another important issue is that inclusive education is not only a priority for people with special educational needs, but also places adequate responsibility on the entities and agencies involved in activities related to inclusive education. This will require further work on the role of those responsible for inclusive education and special education educators. Because the achievement of students as qualified personnel in the inclusive education system depends on two factors: 1. The factor of a qualified teacher engaged in educational activities; 2. The necessary factor that must be created in the educational institution. Inclusive education ensures that student-to-student learning is at the center of the learning process. That is, the main emphasis is on ensuring that students receive high-quality knowledge and have the necessary conditions. Education is the key to human development in Uzbekistan, where human dignity is formed as a priority society and a people's state. Therefore, ensuring that everyone has access to quality education is a fundamental value of human beings. In this context, inclusive education is significant in that no learner is overlooked. It is necessary to form an unhindered environment in society to eliminate certain inequalities and various contradictions, most importantly, dogmatic views and stereotypes. This will create the basis for the peaceful and peaceful coexistence of citizens regardless of their nationality. That is, we can witness that inclusive education is an inclusive education that has a fundamental substance that expresses shared solidarity and tolerance and establishes equitable relationships. For example, if a society creates the necessary conditions for citizens with disabilities or other socially vulnerable people, then it means that in that society there will be opportunities for everyone. This is because the protected social stratum of society can enjoy certain rights and exercise their ability to act is equated with the opportunities of other members of that society. The result of a balanced social policy is seen in respect for the rights and abilities of every person, in the creation of opportunities for their implementation. This increases social welfare in society and indicates that the state pursues a stable policy as an economic state. From the analysis of these issues, we can see that inclusive education is of high importance in the context of

this social state, which can be a positive solution to eliminate various inequalities and imbalances in the life of society. In today's age, where the pictures of life are accelerating, modern transformations and trends do not go unnoticed in any industry. In particular, improving inclusive education will ensure the introduction of new know-how into the field, as well as eliminating certain barriers in the field. First of all, in order to ensure inclusiveness in education, it is necessary to pay special attention to the development of basic subjects and the training of qualified personnel in these subjects. Examples include surdopedagogy and surdopsychology, which study the development, teaching, and upbringing of children with hearing impairments. Oligophrenopedagogy and oligophrenopsychology, which studies the development, teaching and upbringing of visually impaired children, typhlopedagogy and typhloppsychology, which studies the development, teaching and upbringing of visually impaired children. These pedagogical networks, which are part of correctional pedagogy, integrate them into society on the basis of a special approach to people with certain defects. In this regard, a deep and special approach to this issue should be taken. Also, in order to develop inclusive education, there is a need to emphasize modern inclusive education management instead of traditional education management. Inclusive education management is an inclusive approach to the organization, management, control and prospects of educational institutions. Modern inclusive education management differs from traditional education management in that it has a profound and universal significance and is a management activity aimed at developing inclusive education based on the relatively new current situation. We have highlighted the pedagogical networks within the structure of pedagogy that combat the existing problems. Developing one's own industry, on the other hand, cannot be achieved just by making the industry problem-free. Fresh perspectives and practices will also be needed to advance the industry. In this regard, pedagogical disciplines that are an important part of the education system, namely pedagogical innovation, will study the laws of the emergence and development of pedagogical innovations, pedagogical axiology will study the educational values of students and the recognition of education as value. From this it can be understood that the development of inclusive education covers on an inclusive progressive basis all processes related to educators, learners and educational conditions. The main goal of ensuring inclusiveness in education is first and foremost to equalize the opportunities of all learners, and the use of which

depends only on the learners themselves. Today, on the basis of social development of the leading countries of the world, it is necessary to protect the rights of the socially vulnerable segment of society. In a social state, citizens with disabilities have the opportunity to receive education at all levels, and not limited to compulsory education. Because the basic essence of the concepts of the social state and inclusive education is the creation for all of the possibilities that can be created for one person. In our country, the legislation specifically defines creating the necessary conditions for persons with disabilities to receive education at all stages of education, participate actively in society and the state. In this regard, the law of the Republic of Uzbekistan "On the rights of persons with disabilities", adopted from October 15, 2020, becomes the final legal basis for this opinion. According to Article 38 of the Law, "Persons with disabilities have the right to receive education at all levels in educational institutions and to receive lifelong education and to participate actively in society and the state in order to further develop their abilities. The state guarantees the development of inclusive education for persons with disabilities, the creation of necessary conditions for them to receive education and undergo vocational training, retraining and advanced training."⁷

The norms reflected in the legislation indicate the theoretical existence of certain rights and opportunities. It is known that in legal democratic countries, the theoretical and legal foundations of each issue are initially created. In particular, the results obtained from certain research works are first theoretical, and then legally regulated. That is, after each issue has been theoretically and legally, opportunities will be created for implementation. From this, we can see that a number of studies to ensure inclusiveness in education are legally strengthened on the basis of the results derived from it. Ensuring inclusiveness in education on the basis of the formed legislative framework moves from theory to practice. It can be understood from this that it is necessary to create the necessary conditions for the development of inclusive education. Because inclusiveness lays the foundation for the formation of a healthy social, moral environment and stable legal relations in society. In this regard, the President of the Republic of Uzbekistan Sh. In the section entitled "Strong social policy: essence and

⁷Law of the Republic of Uzbekistan dated 15.10.2020 N ZRU-641 "On the rights of persons with disabilities". Official website of the National database of Legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5049511>

opportunities" of the works of M. Mirziyoyev "Strategy of New Uzbekistan" the following opinion is given: "The main goal of our reforms in this direction is to transform New Uzbekistan from its life into a country of contented, happy people, a fully developed social space".⁸ In essence, it can be said that the creation of a social space and strengthening its legal foundations are of the utmost importance in order to build an inclusive society. Because, first of all, social space creates the necessary conditions for all citizens, regardless of their status, to move freely and have a decent quality of life. Establishing inclusiveness and social principles in all spheres of society and public life will serve to form this unhindered report. It is precisely this barrier-free environment that is provided primarily in educational institutions that will allow free movement for all educators and students. This imposes tasks of social and legal significance on the subjects carrying out the educational function and legal entities involved in educational activities. Inclusive education and other socially significant reforms are being consistently implemented in the renewing development of Uzbekistan. In particular, a number of legislative acts were adopted aimed at developing inclusive education. In particular, the Law of the Republic of Uzbekistan "On Education", the Law of the⁹ Republic of Uzbekistan "On the Rights of Persons with Disabilities"¹⁰, as well as the Decree¹¹ of the President of the Republic of Uzbekistan "On approval of the Concept of Development of the Public Education System of the Republic of Uzbekistan until 2030", Resolution of the President of the Republic of Uzbekistan "On measures to further improve the system of education and upbringing for children with special educational needs", Resolution¹² ¹³ of the Cabinet of

⁸Shavkat Mirziyoyev. New Uzbekistan Strategy -Tashkent. " Uzbekistan", 2021. –B 224.

⁹ Law of the Republic of Uzbekistan of 23.09.2020 N ZRU-637 "On Education" Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5013007>

¹⁰Law of the Republic of Uzbekistan, No. ZRU-641 of 15.10.2020 Law of the Republic of Uzbekistan "On the rights of persons with disabilities". Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5049511>

¹¹Decree of the President of the Republic of Uzbekistan under the number UP-5712 of 29 April 2019 Decree of the President of the Republic of Uzbekistan "On approval of the Concept of Development of the Public Education System of the Republic of Uzbekistan until 2030". Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-4312785>

¹²Decree of the President of the Republic of Uzbekistan, No. PP-4860, dated 13.10.2020 Decree of the President of the Republic of Uzbekistan "On measures to further improve the educational system for children with special educational needs." Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5044711>

¹³Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 638 of 12.10.2021 Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of normative legal acts on education for children with special educational needs". Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-5679836>

Ministers of the Republic of Uzbekistan "On approval of regulatory legal acts on education for children with special educational needs", Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On measures to improve the system of organization and rehabilitation of children with special educational needs"¹⁴.

CONCLUSION

The above-mentioned normative legal acts show that the Republic of Uzbekistan has the necessary organizational and normative-legal framework to ensure and develop inclusiveness in education. Legislation plays a crucial role in the development of inclusive education, which ensures equal access to quality education for all learners, irrespective of their ability, background or disability. It sets out legislative frameworks, policies and guidelines that ensure equality, protect rights and create accountability for educational institutions and promote social responsibility. In this regard, as a result of the legislative contribution to the improvement of the inclusive education system, it is possible to cite the following: 1. Ensuring the right to education; 2. Elimination of discrimination; 3. Strengthening the legal framework for social integration; 4. Increasing the social responsibility of educational institutions; 5. Teacher training and adaptation of curricula to inclusive standards.

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¹⁴Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 46 of 25.01.2024. Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On measures to improve the system of organization and rehabilitation of children with special educational needs." Official website of the National database of legislation of the Republic of Uzbekistan: <https://lex.uz/docs/-6779571>

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