



BULLETIN OF THE INSTITUTE
 OF LEGISLATION AND LEGAL INFORMATION
 OF THE REPUBLIC OF KAZAKHSTAN
 SCIENTIFIC AND LEGAL JOURNAL
 ISSN 2788-5283
 eISSN 2788-5291
 VOLUME 81, NUMBER 1(2026), 27-38

UDC 37.018.43
 IRSTI 10.07.01
 DOI 10.52026/2788-5291_2026_81_1_27
 Scientific article

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HISTORICAL AND LEGAL ANALYSIS OF THE EVOLUTION OF THE RIGHT TO EDUCATION FOR CHILDREN WITH DISABILITIES IN KAZAKHSTAN

Abstract: The authors of the article discuss the right of children with moderate to severe health problems to education in the field of inclusive education on a global basis and inclusion in the Republic of Kazakhstan, and the available measures and shortcomings of the work being done in the field of law. Inclusive education is a new direction for the Republic of Kazakhstan, therefore, the author tried to see the results achieved in the field of law by ratifying internationally adopted legal documents and including them among national documents, and taking the Constitution of the Republic of Kazakhstan as a basis for amendments to the Laws on the protection and education of children with health limitations. The authors considered the historical processes of the right to education of children with disabilities in Kazakhstan. It is shown that since Kazakhstan joined Russia, children with special needs have been included in legal acts, and the first special schools and boarding schools for children with disabilities were opened. During the years of independence, the legal nature of state-level support measures designed for special needs children was considered as a social state. The article also notes that in terms of material aspects of measures to ensure the right to education in the field of inclusion, namely, in educational institutions, there are no sanitary facilities for children with disabilities, no conditions for moving from one floor to another, no equipment for children with special needs in computer classes, and no teaching aids and learning materials for children with special needs during classes. In an artificial intelligence society, the urgent issues of working with digital technology for children with special needs and the need to create a country-level environment without limiting them are addressed.

Keywords: people with disabilities; inclusion; education; the right to education; digital technology; children with special needs; international documents.

Introduction

The 21st century has ushered in an age of profound transformation and rapid knowledge expansion. In a world increasingly driven by digital technologies and the dynamics of a post-information society, success and sustainable progress are attainable only through access to quality education. Since gaining independence, the Republic of Kazakhstan has steadily implemented a policy of comprehensive modernization, viewing education as a cornerstone of national development. In its efforts to align the national education system with inter-

national standards, Kazakhstan has introduced a series of reforms promoting inclusive education as a vital element of this modernization.

Within the global framework of quality assurance in education, new paradigms continue to emerge. To harmonize its educational standards with those of the European Higher Education Area, Kazakhstan became a participant in the Bologna Process in 2010, committing itself to the creation of a unified academic environment based on shared principles and quality benchmarks.

As part of a strategy to improve its

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image as a modern, socially responsible state, Kazakhstan has also devoted large efforts to ensuring that people with disabilities have equal access to education. The 2006 United Nations Convention on the Rights of Persons with Disabilities transformed the disability model from a medical model to a social model that identifies environmental barriers that mainly cause inequality.

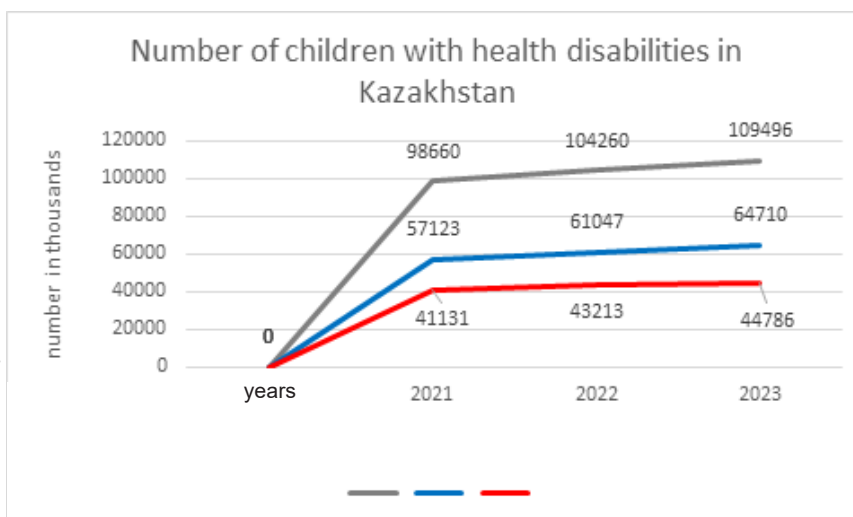
Later, in 2015, the UN based the Sustainable Development Goals (SDGs) upon the principle of “leaving no one behind”. The SDGs require States to equitably and inclusively provide quality education and training for all persons, including persons with disabilities. According to goals 4 and 5 of the SDGs, education must include and equalize, meaning all learners can access equal opportunities to develop personally and professionally.

Addressing a series of global educational challenges, Moriyasu (2025) estimates that nearly 250 million children worldwide remain out of school, with the most vulnerable groups comprising girls from low-income families and children with disabilities [1]. Due to limited social protection mechanisms, these populations are particularly susceptible to discrimination and exclusion. Presently, only one in ten countries can provide sufficient educational support for children from socially vulnerable groups.

According to UNESCO’s global monitoring reports, the number of children with disabilities across the world varies between 93 million and 250 million¹. In Central Asia – including Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, and Turkmenistan – there are approximately 5.1 million children with disabilities, as reported by UNICEF (2019)². In Kazakhstan alone, official data from the National Bureau of Statistics under the Agency for Strategic Planning and Reforms indicates that by 2023, the number of registered children with disabilities reached

109,496. It should be noted that statistical data available on the bala.gov portal of the Bureau currently extends up to the year 2023³.

The diagram below presents a comparative analysis of the official data from the past three years, as reported by the National Bureau of Statistics under the Agency for Strategic Planning and Reforms



of the Republic of Kazakhstan.

If we look at the diagram compiled by the author, according to official data from the website of the National Bureau of Statistics, the total number of children with disabilities in the Republic of Kazakhstan was 98,660 children in 2021, 104,260 children in 2022, and 109,496 children in 2023. The blue ones are boys, and the red ones are girls. The conclusion from this diagram is that the number of children with disabilities is increasing year by year, and the number of boys is higher than that of girls.

These children are also citizens of the state, and it is the state’s responsibility to ensure their access to education. Since they possess the same fundamental right to learning as all others, it can be concluded that the development of inclusive education in the Republic of Kazakhstan – though still in its early stages – must be further supported and solidified through official state policy and legislation.

Only 79% of countries worldwide have included the right to education for children with disabilities in their national

¹ UNESCO: What you need to know about inclusion in education // URL: <https://www.unesco.org/en/inclusion-education/need-know> (date of reference: 09.10.2025).

² 75% of children with disabilities in Eastern and Central Europe and Central Asia left out of inclusive, quality education – UNICEF // URL: <https://www.unicef.org/kazakhstan/en> (date of reference: 09.10.2025).

³ ҚР Стратегиялық жоспарлау және реформалар агенттігі Ұлттық статистика // URL: <https://bala.stat.gov.kz/kz> (жүгінген күні: 18.10.2025).

policies and have amended their regulatory legal documents in this direction, and only about 10% of countries can guarantee full inclusion. According to the World Bank, 40 million of the 115 million children with disabilities do not attend school at all. If we take a look at Kazakhstan, according to the Ministry of Education, by 2024, 86% of schools⁴ were ready for inclusive education, which suggests that the country is fulfilling its international obligations.

The word inclusion was introduced into the academic discourse by the English philosopher and sociologist Herbert Spencer according to whom inclusive education is based on the premise that freedom, equality and justice are the basis of a lawful society. Spencer argued that freedom is a natural right of all human beings. From this right, he believed, a just legal system arises in all societies. The state and the system of law must protect and maintain the equal freedom of each person as the chief end or duty of the state. The idea is broadly similar to concepts of inclusive education that stress equal rights and the full participation of all citizens in society including people with SEN (Special Educational Needs).

Spencer passed the baton to American sociologist Talcott Parsons. Parsons really ran with the idea, claiming that for society to actually get better and move forward, we have to look closely at its structures and figure out how all the different parts work together. Parsons identified four key subsystems – social, cultural, personality, and behavioral (adaptive) – whose interconnection ensures social stability and progress [2]. The interaction of these subsystems is crucial for sustaining the development of any society.

These theoretical perspectives hold significant relevance for the development of inclusive education. Spencer's emphasis on individual freedom highlights the importance of ensuring equal rights to education for all, while Parsons' structural-functional theory interprets education as a multifaceted social institution functioning through the interaction of different societal subsystems. Therefore, inclusive education should be understood not only as a pedagogical practice but also as a complex social, cultural,

and legal construct that requires coordinated efforts and collaboration across multiple sectors of society.

According to the American scholar A. Milsom, in her study "Creating Positive School Experiences for Students with Disabilities", teachers play a pivotal role in fostering cooperative relationships and designing structured learning environments that promote communication and collaboration among students [3]. Similarly, L. Levinson, in her article "Disability Awareness: We're in It Together" [4] published in *Teaching Tolerance*, argues that project-based inclusive learning – which unites students with and without disabilities in shared group work – cultivates mutual tolerance, empathy, and understanding. Another researcher, K.A. Williams, in "Disability Awareness: 24 Lessons for the Inclusive Classroom" [5], develops a comprehensive program emphasizing that all students, when educated together, should be encouraged to build friendly, supportive, and discrimination-free relationships with peers who have disabilities.

In the Constitution of the Republic of Kazakhstan, Article 1 underscores the importance of ensuring a decent standard of living for all members of society, irrespective of health conditions⁵. This constitutional guarantee has led to a gradual transformation in public perceptions toward persons with disabilities. Such changes have become possible due to the establishment of a comprehensive legal framework that protects the right of individuals with disabilities to education and promotes the social responsibility of the state.

One of the key priorities of Kazakhstan's national policy is to support individuals with special educational needs by providing legal safeguards and institutional mechanisms for their protection through targeted regulations. However, in practice, accessibility across many general education institutions remains inadequate. While building entrances are often equipped with ramps, the internal infrastructure frequently fails to provide barrier-free movement between classrooms and floors. Likewise, computer labs and assistive learning technologies are not always fully adapted to the needs

⁴ Аналитический отчет: Проблемы правового регулирования защиты прав лиц с инвалидностью. Руководитель темы Ж.О. Кулжабаева. Астана, 2023 // URL: [https://zan.kz/ru/Journal/View?id=dbb4e211-c286-42d1-8f50-3d559273511d&searchText=\(дата обращения: 10.10.2025\)](https://zan.kz/ru/Journal/View?id=dbb4e211-c286-42d1-8f50-3d559273511d&searchText=(дата обращения: 10.10.2025)).

⁵ Қазақстан Республикасының Конституциясы. Алматы, 1995 // URL: https://adilet.zan.kz/kaz/docs/K950001000_ (жүгінген күні: 19.09.2025).

of students with disabilities. For example, in a computer lab containing twenty workstations, there might be no specialized equipment available for students with mobility or sensory impairments.

These challenges highlight systemic shortcomings in educational infrastructure and deficiencies in regulatory implementation. Institutional regulations often lack clearly defined procedures for accommodating students with special needs. In this context, the objective of the topic addressed in the article is to present scientifically grounded solutions demonstrating that, in Kazakhstan, all citizens—including children with disabilities—have the legally guaranteed right to education and are able to exercise this right within the framework of national legislation. These scientific approaches are examined in the article through a set of clearly defined objectives.

First, the article provides an analysis of the education of children with special educational needs during key historical stages, including Kazakhstan's incorporation into Russia, the period of the Russian Empire, and the Soviet era. This analysis aims to demonstrate legal mechanisms for addressing social issues related to education.

Second, the study focuses on the historical evolution of educational opportunities for children with disabilities, tracing developments from public education initiatives to the formation of pedagogical approaches in this field.

Third, following the attainment of independence, the Republic of Kazakhstan developed alongside European countries, the United States, and Central Asian states. In order to affirm its status as a social state and to ensure equal educational rights for all citizens, Kazakhstan signed and acceded to international declarations. Furthermore, the legal regulation and implementation of policy documents in the field of inclusive education were established as key priorities within the national legislative framework. The scientific novelty of the research lies in identifying existing shortcomings and challenges in state measures aimed at ensuring the right to education for children with disabilities in Kazakhstan, as well as in proposing preventive approaches to mitigate these issues in the future.

Consequently, this article seeks to examine the legal basis ensuring the right

to education for all citizens of Kazakhstan, including persons with disabilities. Furthermore, it aims to trace the historical development of inclusive education in the country and propose legal and institutional strategies to address existing barriers to social inclusion and integration.

Materials and methods

In the process of writing the article, the research was conducted using both general scientific and specialized methodological approaches. Although attention has been given to the field of inclusive education since the Republic of Kazakhstan gained independence, historical methods were employed to examine how similar social issues were addressed prior to this period. Based on this objective, written archival sources were analyzed to explore the right to education of children with disabilities from the period of Kazakhstan's accession to Russia through the era of the Soviet Union.

In addition, the ratification of documents adopted by international organizations served as a basis for introducing amendments to the national legislative framework, which necessitated the application of analytical and synthetic methods. Considering that, globally, children with disabilities may acquire impairments not only congenitally but also later in life, the article draws upon data from the National Statistics Bureau, with particular attention to the number of male and female children. This analysis substantiates the argument that, within the next five to ten years, inclusive education will not merely be a topical issue but a fundamental necessity for the state.

Accordingly, the article identifies existing shortcomings in the system of inclusive education and proposes preventive measures to address them. While, from the perspective of historical development, the education of children with disabilities was rooted in public enlightenment and later evolved into a pedagogical domain, the principle that all citizens are equal and possess the right to education belongs to the sphere of social sciences. These principles are legally in the Constitution and in state-adopted policy concepts, which allows this issue to be considered within the framework of interdisciplinary connections among specialized scientific approaches.

Through the application of both general scientific and specialized research meth-

ods, the article provides a comprehensive assessment of the current state of inclusive education in the Republic of Kazakhstan.

The Republic of Kazakhstan has ratified several key United Nations conventions, reaffirming its dedication to aligning national legislation with international human rights and educational standards. Through this ratification, the state assumes the obligation to consistently harmonize its domestic legal system with globally recognized principles and norms. According to the Constitution of the Republic of Kazakhstan, every citizen is guaranteed the right to education, and secondary education is declared both compulsory and free of charge (Article 30, paragraph 1)⁶.

Inclusive education, however, cannot be approached from a single disciplinary perspective. It represents a multidimensional and interdisciplinary concept that must be analyzed through pedagogical, sociological, political, and legal lenses. Since many foreign countries adopted inclusive education practices considerably earlier, conducting a comparative analysis with the Republic of Kazakhstan – using interdisciplinary research approaches – makes it possible to identify systemic barriers and outline areas for further development.

Another pressing issue within Kazakhstan's education system involves the training and professional development of teachers working with children with disabilities. To address this, it is essential to elevate the quality and effectiveness of inclusive education through the modernization and standardization of methodological, psychological, and pedagogical frameworks and technologies. If we strengthen these components, we'll build an education system that truly works for everyone. It will be consistent, equitable, and stable, guaranteeing that the right to learn is available to all students, embracing those with diverse physical, intellectual, or sensory needs.

Results and Discussion

Historically, the recognition of the educational rights of children with special needs in Kazakhstan dates back to 1917. This does not imply that such children were previously absent from society; rather, before this period, their education generally occurred at home or within local communities, often

under the instruction of village mullahs or informal teachers. Wealthier families, who could afford it, often sent their children to study in Russia. In Russia, the first school for the deaf and hard of hearing was opened in St. Petersburg in 1806. In 1881, a school for the blind was opened in Moscow. In general, the state law on general education did not mention or indicate such children. With the permission of the Ministry of National Education, special schools and teachers' manuals were of a general nature. Since children with disabilities were considered to be less than fully healthy children, they were often directed to handicrafts and sent to practical education. These institutions were established not only to foster the personal development of children with disabilities but also to equip them with the skills necessary for future employment and independent living. However, access to such schools was largely restricted to children from wealthy families. Those from economically disadvantaged backgrounds often lacked the financial means to attend special institutions and were therefore excluded from formal education altogether. Each special educational establishment, with authorization from the Ministry of Education, developed its own charter outlining its educational objectives, admission procedures, and curriculum, which typically included subjects such as reading, writing, and handicrafts.

The Regulations on Primary Public Schools of 1864, which extended to children with disabilities, formally permitted their attendance in general education settings. Nevertheless, the document did not provide any specific guidelines or accommodations for students who were blind, deaf, or had other sensory impairments, leaving their educational needs largely unaddressed.

Instructions for teachers in special schools were written at the end of the 19th century. For example, the St. Petersburg School for the Deaf taught using the methods of J. Ittar and V. Gayuy, and lessons were explained using specific visual aids, such as gestures and facial expressions. In 1806, the St. Petersburg School for the Deaf was founded with the support of Emperor Alexander II⁷.

In 1817, Maria Fyodorovna, the wife of Emperor Alexander III, established the first school for the deaf in the city of Pavlodar.

⁶ Сол жерде // URL: <https://adilet.zan.kz/kaz/docs/K950001000> (жүгінген күні: 19.09.2025).

⁷ Положение о начальных народных училищах // URL: <http://xn--e1aaejmenosqx.xn--p1ai/node/13686> (дата обращения:

The idea for the school emerged after she met Alexander Meller, who had been deaf since birth. To educate and support children who were deaf or hard of hearing, Maria Fyodorovna invited experienced professors and specialists from abroad. Initially, the school operated in a single room of a monastery, teaching around 20 children. By the 1870s, the number of students had grown to 150, and the small classroom had developed into a fully functioning school.

In 1898, a training course for teachers of the deaf was established within the school system. Alongside general education subjects, deaf and hard-of-hearing children studied reading, writing, drawing, and various crafts. A notable example is the deaf student Alexander Beller, who was trained by a Venetian artist and later became a drawing instructor at the same school, where he painted an icon for the Church of Saints Peter and Paul.

During the 1860s and 1870s, specialized schools for deaf children were founded in Moscow, Warsaw, and Odessa. In 1881, through the initiative of Princess Meshcherskaya, the Moscow School for Blind Children was opened. By the end of the 19th century, similar institutions emerged in Kharkov, Kiev, and Kazan. In 1908, an educational institution for children with intellectual disabilities was established in St. Petersburg, marking another milestone in special education development across the Russian Empire.

Until 1917, there were no dedicated schools for children with disabilities in Kazakhstan. The main educational establishments were Russian- and Kazakh-language schools and madrasahs. Children with disabilities generally had no access to formal education and often remained illiterate. Only those whose families possessed sufficient financial resources – or received support from patrons – were able to study in specialized institutions in Russia.

Following the establishment of the Soviet Union, a major turning point occurred on June 18, 1918, when the Council of People's Commissars adopted the Regulations on the Organization of Public Education in the Russian Soviet Federative Socialist Republic (RSFSR). Under this decree, public education was managed by the State Commission for Public Education, led by People's Commissar

A.V. Lunacharsky, while local implementation was entrusted to provincial, district, and Bolshevik departments of public education. Prominent educators such as Lunacharsky and Nadezhda Krupskaya played a pivotal role in developing methodological guidelines and training educational personnel under this framework [6].

This document became the first legislative foundation for Kazakhstan's education system within the Soviet Union and laid the groundwork for the development of Soviet-style schooling. Building on the unrealized reform efforts of Ybyrai Altynsarin and N.I. Ilminsky, the new policy introduced compulsory primary education for all citizens in Kazakhstan. Additionally, special boarding schools and health-correctional institutions for children with disabilities were established.

Although the Soviet education system aimed to ensure universal literacy, the rights and needs of children with disabilities were primarily viewed through the lens of medical and pedagogical correction. The legislative basis for this approach was rooted in the Law on Primary and Secondary Schools of September 5, 1931, along with related health-sector regulations. Later, laws mandating universal eight-year, and subsequently ten-year, general education were adopted, though these reforms were fully implemented only after the Great Patriotic War.

The right to education of children with disabilities was recognized in the 70s and 80s of the 20th century, the system of special boarding schools developed, but the concept of inclusive education was absent.

International law recognizes education as a fundamental component of human rights. The 1989 Convention on the Rights of the Child and the 2006 Convention on the Rights of Persons with Disabilities – ratified by the Republic of Kazakhstan in 2015 – clearly define the rights of children with special educational needs. These landmark documents were among the first to promote the concept of inclusive education on a global scale, emphasizing the necessity of ensuring full and equal participation of children with disabilities in the educational process.

Following its independence, the Republic of Kazakhstan adopted a new

Constitution that formally guaranteed equal educational rights for all citizens. According to Article 29 of the 1993 Constitution, every citizen of Kazakhstan is entitled to education on an equal basis. The 1995 Constitution, which remains in force today, further strengthened these principles. Article 30 establishes that secondary education is both compulsory and free, while Article 14 enshrines the principle of equality before the law and prohibits any form of discrimination. Together, these constitutional provisions form the legal foundation for subsequent national legislation aimed at promoting education and inclusivity across Kazakhstan's educational system.

In 2007, the Law "On Education" was enacted, marking a key step toward legally consolidating the notion of inclusive education and placing a formal obligation on educational institutions to provide schooling for children with special needs. These important updates, introduced in 2019, made the law much stronger. At their core, they established the fundamental principle of equality - the rule that everyone has the same right to an education. This means schools are obliged to accept all children, no exceptions, regardless of their ethnicity, their religion, or their race.

This push is part of a larger global movement toward inclusive education, which is transforming school systems, often following the standards set by European norms. Kazakhstan is following this international trend. The country had already embedded the concept of inclusivity into its main law, the Law "On Education" (2007). The 2019 amendments then took a vital step further: they specifically championed accessibility for children with disabilities. The law ensures that schools must make accommodations, regardless of the child's unique learning characteristics as detailed in Article 8, paragraph 1 of the law.

The Concept for the Development of Education and Science (2023–2029) is a strategic plan that details how to create a more inclusive and accessible learning environment. Its main priorities are integrating students with special needs, ensuring accessible infrastructure, and increasing digital resources. These foundational documents are essential for proactively identifying and solving systemic issues within the education sector.

While Kazakhstan has adopted new

legal provisions that clearly outline the principles of inclusive education (a major legal step forward), these laws have not fully translated into reality. Significant material and institutional challenges persist. Successfully overcoming these difficulties requires continuous legal, financial, and administrative effort to ensure inclusive education is a practical right and not merely an empty promise.

Conclusion

Despite our advances, the full implementation of inclusive education is still incomplete. The core problems are the systemic lack of adequate material and technical facilities in many institutions, including the absence of properly equipped sanitary rooms for children with special needs. These deficiencies are major hindrances that represent the key remaining weaknesses in our efforts toward inclusion.

In accordance with the issues addressed in the article, the educational conditions for deaf, blind, and intellectually disabled children are examined from a historical and legal perspective. For instance, in traditional Kazakh society, access to education for representatives of such social groups was largely limited to the children of wealthy individuals or merchants. Over time, and in subsequent historical periods, specialized schools were established, and during the Soviet era, special boarding schools were created. These developments were, to a certain extent, regulated and justified within the legal framework of the time. At the same time, the study reveals that general state laws on universal education did not explicitly address the educational rights of children with disabilities. Furthermore, the issue of training specialized personnel for educating such children began to be addressed gradually. From the late XIX to the early XX century, the educational activities of the Jadids laid an initial foundation for this process, which later evolved during the Soviet period through the development of methodological guidelines for teachers and the introduction of training programs for pedagogical staff in higher education institutions, including the preparation of sign language interpreters.

Children with disabilities who attend mainstream schools often are not given the special care they need, and have psychosocial problems integrating with their environment and society. Before focusing on

the academic education and skills development of children with disabilities, it is required that the teachers (assisting teachers, special educators, tutors, and psychologists) receive appropriate education and that appropriate programs are developed. However, there are not enough such specialists in schools, colleges and universities in Kazakhstan. According to the textbook *Pedagogy of Inclusive Education*, edited by N. M. Nazarova [7], guides are specialists who, along with teachers of the subject, help students with special educational needs in their learning activities. They also advise that these curriculums and educational supports should be designed with the use of teaching practices such as project based learning, small group collaboration and group problem solving.

The right to education for children with disabilities in Kazakhstan has not yet been consolidated in legislation, and many issues of accessibility of educational institutions remain unresolved. It is necessary to make changes to the building code and other regulatory legal acts in order to require the provision of a barrier-free environment in educational institutions. Furthermore, the presence of special technical means and assistive technologies in schools should be consistent with the state's technical normative legal acts (GOST). For example, the absence of elevators and lifting platforms in multi-story school buildings means that students with musculoskeletal disorders are unable to move freely.

This academic focus on support is strongly aligned with national priorities. In his election program, "Just Kazakhstan: For All and Each of Us - Now and Always," the President of Kazakhstan underscored the need to provide targeted support to children with special needs and individuals with health limitations. He emphasized the importance of enhancing their quality of life through the creation of an accessible, inclusive, and socially supportive environment. Pursuant to this policy, the Government of the Republic of Kazakhstan adopted Resolution No. 1143 (December 30, 2024), approving the Concept of Inclusive Policy of the Republic of Kazakhstan for 2025-2030.

In response to the pressing issues raised at the end of the XX century and during the first quarter of the XXI century, the article demonstrates that the legislative

framework was significantly strengthened through the adoption of international conventions and declarations. Following the attainment of independence, amendments were introduced into the Constitution, the Law on the Rights of Children with Disabilities, and the Law on Education. In addition, the state adopted regulatory standards, resulting in substantial reforms within the national education system. Furthermore, based on the findings obtained in the course of the research, key issues were systematized, and prospective approaches for their resolution were proposed.

Among the innovative dimensions of this research is the concept of digital inclusion. In his 2025 Presidential Address, President Kassym-Jomart Tokayev noted that education in all its forms, including digital learning, should encompass inclusive practices. At the same time, he emphasized the need to integrate technological innovations in harmony with national culture and values. During the Council for the Development of Artificial Intelligence, held prior to his 2025 Address to the Nation, President Tokayev highlighted that the introduction of artificial intelligence technologies in education could create favorable learning conditions, particularly for small schools, thereby offering broader support for students with special educational needs. As the Head of State stated, "Our main goal is to build a truly inclusive educational environment – one of the core foundations for the formation of a Just Kazakhstan" [8].

International experience, particularly that of Canada and the Scandinavian countries, demonstrates that both architectural accessibility and the integration of digital technologies are fundamental prerequisites for the effective realization of inclusion. In this era of global technological transformation, digital inclusion should be conceptualized as a tool for ensuring and substantiating the educational rights of children with disabilities through artificial intelligence technologies [9]. However, numerous barriers persist in Kazakhstani educational institutions, such as the absence of adapted computer classrooms and technical teaching aids, which remain pressing challenges.

In conclusion, while during the Soviet era the education of children with disabilities was largely carried out through specialized boarding institutions, the contemporary stage of development requires the

formal legislative consolidation of principles ensuring full infrastructural and digital accessibility within mainstream educational settings. Although inclusive practices are gradually being introduced in schools, their implementation in colleges and universities remains limited. Achieving meaningful and sustainable progress necessitates reinforcing the legal and regulatory framework, improving the accessibility of educational in-

frastructure, developing adaptive curricula, enhancing the professional preparation of specialized teachers, and providing continuous psychological and pedagogical support for students with special needs. Ensuring the effective realization of the right to inclusive education must stand as a consistent and overarching priority across all levels of Kazakhstan's education system.

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ҚАЗАҚСТАНДА ДЕНСАУЛЫҒЫНДА ШЕКТЕУЛІ МҮМКІНДІКТЕРІ БАР БАЛАЛАРДЫҢ БІЛІМ АЛУ ҚҰҚЫҒЫНЫҢ ЭВОЛЮЦИЯСЫНЫҢ ТАРИХИ - ҚҰҚЫҚТЫҚ ТАЛДАУЫ

Аннотация. Авторлар мақалада әлемдік негіздегі инклюзиялық білім беру мен Қазақстан Республикасындағы инклюзия саласында білім беруге денсаулығында орта күрделі ақауы бар балалар құқығы барын және құқық саласында жасалынып жатқан істердің қолжетімді шаралар мен кемшілік тұстары айтылады. Инклюзия білім беру Қазақстан Республикасы үшін жаңа бағыттың бірі сондықтан халықаралық деңгейде қабылданған құқықтық құжаттарды ратификациялай отыра ұлттық құжаттар қатарына енгізіп, ҚР Конституциясын негізге ала отыра денсаулығында шектеулі бар балаларды қорғау, біліммен қамтамасыз ету саласындағы Заңдарға өзгертулер енгізілгенін автор салыстырмалы тұрғыда қарастырып, Заң саласында жасалынып жатқан нәтижелерді көруге тырысты. Қазақстанда денсаулығында шектеулі мүмкіндіктері бар балалардың білім алу құқығының тарихи процесстеріне көз жүгіртті. Қазақстан Ресейге қосылған кезден бастап ерекше балалардың құқықтық актілерінде орын алғаны, мүгедек балаларға арнап алғаш арнайы мектептер мен интернаттар ашылғанын көрсетті. Тәуелсіздік алған жылдары әлеуметтік мемлекет ретінде ерекше балаларға арнап жасалынған

мемлекеттік деңгейдегі қолдау шараларының құқықтық табиғаты қарастырды. Сонымен қатар мақалада, инклюзия саласындағы білім алу құқығымен қамтамасыз ету шараларындағы материалдық тұрғыдан айтап айтқанда білім алу ошақтарындағы ғимарттарда денсаулығында шектеулі балаларға арналған жағдайлар санитарлы бөлмелер, бір қабаттан екінші қабатқа жүріп тұру жағдайлары қаралмаған, компьютер сыныптарда ерекше балаларға арналған техникалардың қарастырылмауы, сабақ барысында инклюзиялы балаларға арналған оқу құралдары мен оқу материалдары қаралмағаны айтылады. Жасанды интеллект қоғамында ерекше балаларда цифрлік технологиямен жұмыс істеу және оларды шектеспей, ел қатарлы жағдай жасау керектігінің өзекті мәселелері қарастырылады.

Түйінді сөздер: денсаулығында шектеулі мүмкіндіктері бар; инклюзия; білім берумен қамтамасыз ету; білім алу құқығы; цифрлік технология; ерекше балалар; халықаралық құжаттар.

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ИСТОРИКО-ПРАВОВОЙ АНАЛИЗ ЭВОЛЮЦИИ ПРАВА НА ОБРАЗОВАНИЕ ДЕТЕЙ С ОГРАНИЧЕННЫМИ ВОЗМОЖНОСТЯМИ ЗДОРОВЬЯ В КАЗАХСТАНЕ

Аннотация. В статье авторы рассматривают вопросы инклюзивного образования в мировом контексте и в Республике Казахстан, акцентируя внимание на правах детей с умеренными и тяжелыми нарушениями здоровья на получение образования, а также на существующих мерах правового обеспечения и выявленных недостатках в данной сфере. Инклюзивное образование является одним из новых направлений для Казахстана, поэтому авторы отмечают важность ратификации международных правовых документов и их имплементации в национальное законодательство с опорой на Конституцию Республики Казахстан. В сравнительном аспекте анализируются внесённые изменения в законы, регулирующие защиту и обеспечение образования для детей с ограниченными возможностями здоровья.

Особое внимание уделено историческому анализу становления права на образование детей с особыми образовательными потребностями в Казахстане. Отмечается, что ещё в период присоединения Казахстана к России в правовых актах фиксировались положения, касающиеся особых детей, создавались первые специальные школы и интернаты для детей с инвалидностью. В годы независимости Казахстана, как социального государства, исследуется правовая природа государственных мер поддержки, направленных на защиту прав таких детей.

Кроме того, в статье рассматриваются материальные и организационные проблемы обеспечения права на инклюзивное образование: отсутствие адаптированных санитарных помещений, условий для передвижения между этажами, специализированного оборудования в компьютерных классах, а также нехватка учебных пособий и материалов для детей с особыми образовательными потребностями. В условиях развития общества искусственного интеллекта авторы подчеркивают актуальность проблемы включения детей с инвалидностью в цифровое пространство, обеспечения равных возможностей и недопущения социальной изоляции.

Ключевые слова: дети с ограниченными возможностями здоровья; инклюзия; обеспечение образования; право на образование; цифровые технологии; особые дети; международные документы.

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Алғыс. Авторлар сарапшылық пікірі мен сындарлы көзқарасы үшін рецензенттерге алғыс білдіреді.

Дәйексөз келтіру үшін. Абдрахманова А.Қ., Орманова Ш.Ш., Алтынбасов Б.О. Қазақстанда денсаулығында шектеулі мүмкіндіктері бар балалардың білім алу құқығының эволюциясының тарихи - құқықтық талдауы // Қазақстан Республикасының Заңнама және құқықтық ақпарат институтының Жаршысы. Ғылыми-құқықтық журнал. 2026;81(1). 27-38. DOI - https://doi.org/10.52026/2788-5291_2026_81_1_27.

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Қаржыландыру көзі. Авторлар зерттеу жүргізу кезінде қаржыландырудың жоқтығын туралы мәлімдейді.

Мақала редакцияға келіп түсті: 27.10.2025; рецензиялаудан кейін келіп түсті: 22.12.2025; басып шығаруға қабылданды: 31.03.2026.

Авторлар қолжазбаның соңғы нұсқасын оқып, мақұлдады.

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Благодарности. Авторы выражают благодарность рецензентам за экспертное мнение и конструктивный подход.

Для цитирования. Абдрахманова А.К., Орманова Ш.Ш., Алтынбасов Б.О. Историко-правовой анализ эволюции права на образование детей с ограниченными возможностями здоровья в Казахстан // Вестник Института законодательства и правовой информации Республики Казахстан. Научно-правовой журнал. 2026;81(1): 27-38. DOI – [https:// doi.org/10.52026/2788-5291_2026_81_1_27](https://doi.org/10.52026/2788-5291_2026_81_1_27).

Вклад авторов:

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Орманова Ш.Ш. – результаты и обсуждение, заключение, подготовка списка литературы.

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Информация о конфликте интересов. Авторы заявляют об отсутствии конфликта интересов.

Источник финансирования. Авторы заявляют об отсутствии финансирования при проведении исследования.

Статья поступила в редакцию: 27.10.2025; поступила после рецензирования: 22.12.2025; принята в печать: 31.03.2026.

Авторы прочитали и одобрили окончательный вариант рукописи.

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Acknowledgements. The authors would like to express their gratitude to the reviewers for their expert opinions and constructive feedback.

For citation: Abdrakhmanova A.K., Ormanova Sh.Sh., Altynbassov B.O. Historical and legal analysis of the evolution Of the right to education for children with disabilities in Kazakhstan // Bulletin of Institute of Legislation and Legal Information of the Republic of Kazakhstan. Scientific and legal journal. 2026;81(1): 27-38. DOI - https://doi.org/10.52026/27885291_2026_81_1_27.

Contribution of the authors:

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Ormanova Sh.Sh. – results and discussion, conclusion, preparation of the reference list.

Altynbassov B.O. – general review, consultation on the conclusion.

Conflict of interest statement. The authors declares that there is no conflict of interest.

Funding. The authors received no specific funding for this work.

Received: 27.10.2025; revised: 22.12.2025; accepted for publication: 31.03.2026.

The authors has read and approved the final manuscript.