



REPUBLIC OF SLOVENIA
ADVOCATE OF THE PRINCIPLE OF EQUALITY

Accessibility of Secondary Schools for Persons with Reduced Mobility

SPECIAL REPORT – SUMMARY

1 PURPOSE OF THE SPECIAL REPORT

In accordance with Article 22 of the Protection against Discrimination Act¹ (hereinafter: PADA), the Advocate of the Principle of Equality (hereinafter: Advocate) shall report to the National Assembly of the Republic of Slovenia (hereinafter: NA) about their work and findings on the existence of discrimination against individual groups of people with certain personal grounds in the framework of special reports.

The PADA states in Article 1 that protection against discrimination is provided to individuals regardless of their personal grounds, including **disability**.

Article 2 of the PADA initially lists all stakeholders bound to provide protection against discrimination or equal treatment in the public and private sectors, including state authorities, holders of public authority and legal entities. Furthermore, it is stated that protection against discrimination is provided in several areas of social life, including **education**.

In 2019, the Advocate was approached by a mother of a ninth-grader with reduced mobility, who wanted to enrol in one of the gymnasiums, but did not decide to do so, due to the architectural **inaccessibility of the facility for persons with reduced mobility**. The client asked the Advocate for Advice. The Advocate presented to her the possibility of lodging a complaint against the conduct of the gymnasium and to initiate a discrimination investigation procedure to establish discrimination in access to education on the ground of disability. The client did not decide to lodge the complaint, however, the case showed the need for a systematic examination of the topic.²

On the basis of the aforementioned case, the Advocate checked the physical³ accessibility of Slovenian secondary schools for students with reduced mobility and found shortcomings in the publicly available data on the accessibility of secondary schools. Therefore, by means of a written query, data from Slovenian secondary schools were obtained on their accessibility for students with reduced mobility. The data also represent the basis for the preparation of this Special Report.

The purpose of this Special Report is to **raise awareness** on the importance of formulating, adopting and consistent implementation of regulations preventing any chance of discriminatory treatment of students with disabilities, specifically those with reduced mobility, and to **facilitate the implementation of measures** for the exercise of their equal right in access to education (and other rights).

¹ Protection against Discrimination Act (Official Gazette of the RS, No. 33/16 and 21/18 – Non-Governmental Organisations Act). Available at: <http://www.pisrs.si/Pis.web/cm?idStrani=prevodi>

² Case No.: 0702-68/2019.

³ The synonyms of this term are also spatial or architectural accessibility. See chapter 1.4.

With this Special Report, the Advocate strives to **draw attention** to the important issue of the rights of students with reduced mobility, to their equal treatment and equal opportunities, as well as the right of full realisation of their potentials in the area of education and training and their constitutional right to education and training.⁴

1.1 Persons with disabilities

In the Slovenian legislation, the use of the term disability is neither uniform nor consistent. In addition to the term "persons with disabilities", the terms "disabled persons"⁵, "handicapped", "physically or mentally handicapped persons"⁶, "persons with mental disorders", "persons with a certain handicap",⁷ and the term "persons/children/students with special needs"⁸ are also used as synonyms.⁹ Different terms stand for different statuses granting different levels of rights.

The term "**person with disabilities**" follows closely the original terminology of the Convention on the Rights of Persons with Disabilities (hereinafter: CRPD)¹⁰ as well as the European Union (hereinafter: EU) law. This term has also been used by the recent Slovenian legislation.¹¹ It is most suitable for use, as the term "disabled" does not make it entirely clear to whom it refers, i.e. whether it may refer to the special statuses of persons with disabilities or whether it refers to one of the several other definitions of persons with disabilities under Slovenian legislation. In this Report, the Advocate uses the term persons or students with disabilities. When the text of the Special Report refers to particular statutory statuses, the terms from the relevant legislation are used, e.g. "children with special needs".

⁴ Article 57 of the Constitution of the Republic of Slovenia Available at: <https://www.us-rs.si/legal-basis/constitution/?lang=en>.

⁵ The term "disabled person" is used to refer to special statuses (of the disabled persons) or to established phrases (e.g. disabled veterans or the names of individual Acts). The term "disabled person" is occasionally used in regulations as a synonym for persons with disabilities (e.g. Equal Opportunities of Disabled Persons Act).

⁶ The Constitution of the Republic of Slovenia combines all three terms in Article 52.

⁷ In the Slovenian version of Council Directive No. 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

⁸ E.g. Placement of Children with Special Needs Act, Gimnazija Act, Higher Education Act.

⁹ Social Assistance Act.

¹⁰ In this part, the CRPD is translated into Slovenian language inadequately.

¹¹ E.g. Motor Vehicles Act, which regulates special measures for persons with disabilities.

More than 15 percent of the population of the EU has a disability, compared to around **12-13 percent** of the population of Slovenia. Of these, about eight percent have a disability certificate issued on the basis of different legislative Acts, while the remaining five percent (according to the estimates of disability organisations or their membership) are persons with a major physical handicap. There are no official data on the number of persons with disabilities in Slovenia. Based on entries in the registers of individual categories of disabilities, the Statistical Office of the Republic of Slovenia estimates that there are between 160,000 and 170,000 persons with disabilities in Slovenia (disabled workers, children and adolescents with special needs, disabled veterans and war-disabled persons, and moderately, severely and seriously mentally and physically disabled persons).¹² And if we add to this group of persons with disabilities those who have not been granted the status of a disabled person, but in some cases find themselves in a situation in which they suffer in one way or another from functionally reduced mobility (e.g. due to injuries, illness), this number is even higher.

According to the Advocate's 2020 public opinion poll¹³, about a fifth of all residents have been victims of discrimination in the past year. Of these, 14 percent of the respondents stated that they were discriminated against on the grounds of disability. Eight percent of those who were the victims of harassment experienced harassment **in relation to education**.

Education is a particularly important area of social life, as it also creates the foundations for overcoming poverty and creating a more inclusive society. Despite clear principled and legal commitments, equal access to education for people with disabilities is still not granted. This is also reflected in the differences in the learning outcomes of pupils with disabilities compared to other pupils. Early school leavers include a larger share of persons with disabilities. Among young persons with disabilities in Slovenia, 23.5 percent are not in employment, education or training (NEETs). Among young people without disabilities, this percentage is lower (5.6 percent).¹⁴

¹² See Statistical Office of the Republic of Slovenia 2014. Available at: <https://www.stat.si/statweb/news/index/4916>

¹³ Survey on discrimination. N = 1007. Sampling frame: General population aged between 18 and 75 years. The sample taken is representative for Slovenia by sex, age, region and education. Available in the Advocate's Annual Report for 2020: <http://www.zagovornik.si/letno-porocilo-2/>.

¹⁴ Eurostat. 2019. Young people, neither in employment nor in education and training by type of disability, sex and age (HLTH_DE030). Available at: <https://ec.europa.eu/eurostat/data/database>.

Fewer students with disabilities complete university studies compared to students without disabilities.¹⁵ Later, children with disabilities have fewer job opportunities and therefore fewer opportunities for higher incomes. That is why they are more likely to experience poverty.¹⁶ EHIS 2019 data for Slovenia also show that, in average, persons with disabilities attain lower educational levels and are less likely to achieve tertiary education.

Education can **reduce discrimination** against children with disabilities, in particular by means of the so-called inclusive education systems. Many children and adolescents with special needs still attend the so-called special-needs schools, which besides fostering separation from other children and adolescents often fail to provide for an effective transition to the regular education system, further training and to the labour market.¹⁷ A key element of improving the educational structure of children with disabilities is ensuring a quality and accessible **education system**, primarily through adequate infrastructure, qualified human resources and sufficient funding. When it comes to the education of children with reduced mobility, the basic condition is the physical **accessibility** of school facilities.

2 ANALYSIS AND CONCLUSIONS

Based on publicly available data, clarifications made by the **Ministry of Education, Science and Sport** stating that only 26 percent of all secondary school facilities in Slovenia are adjusted to persons with reduced mobility, and based on own queries, the Advocate found that the **accessibility of secondary schools for persons with reduced mobility is very limited**.

As the data are insufficient and the reasons for the inaccessibility of schools are unknown, queries to **all secondary schools in Slovenia** were sent in April 2021.

To find out more about the current situation and the underlying reasons, the Advocate also contacted the NGOs working in the field of protection of the rights of people with reduced mobility and the **National Education Institute of the Republic of Slovenia**. In regards to the financial investments in secondary schools aimed at ensuring the physical accessibility, the Advocate made queries to the **Ministry of Education** and the **Government Office for Development and European Cohesion Policy**.

¹⁵ Ibid. In the age group 30–34, 20.6 percent of people with disabilities in Slovenia achieve tertiary education, while the percentage among others is 38.4.

¹⁶ Filmer, Deon. 2005. Disability, Poverty and Schooling in Developing Countries: Results from 11 Household Surveys. Policy Research Working Paper; No. 3794. World Bank. Available at: <https://openknowledge.worldbank.org/handle/10986/8546>.

¹⁷ See Union of equality: Strategy for the rights of persons with disabilities 2021–2030. Available at: <https://eur-lex.europa.eu/legal-content/SL/TXT/PDF/?uri=CELEX:52021DC0101&from=SL>.

Among the secondary schools that responded to the Advocate's query, **only a third confirmed full physical accessibility for students with reduced mobility**, 17 percent of schools are inaccessible and half of the schools are only partially accessible. Moreover, regional inequalities represent an additional problem, as in some statistical regions, only one fully accessible school exists or no school at all.

Among the reasons for inaccessibility, secondary schools with partial accessibility mostly indicated the **lack of financial resources** for architectural interventions or improvements, such as the installation of an elevator. Schools also stated that **no student with reduced mobility ever enrolled**, hence they were not forced to perform interventions as to ensure the full accessibility of the facility. Secondary schools, which indicated inaccessibility for students with reduced mobility, also referred to the age of the building, its status of a construction protected by the regulations governing cultural heritage and the fact that no student with reduced mobility ever enrolled in the school.

It should be made clear that accessibility should be ensured irrespective of whether schools have enrolled pupils with special needs or whether they can expect enrolment of such a child, and irrespective of the content of the individual decision on the guidance of children with special needs. In addition to **the legal obligation to ensure anticipatory accessibility**, it is considered that accessibility is a precondition for the enrolment of the student, hence students may not even try to enrol in a secondary school that is not accessible. The argument that some schools have not had a case of enrolment of a student with reduced mobility and hence there was no need for spatial adjustment is therefore inadequate and unacceptable.

The obligation to ensure accessibility applies to all forms of disability, including temporary ones, and means that it should be **guaranteed to all**. Therefore, it is not only about the situation of students with special needs and those who may still be waiting for the granting of such status, but also of all the people who may be affected by the (in)accessibility of schools or have mobility difficulties. This also includes employees (e.g. teachers, interns, security guards) and other visitors (e.g. parents, other relatives and third parties involved in numerous extracurricular activities). In this respect, we are talking about a **universal design**, which is also adjusted to the elderly and parents with strollers, who also need spatial adjustments.

In case of discrimination, legal sanctions are provided for in Slovenia (civil remedies, intervention by the Advocate's decision, inspection), which are limited and mostly require active intervention of the discriminated persons. **Exercising the rights of persons with disabilities** must not be the sole responsibility of those persons (or their parents or guardians). Many do not have the necessary resources to successfully exercise their rights, which often requires too much time, effort and financial resources. NGOs note that, as a rule, representatives of children with disabilities do not choose to take advantage of legal remedies for fears that their child may be further stigmatised or because they want to avoid conflicts with the school that their child will attend in the years to come.

At the most general level of commitment to international law (in particular the CRPD), the field of spatial adaptations for people with disabilities in Slovenia is reasonably regulated by the law.

The Equalisation of Opportunities for Persons with Disabilities Act¹⁸ (hereinafter EOPDA) prohibits discrimination on grounds of disability in the access to goods and services, available to the public, including **accessibility of public facilities**. Article 9 of the same Act stipulates that "adaptation of facilities for public use shall be made by installing construction and technical devices, sound and light indicators, written information, and by making other appropriate technical adaptations. Facilities for public use under construction and facilities for public use under reconstruction shall be appropriately adapted during their construction or reconstruction."

In Article 22, the Building Act¹⁹ regulates "the construction and usability of constructions accessible to all people, regardless of their potential permanent or temporary disability", which stand for the design, construction and use of facilities in a way that enables **unhindered access and use of facilities**. This falls within the framework of "**universal construction** and usability of constructions".

Nevertheless, these legal provisions are too vague and allow for exceptions. The provision to meet the accessibility requirement shall **not apply** if this is technically not **feasible** or is associated with **disproportionate costs**. In constructions protected by the regulations governing **cultural heritage protection**, the designed or executed alternative may deviate from or may not meet the requisite essential and other requirements. In this part, the legislation is vague and too general.

In Article 38, the EOPDA sets **time limits for the reasonable adaptation** of existing facilities in public use, i.e. schools. The investor must eliminate the architectural and communication barriers (referred to in Article 9 of this Act) at the first reconstruction of the facility carried after the entry into force of this Act, but no later than 15 years after its entry into force. This time limit expires on 11 December 2025. Based on the responses to the Advocate's queries, a conclusion can be made that this time limit is approaching without visible (accelerated) efforts to remove the aforementioned barriers. Hence, it can be expected that many facilities in public use will not be accessible even at the expiration of the statutory time limit, also because the persons liable are not sufficiently familiar with the time limits prescribed by the law and their duties.

¹⁸ Equalisation of Opportunities for Persons with Disabilities Act (Official Gazette of the Republic of Slovenia, No. 94/10, 50/14 and 32/17). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4342>.

¹⁹ Building Act (Official Gazette of the Republic of Slovenia, No. 61/17, 72/17 – corr., 65/20 and 15/21 – Additional Measures to Mitigate the Consequences of COVID-19 Act). Available at: <http://www.pisrs.si/Pis.web/cm?idStrani=prevodi>.

Failure to respect the rights of persons with disabilities and their discrimination can be dealt with through judicial channels, however, this is not an appropriate solution to broader social issues and should only be used as a last resort due to the high costs and extensive duration of the proceedings. If accessibility is to be guaranteed "in advance" and "to all", the responsibility for exercising these rights should not lie with those who, in a particular case, find themselves in an unequal situation or are discriminated against. Consequently, the state should ensure effective **state supervision**, e.g. by means of inspections. The EOPDA fails to impose any fines for failing to comply with the provisions on physical accessibility nor does it provide for any responsible inspectorate. At the same time, the Building Act regulates only the construction or reconstruction of buildings, and not the adaptation of existing buildings, which is regulated by the EOPDA. Therefore, supervision in these cases is limited and deficient already at the level of regulations. This will be particularly problematic after 2025, when the time limit for adapting public facilities expires.

Rights guaranteed "de jure" cannot have the expected real impact, given the limited oversight, vague legislation, limited sanctions and the rare use of remedies by persons with disabilities.

The Advocate also reviewed the measures and accommodations provided by the State to students with disabilities. As is the case with legislation on protection against discrimination and partly on accessibility, placement procedures for **children with special needs** are, at least in principle, **coherent** and **reasonable**.

The education of children with special needs in secondary schools takes place within:

- educational **programmes with adapted implementation** and additional professional assistance carried out by regular secondary schools; and
- adapted education and training programmes:
 - with an equivalent educational standard,
 - with a lower educational standard.

Children can choose between secondary education programmes in mainstream secondary schools (with adapted implementation and additional professional assistance), or they can be educated in adapted secondary education programmes delivered in special **education institutes for children and adolescents with special needs**.²⁰

²⁰ At that point, the Institute of the Republic of Slovenia for Education informs parents and students about the most appropriate education institute for children and adolescents with special needs, which implements either an accommodated educational program of lower vocational education, secondary vocational education, secondary professional education and vocational technical education. These programs are intended for students with reduced mobility, blind and partially sighted students, deaf and hard of hearing students and students with speech and linguistic disorders.

Children with special needs are directed towards education programmes, **taking into account their needs** in the physical, cognitive, emotional and social areas as well as special needs in the area of health. This system can be placed in a context of the **right to reasonable accommodations of persons with disabilities** as regards their inclusion in the educational, schooling or study process and the right to reasonable accommodations of the school or study process to the individual needs of the person with disabilities.

In the process of guidance, the Institute of the Republic of Slovenia for Education issues a **decision** on the placement in a particular educational or training programme based on an expert opinion prepared by the commission for first-level guidance. The decision on the direction to a particular educational or training programme is issued on the basis of an expert opinion. When the decision is final, the educational or social care institution must create an individualised programme for the child with special needs and include them in education. Several forms of accommodation and assistance are possible, including a permanent assistant.

However, all these procedures and instructions **do not ensure the accessibility of schools** for pupils with reduced mobility. The accommodations under the decision are not possible when major adjustments are needed, e.g. installation of an elevator, as these require lengthy procedures and more financial resources. The Institute of the Republic of Slovenia for Education explains that in practice, the selection of the most appropriate school within the guidance procedure also includes checking whether the educational institution meets the conditions for the admission of the child and for the implementation of measures related to the special needs of the child. This is determined mainly by querying the school. Hence, the decision on the possibility of enrolment **depends on the school's ability and willingness** to ensure accessibility. The school shall decide definitively whether the enrolment of a student with special needs is possible. If the conditions for the inclusion of such a student in the educational process are not met, it can be assessed in agreement with the founder, as the entity who is responsible for investment financing, if all the necessary interventions in the building could be ensured (timely).

The guidance system for children with special needs is useful and provides children with numerous accommodations and forms of assistance, but it cannot ensure all the necessary accommodations needed by students with reduced mobility.

Secondary schools, which responded to the Advocate's query by stating that they are partially accessible, mostly referred to **alternative solutions** to ensure accessibility to students with reduced mobility in the form of adjusted location of classes, i.e. adaptation in a way as to organise lessons for students with reduced mobility (and their classmates) in accessible premises, e.g. on the ground floor. Schools rarely mention the help of employees and classmates, e.g. by physically carrying the student. Such assistance also enables the enrolment and schooling of disabled children, but it is not always an appropriate solution. This is illustrated by an example from Sweden, where the equality body pressed charges against the municipality due to the unequal position of a disabled pupil and discrimination on the grounds of disability. Although the pupil was enrolled in school and was able to attend classes, he was dependent on his classmates and school employees when attending school, and was subject to safety risks and a feeling of inferiority and fear. Therefore, the student was in an unequal situation compared to other students and the court found discrimination and awarded a compensation²¹.

Children with disabilities and their parents or guardians are also provided with **other forms of assistance and benefits** in Slovenia (e.g. scholarships, tax incentives), but it is not clear whether these incentives can adequately compensate for the inequality caused by the school's inaccessibility. Students with special needs who cannot be provided with education in their place of residence shall be provided with transport. However, the primary objective must be to provide disabled students with **education at their place of residence**, or at least in the immediate vicinity, which allows for easy daily commuting to school. Article 11 of the EOPDA further stipulates that inclusion in educational programmes in their living environment shall be provided to persons with disabilities. Only in this way, their opportunities of equal access to education are comparable to other students.

The Institute of the Republic of Slovenia for Education notes that there is at least one school in every region, which is reasonably adapted in architectural terms to students with reduced mobility (either by means of suitable ramps or a lift). Replies of schools to the Advocate's query show that six **regions** have only one fully accessible school each, and that there is no such school in one region. It is vital to say that these few fully accessible schools carry out only certain types of secondary education with a limited range of programmes. Students with reduced mobility should be able to choose between general and vocational education.

NGOs note that in discussions with professional colleagues, parents report, that they are trying to solve **problems** regarding the accessibility of a building or certain school premises on their own within a particular school or local community. In some cases they are successful, but in other cases they prefer to **enrol in an accessible secondary school outside their place of residence**.

²¹ CASE LAW: Swedish municipality liable for disability discrimination through deficient accessibility in elementary school, available at: <https://www.independentliving.org/law-as-a-tool/swedish-municipality-liable-discrimination>.

The Institute of the Republic of Slovenia for Education explains that when choosing a school within guidance procedures, the preferences of a student are usually being taken into account. If the commission considers that the selection of a programme in an **institution for the education and training of children and adolescents with special needs** would, despite the student's wishes, be of the greatest benefit to them, also for the sake of full accessibility and other accompanying programmes, the parents and the student shall be advised to participate in an informative tour in such an institution. The data show that students mostly enrol in special institutions, in three quarters of cases this is the CIRIUS school in Kamnik. Although education in this institution certainly has its advantages and in many cases is reasonable, such a solution does not meet the requirements of the EOPDA that people with disabilities should be ensured integration into education programmes in their living environment.

The right of children to education in their living environment also coincides with other conceptual orientations, followed by Slovenia, in the field of education, including the orientation towards **inclusive education**. In accordance with this principle, the Slovenian education system is being **gradually** reformed. Nevertheless, this process is time-consuming, which is particularly evident when it comes to ensuring physical accessibility. Since it is currently not possible to provide adequate conditions in all kindergartens and schools, the White Paper on Education in the Republic of Slovenia proposes the introduction of a **network of reference kindergartens and (primary) schools** as a temporary solution.

Similar arrangement would be reasonable also for **secondary schools**, i.e. temporary establishment of a network of fully accessible secondary schools, which would be geographically dispersed in a reasonable way and would allow for the inclusion of children with reduced mobility in various educational programmes. This would not depart from the principles of inclusive education, as the ultimate goal of the full accessibility of all schools and the organisation of education as close as possible to the place of residence would remain. The Institute of the Republic of Slovenia for Education also sees a solution, among other things, in **reviewing the network of schools** in each region and preparing **a plan for the adaptation** of those schools that will be able to cover many programs in the region and will be adapted in architectural terms to the needs of students with reduced mobility.

Among the reasons for inaccessibility, schools with partial accessibility, mostly indicated the absence of an elevator and **a lack of financial resources for architectural interventions**. A common reason is the age of the building, which prevents (simple) interventions or a demanding construction process, related to the **age of the building** and its status of a construction protected by the regulations governing cultural heritage. Schools stating to be inaccessible to persons with reduced mobility also most often indicated the age of the building and its status of a construction protected by the regulations governing cultural heritage as reasons for inaccessibility. Therefore, the reasons for inaccessibility are in the majority of cases linked to the **lack of financial resources**. The same is observed and emphasised by NGOs. Examples from other countries also show that the schools with the largest number of obstacles to pupils with reduced mobility are older.

The Organisation and Financing of Education Act²² stipulates that the national budget also provides funds for **investment maintenance and renovation of real estate** and equipment for vocational, secondary technical and other professional schools, grammar schools and institutions intended for the education of children and adolescents with special needs. If the founder of the gymnasium is the municipality, the funds are provided in whole or in part by the municipality.

The Ministry of Education carries out the statutory obligation of investment maintenance and renovation of real estate on the basis of calls for applications to obtain funding for investment maintenance on the facilities and equipment of secondary schools. In accordance with the calls, individual investments and maintenance works are divided into sets and, based on the criterion "urgency of the execution of works", divided into several priority classes. A review of these sets and criteria shows that the calls fail to provide the financing of the investment and maintenance works on secondary school facilities and equipment to improve the physical accessibility of schools. Therefore, the only sensible solution seems to be that the state allocates sufficient funds in the future to finance investment and maintenance works on secondary school facilities and equipment and that these funds be also (or exclusively) intended to ensure accessibility.

However, as the situation in terms of school accessibility is not satisfactory and immediate changes cannot be expected, it is reasonable to follow the **investment plan** prepared for this purpose, i.e. systematic and gradual investment programme in schools, e.g. starting with those suitable from a geographical point of view and the number of programmes implemented.

²² Organisation and Financing of Education Act. Available at:
<http://www.pisrs.si/Pis.web/npbDocPdf?idPredpisa=ZAKO7512&idPredpisaChng=ZAKO445&type=doc&lang=EN>

For this purpose, the **actual state of accessibility of schools needs to be established first in a professional manner**. Namely, now the accessibility assessment is based on incomplete nonprofessional opinions. Periodic and central data collection through expert assessment of accessibility (site visit) would be reasonable. Additionally, it is necessary to assess the needs of children with reduced mobility.

3 RECOMMENDATIONS

The Advocate made several recommendations based on the findings and other available information.

The Government of the Republic of Slovenia was recommended to:

- provide the necessary funding for the financing of investment and maintenance works on the facilities and equipment of secondary schools. The funding must ensure full accessibility of all secondary schools by the end of 2025.

The Ministry of Education, Science and Sport was recommended to:

- provide for a methodological and professional analysis of the current physical accessibility of secondary schools; the analysis must be independent, carried out in the field by qualified experts and periodically updated to ensure that the data are always accurate, credible and complete;
- make publicly available the results of the analysis on the accessibility of secondary schools and include it in the lists of secondary schools and in the call for enrolment in secondary schools and students' homes;
- inform secondary schools and their management in a targeted manner about the importance of ensuring accessibility and their legal obligations in the area of the protection of the rights of persons with disabilities and give them all necessary professional assistance in planning the full physical accessibility of schools;
- instruct secondary schools to prepare accessibility improvement plans in which they should document the needs and classify them according to the complexity of the adjustment implementation, as well as identify the necessary financial resources and time needed; in doing so, they should be granted all the necessary professional support;
- based on the analysis of the spatial accessibility of secondary schools and the collected accessibility improvement plans made by secondary schools, prepare an investment plan with the aim of systematic investment planning; in the process, a transitional solution would be to give priority to those secondary schools which require the least investment and are suitable from the geographical point of view and in terms of the number of programmes implemented (the so-called temporary network of fully accessible schools);
- after providing additional funding, prepare an additional, separate call aimed exclusively at financing the improvement of the accessibility of secondary schools;

- work together with the Government Office for Development and Cohesion Policy and other ministries at all levels to actively use EU funds to improve the physical accessibility of secondary schools in terms of planning and implementation.

The Ministry of the Environment and Spatial Planning was recommended to:

- prepare a draft amendment to the Building Act in a way as to include a final deadline for the mandatory reasonable adaptation of existing public facilities referred to in Article 38 of the EOPDA and establish the competence of inspection services and fines in case of violations.

Accessibility of Secondary Schools for Persons with Reduced Mobility – Special Report – Summary

Issued by

The Advocate of the Principle of Equality

On behalf of the Advocate

Miha Lobnik, Head of the Institution, Advocate of the Principle of Equality

Text

The Advocate of the Principle of Equality

Contributors

Miha Lobnik, dr. Matevž Kokol, Majda Hostnik, mag. Jelena Aleksić, mag. Karmen Merlov, dr. Bogdan Lešnik, Boštjan Vernik Šetinc, Jaka Vatovec, Nevenka Prešlenkova, Denis Vičič, Črt Kaker

Translation and proofreading

K&J Translations, storitve d.o.o.

Ljubljana, September 2022

Use of the contents of the Report is permitted with citations.

The grammatical gender used in the report refers to any gender.

The publication is free-of-charge and freely available.

The original text of the Special Report is in the Slovenian language. In the case of unclear translation, the original shall prevail.

The Special Report was published in Slovene language in July 2022.

All reports by the Advocate of the Principle of Equality are published online at www.zagovornik.si

Kataložni zapis o publikaciji (CIP) pripravili v Narodni in univerzitetni knjižnici v Ljubljani

[COBISS.SI](https://cobiss.si/)-ID [120679683](https://cobiss.si/120679683)

ISBN 978-961-95155-8-7 (PDF)