



Number: 1507-13-UP/12

Date: 10.25.2012.

MINISTRY OF EDUCATION AND CULTURE

Attn. Minister, Mr. Anton Kasipović

RECOMMENDATION: Conditions for placement of students

Respected,

One number of complaints received at the Institution indicates to violations of the rights of children with developmental disabilities related to exercise of the right of children to be placed in an institution.

By the Law on Primary Education¹ it was stipulated that:

Article 90.

2-school may perform activity of preschool education, primary education of same type of developmental disability, and in accordance with the law.

4-schools may organize placement and meals for students and children of pre-school age,

5-placement and meals may be in the form of daily or permanent residence,

6-ministry prescribes conditions for placement of students and manner of realization of educational work.

Placement of children in an institution is always a particularly sensitive issue, firstly for children, but also for their parents, as well as for the institution in which they are placed.

Procedure of placement, nourishment of children, permanent or daily residence, manner of realization of educational work require clearly defined rules and procedures so that parents in each situation would know whether for their child, under what conditions and which services they can get.

That issue is also important for employees at institution, because by admission of children in the institution they take obligation and responsibility to ensure the best interests of each child. It is particularly important that the issue of supervision in functioning of the institution in all its segments be not only defined, but that it is also planned and ongoing.

¹ Official Gazette of Republic of Srpska No. 74/08, 71/09 and 104/11

Given that obligation defined by the law of prescribing conditions for placement of students in an institution has still not been met

The Ombudsman for Children, in accordance with the powers stipulated by Article 9. of the Law on Ombudsman for Children ("Official Gazette of Republic of Srpska", No. 103/08 and 70/12) *suggests* to:

-the Ministry of Education and Culture that, in accordance with Article 90. Paragraph 6. of the Law on Primary Education prescribes conditions for placement of students and manner of realization of educational work,

and to inform the Institution on the measures taken.

Sincerely,

Ombudsman for Children of Republic of Srpska
Nada Grahovac LLM