

Bucharest, Romania  
18 January 2016

To:

**MINISTRY OF NATIONAL EDUCATION AND SCIENTIFIC RESEARCH**  
**MINISTRY OF LABOUR, SOCIAL PROTECTION AND ELDERLY PEOPLE**  
**BUCHAREST SCHOOL INSPECTORATE**  
**NATIONAL AGENCY FOR QUALITY ASSURANCE IN PRE-UNIVERSITARY EDUCATION**

*Dear Mr. Minister of Education,*

*Dear Madam Ministry of Labour,*

*Dear Inspector General,*

*Dear Mr. President,*

We are writing to express our serious concerns regarding the denial of inclusive education to 14 year old Stefan-Moshe Stoian by Mihai Eminescu High School in Bucharest. The denial of education breaches national and international law.

Stefan has physical impairments and he needs forms of support including mobility aids and adapted classroom furniture. As he has difficulties in using his hands, he needs support with things like opening his lunch box or taking notes. He needs his educational plan to be individualised so it accommodates, among others, his mandatory physical therapy sessions, as well as an individualised service plan. He also needs adaptation to teaching and testing methods that take into account his speech and writing impediments.

The school has the legal obligation to provide these supports and accommodations to Stefan, who became its student in September 2015. However, the only thing the school did was to transform a previously inaccessible toilet into an accessible one. No other measures were taken to facilitate his access to the school or within the school premises. This and the total lack of support means his mother was often forced to carry him up the stairs and had to pay for a personal assistant which should have been provided by the State.

In November 2015, Stefan accepted to be home-schooled, temporarily, until solutions for this situation would be found. However, the school failed to send any teachers to his home, and even marked him absent from class. Starting from the beginning of February 2016 to date, the school started denying access to its premises for Stefan's personal assistant, failing as well to make alternative support arrangements. As a consequence Stefan can no longer attend school. Moreover, school teachers refuse to cooperate with Stefan's support teacher, to design an individualised educational plan. Some teachers have expressed their refusal to teach Stefan in writing and asked for him to be sent to a special school.

We have been informed that the school has stopped communicating with Stefan, who, while being formally enrolled, is not provided with instruction necessary to ensure his progression in education. We believe that this approach has been adopted by the school so that he falls beneath the relevant standards for students as a pretext prior to his expulsion. At present, he is being denied an education.

Stefan has experienced similar attitudes at his previous school, against which his mother has litigated. That case is currently pending at the European Court of Human Rights, which has already asked the Romanian Government to respond to these allegations of violation of rights.

Further, the school is in clear breach of Art. 12 of the Law no. 1/2011 on Education and Art. 13§1 of the Law no. 448/2006 on the protection and the promotion of the rights of persons with handicap.

The denial of inclusive education to Stefan violates international law which is binding on Romania, including the UN Convention on the Rights of Persons with Disabilities (CRPD) and the UN Convention on the Rights of the Child (CRC). These treaties have both been ratified by Romania and recognise the right to inclusive education for all children, including children with disabilities, regardless of their impairments or need for support.

We, the signatories of this letter, demand that the Minister of Education take urgent steps to ensure Stefan can benefit from an inclusive education, as is his right. The following immediate steps, among others, are required:

1. Instruct the administration of Mihai Eminescu High School to urgently:
  - a. facilitate access to its premises for Stefan;
  - b. offer Stefan all the support and accommodation that he needs;
  - c. immediately undertake an individualised educational planning process with the purpose of providing Stefan with a full and quality curriculum in the school, on an equal basis with all other students, and an individualised service plan; and
  - d. consult with Stefan to agree on how to make up for the period he was not provided with education, including by organising supplementary teaching.

2. Verify the compliance with quality standards in accordance with the legal provisions relating to quality assurance in pre-university education
3. Ensure that the institutions and individuals responsible for the denial of Stefan's education provide a personal and public apology for their behaviour and assume their responsibility to provide him with an education. Individuals responsible for acts of direct discrimination against Stefan should be brought before the relevant professional and regulatory bodies.
4. Publicly assume, as leaders of the education system, the obligations Romania has under national and international law to provide inclusive education in mainstream schools for all children, including children with disabilities.

**Signatory organisations:**

**Mental Disability Advocacy Centre (MDAC)**

Hercegprimas u. 11, 1051, Budapest, Hungary

Contact person: Steven Allen ([steven@mdac.org](mailto:steven@mdac.org); 003614132730)

**European Centre for the Rights of Children with Disabilities**

Calea 13 Septembrie, nr. 128, Bl. P35, Sc. 1, Ap. 3, Sector 5, București

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