JURNAL CITA HUKUM (Indonesian Law Journal)
FSH UIN Syarif Hidayatullah Jakarta
Vol.14 No. 2 (2026), pp. 563-594, DOI: 10.15408/jch.v14i2.53583

Legal Barriers and Regulatory Risks in the Establishment of Private Inclusive Schools in the Republic of Kazakhstan*

Dinara Cherniyazova[1], Lyusyena Tokareva[2]
SMCM Consortium, Kazakhstan

10.15408/jch.v14i2.53583

Abstract
This paper is a doctrinal analysis of the current regulatory framework of the introduction of the concept of private inclusive schools in the Republic of Kazakhstan. Thirty-two normative legal acts were examined by formal legal analysis, systematic interpretation, doctrinal interpretation, and analysis of legal gaps and conflicts. The time frame of the analysis is 1995-2025, comprising the Constitution, the Entrepreneurial Code, the Social Code, the amendments of the inclusive education in 2021, and the international conventions. The findings indicate a lack of cross-sectoral coordination within the legal and regulatory framework, resulting in normative conflicts, legal gaps, and the absence of a special legal regime for private inclusive schools. Key gaps also include the absence of defined standards for reasonable accommodation, the lack of mandatory inclusive teacher training, and the absence of specific financing mechanisms. Regulatory contradictions also exist between the requirement of inclusive admission and sanitary capacity requirements, as well as between the requirements of the CRPD and subordinate legislation. Although, formally, Kazakhstan's legislation reflects compliance with CRPD standards at the constitutional and legislative levels, real gaps still persist in lower-level legislation and implementation methods. This work constitutes the first systematized doctrinal interpretation of the regulation of private inclusive schools in Kazakhstan under current legislation. Policy reforms should focus on regulatory coordination and the elimination of the identified gaps.
Keywords: Accessibility; Doctrinal Analysis; Disability Rights; Normative Conflicts; Private Education; Regulatory Gaps

* Received: April 24, 2026; revised: May 21, 2026; accepted: May 26, 2026; Published: June 30, 2026.

[1] **Dinara Cherniyazova.** Member of the Board of Directors, SMCM Consortium, Almaty, Kazakhstan. ORCID: https://orcid.org/0009-0002-4145-1310 Email: dcherniyazova@gmail.com

[2] **Lyusyena Tokareva.** Psychologist, SMCM Consortium, Almaty, Kazakhstan. ORCID: https://orcid.org/0009-0008-8862-6791. Email: LTokareva@smcm.kz

**Corresponding Author: dcherniyazova@gmail.com

A. INTRODUCTION

Kazakhstan formally established inclusive education by guaranteeing it constitutionally and ratifying the Convention on the Rights of Persons with Disabilities in 2008. Official statistics show that the country has 114,700 children with disabilities (Bureau of National Statistics, 2025) and more than 200,000 children with special educational needs (Musabalinova, 2025). In addition, 10,000 children received special education services in 2022 (Allan and Omarova, 2022). Moreover, 70% of students with special educational needs reported high levels of stress (Ramazanova et al., 2025). This clearly demonstrates a significant gap between policy commitments and their implementation.

This study is theoretically grounded in three main frameworks. Human rights approach to disability puts a special emphasis on the active involvement of persons with disabilities (Carmel et al., 2025), which works within the context of the positive responsibility of the state in the Article 24 of the CRPD. The Pure Theory of law introduced by Kelsen offers methodological resources to study normative hierarchies and conflicts within the system and, thus, explain how international duties are integrated into national legal systems (Elviandri et al., 2025). The critical disability theory criticizes conventional legal conceptions of legal capacity and develops theories of legal subjectivity as interdependent (O'Callaghan et al., 2025).

The current literature shows that there are a number of current issues that dominate the organization of inclusive school education in Kazakhstan. The medical model still dominates the CRPD even after its ratification (Yeleussizova et al., 2025). Researchers associate the differences in implementation with centralized governance, financial limitations, and cultural stigmatization (Rollan and Somerton, 2021). There is a lack of teacher training in schools in Astana, as well as an unstable distribution of educational resources (Kuchumova and Mukhamedzhanova, 2025). The legislation regulating the work of non-state service providers has not been reviewed officially (Kalshabayeva et al., 2026).

The central issue that this paper is concerned with is that there is no thorough doctrinal analysis of the body of norms that regulate the activity of private inclusive schools, legal gaps and normative conflicts in this context, and their adherence to international standards. This paper addresses this issue through a doctrinal critique of thirty-two normative legal acts. The study has several interrelated goals in accordance with its doctrinal nature, which are: To identify the body of normative legal acts regulating the establishment of private inclusive schools in the Republic of Kazakhstan; To analyze legal gaps,

conflicts, and areas of uncertainty within the existing regulatory framework; To assess the compliance of national legislation with international standards, including the CRPD and UNESCO instruments, and to propose directions for legal reform.

The sequential objectives of this study are achieved through the use of a doctrinal legal research framework and three main research themes. These themes proceed from the identification of applicable norms to the diagnosis of regulatory deficiencies and the subsequent comparison of national legislation with international law. The research addresses the following questions: What constitutes the body of normative legal acts in Kazakhstan regulating the establishment and functioning of private inclusive schools? What legal gaps, normative conflicts, and areas of regulatory uncertainty exist within this system, creating barriers and risks for private founders? To what extent does Kazakhstan's national legislation comply with the requirements of the Convention on the Rights of Persons with Disabilities (CRPD) and relevant UNESCO instruments concerning private inclusive education?

This work is an attempt to contribute to doctrinal legal scholarship through a systematic normative analysis of the governance structure of private inclusive schools in Kazakhstan. It strengthens theoretical understanding by using Kelsen's Pure Theory of Law and critical disability theory as a basis for examining how normative hierarchies, gaps, and conflicts operate in the post-Soviet legal context of inclusive school education. The broad overview of the legal architecture discussed in this study, covering more than twenty-five normative legal acts, provides a general understanding of a legal framework that has not previously been addressed in the literature. This study establishes a rigorous doctrinal foundation for further academic research on private-sector involvement in inclusive education by precisely identifying specific legal gaps and normative contradictions inherent in this system.

Literature Review

1. Review of Theoretical Literature

Within the framework of legal barriers to inclusive education in Kazakhstan, this study analyzed the barriers that may impede the implementation of inclusive education in the context of private voluntary establishments. This analysis took into account three theoretical legal approaches. First, the human rights model of disability, reflected in the United Nations Convention on the Rights of Persons with Disabilities (CRPD), restores persons with disabilities as subjects rather than objects of charity, imposing

positive obligations on states to provide inclusive education as an inherent right (Watson et al., 2022). Second, the Pure Theory of Law provides the methodology necessary for examining normative hierarchies, normative conflicts, and normative gaps within the Kazakhstani legal system and, therefore, for systematically identifying contradictions between constitutional norms, sectoral legislation, and subordinate technical regulations within the legal framework governing the operation of private inclusive schools in Kazakhstan (Kelsen, 2005). Third, critical disability theory challenges the liberal traditional understanding of the legal subject as a recognized and autonomous being, as it demonstrates how legal binaries of capacity and incapacity render persons with disabilities less than fully protected under the law and, consequently, the need to establish relational frameworks of inclusive law (Meyers, 2025).

2. The Regulatory Framework Governing the Activities of Private Inclusive Schools in Kazakhstan

This set of acts is embodied in constitutional provisions, sectoral legislation, and subordinate technical regulations, which together form a consortium of normative legal acts governing private inclusive education in Kazakhstan. The current legislative framework is dominated by the 2002 Law on Social, Medical, and Pedagogical Support for Children with Disabilities (Rymkhanova et al., 2025). Following the 2021 amendments to the Law on Education, every school was expected to adopt an inclusive admissions policy (Eckel, 2023). The regulatory framework for private providers is also complicated by licensing requirements and slow regulation at the state level (Amirov, 2025; Movkebayeva et al., 2020). The centralized governance system creates further barriers to regulatory coherence.

Hypothesis 1: The current regulatory framework of the Republic of Kazakhstan creates structural legal barriers to the establishment of private inclusive schools due to the fragmented nature of cross-sectoral regulation and the absence of a coherent legal regime integrating educational, social, tax, and entrepreneurial legislation.

3. Legal Gaps, Conflicts, and Regulatory Uncertainty

Research in the area of study finds that there are major legal gaps and normative conflicts within the inclusive education system in Kazakhstan. The barriers to change in institutions recorded by the research are long-term and are based on the legal system (Maksatova, 2024). This is due to the fact that the

medical model still prevails in subordinate legislation despite the ratification of the CRPD that causes normative dissonance between social and medical conceptualizations of disability (Imamatdinova et al., 2025; Zharlygasinov et al., 2025). Voluntary standards are not enforced, and low standards of monitoring leave the private providers vulnerable to regulatory risks (Zancajo et al., 2021). Lack of specialists, social attitudes, material inadequacy, and gaps in infrastructure are some of the barriers identified by the scholars as latent legal gaps (Orynbasarov et al., 2025; Yusupova et al., 2023).

Hypothesis 2: These structural imbalances generate regulatory risks manifested in legal gaps, normative conflicts, and uncertainty in law enforcement, which significantly complicate the process of establishing and ensuring the sustainable functioning of private inclusive schools.

4. Compliance with International Standards

Kazakhstan is not fully compliant with the CRPD and the UNESCO standards. International jurisprudence treats inclusive education as a right that is legally binding, which has immediate effect and which gives a positive obligation to the state. The official adherence of Kazakhstan to the CRPD does not reflect the biased arrangements that are obtained in the country. Article 24 of the CRPD requires inclusive education systems and reasonable accommodation, but the legislation governing the activities of the Republic of Kazakhstan permits segregated systems. The law on legal capacity might fail to meet the stipulations of Article 12 of the CRPD on equal recognition before the law (Orynbasarov, Maulen et al., 2025). There is a normative conflict in the context of constitutional rights between international legal treaties which are granted precedence over domestic law in accordance with Article 4 of the Constitution, and subordinate legal acts that might not be obliged to follow the higher norms (Khamzina et al., 2025). The amendments of 2021 are formally enhanced, but the international standards do not specify the implementation mechanisms (Mamerkhanova et al., 2025).

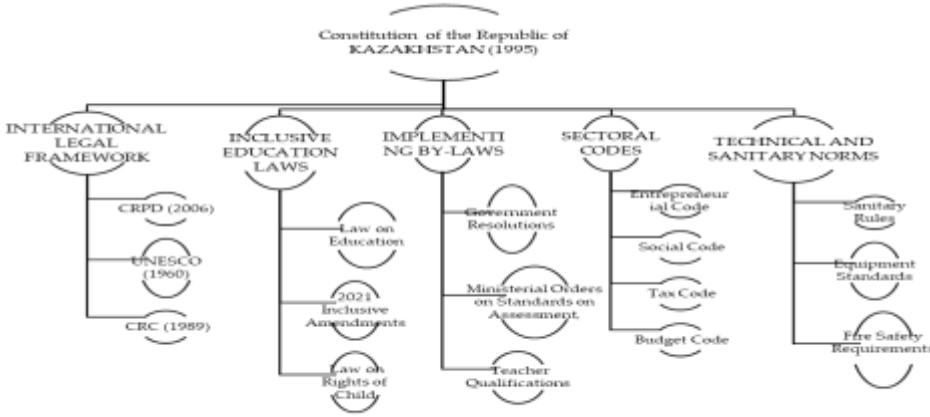
Hypothesis 3: The discrepancy between the Republic of Kazakhstan's international obligations in the field of inclusive education and their actual implementation in national legislation constitutes an additional source of regulatory risks, further widening the gap between declared principles and the practice of their implementation.

5. Research Gap

Whereas the idea of inclusive education is gaining growing academic attention in Kazakhstan, the literature available suggests that there is a

significant gap between the doctrines. The current body of empirical research mainly examines inclusive education from pedagogical, sociological, or policy-implementation perspectives, focusing primarily on teachers' attitudes, resource allocation, and cultural barriers. Where legislation is examined, the analysis remains fragmented and concerns either general education law, disability rights in isolation, or separate technical standards without their systematic synthesis. To date, there has been no legal and regulatory analysis of the specific normative framework applicable to private inclusive schools in Kazakhstan. The relationship between private education regulation, inclusive requirements, and Kazakhstan's legal architecture—constitutional, sectoral, subordinate, and international—has not been mapped. Moreover, the existing literature does not employ a well-structured approach to identifying legal loopholes, normative conflicts, and regulatory risks specific to private founders seeking to establish inclusive schools. This article aims to address this gap by conducting a doctrinal study of all applicable normative legal acts.

Figure 1.
Analyzed Corpus of Normative Legal Acts: The Normative Pyramid of Kazakhstan's Law on Inclusive Education



Авторский сборник

Figure 1 shows a multi-level framework of normative regulation of private inclusive schools in Kazakhstan. The diagram illustrates the subordination of acts of the various degrees - the most general legal fundamentals, down to the narrowest and most expertly specific sanitary and technical standards. A design like this assist in organizing a large number of laws where the founders have to adhere strictly to norms in various facets of law.

B. METHODS

This study falls within the doctrinal (normative) paradigm of legal research, a methodological approach that meets the requirements of legal journals indexed in Scopus. Doctrinal research involves a systematic analysis of legal norms, principles, and doctrines in order to clarify the structure, content, and role of positive law (Hutchinson and Duncan, 2012). This methodological approach is particularly suitable for the present study, as it makes it possible to identify and define the body of legislation governing private inclusive schools, systematically examine normative relationships within partially overlapping areas of legislation, and compare domestic legislation with international legal standards.

Under the rubric of formal legal analysis, the research paper studies the coverage, content, and legal efficiency of legal tools, which regulate the functioning of the private inclusive schools in the Republic of Kazakhstan. This incorporates a critical review of the normative hierarchy, which lies under the constitutional provisions, then statutory law, and other related regulatory acts. With this analytical prism, this paper determines which of the provisions are direct, which need implementing regulations, and which are programmatic statements but not binding obligations.

Legal interpretation is used to determine the structural meaning of law, namely how different branches of legislation are connected and intersect in regulating the activities of private inclusive schools. Education laws, social protection laws, sanitary and epidemiological regulations, construction standards, fire safety rules, and licensing laws are not independent of one another; rather, they form a complex network of norms. Systematic exegesis shows how these diverse legal regimes interact with, support, or contradict one another.

Doctrinal interpretation of law analyzes legal norms from the standpoint of the fundamental legal principles that underpin the legal system. The principle of equality requires an assessment of whether the regulatory system treats private and public institutions equally. The concept of non-discrimination also requires consideration of provisions that may fail to take children with disabilities into account. The concept of access to education confirms that education is a fundamental right. The normative framework through which provisions concerning persons with disabilities should be interpreted is formed by the rights of such persons as set out in the CRPD.

The analysis of legal gaps and conflicts systematically identifies

deficiencies in the regulatory environment that create legal barriers and regulatory risks for private founders. Normative gaps arise when legislation fails to regulate issues that are crucial for the establishment or operation of private inclusive schools.

Legal conflicts refer to those cases where various norms that apply present conflicting demands. The areas of legal uncertainty are those provisions which are vague or may have more than one reasonable interpretation. The secondary data analysis is conducted contextually and takes the official statistics as an indicator of the size of the regulation and to frame the legal issue. The normative framework would solely use the information provided by the Ministry of Education, the Bureau of National Statistics, UNESCO, the World Bank, and OECD statistics in order to determine the magnitude of the affected population. It is important to note that such information is reported only in the Introduction, and it is not possible to make empirical generalizations. The section of research materials contains regulatory laws, international treaties, and publicly available statistical data of the review.

The codes and laws reviewed include the Entrepreneurial Code of the Republic of Kazakhstan, the Social Code of the Republic of Kazakhstan, the Tax Code of the Republic of Kazakhstan, the Budget Code of the Republic of Kazakhstan, the Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family," the Law of the Republic of Kazakhstan "On Social and Medical-Pedagogical Correctional Support for Children with Disabilities," the Law of the Republic of Kazakhstan "On the Status of a Teacher," the Law of the Republic of Kazakhstan "On Public-Private Partnership," the Law of the Republic of Kazakhstan "On Non-Commercial Organizations," the Law of the Republic of Kazakhstan "On Limited and Additional Liability Partnerships," the Law of the Republic of Kazakhstan "On Education," the Law of the Republic of Kazakhstan "On the Rights of the Child," and the Law of the Republic of Kazakhstan "On Permits and Notifications."

The governmental regulations about the national educational needs, licensing of the educational activity, qualification requirements of teachers, sanitary conditions of the educational establishment, accessibility of the building, fire precaution rules, the special educational equipment, admission regulations and psychological help recommendation are also discussed. Some of the international instruments that will be discussed are the United Nations Convention on the Rights of Persons with Disabilities, the UNESCO Convention against Discrimination in Education, the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural

Rights. Statistical data are used according to contextual needs and were obtained from the Ministry of Education, the Bureau of National Statistics, the UNESCO Institute for Statistics, the World Bank, and the OECD. Thirty-two regulatory legal acts, four international treaties, and five statistical reports were reviewed.

Relationship between methodological logic and the structure of the article. The methodology is systematically integrated into the structure of the article. The Introduction presents the legal problem and contextualizes it through secondary statistical data. The Literature Review discusses doctrinal debates in legal scholarship and places the present study within the existing academic discourse. The Results section presents formal legal findings based on a systematic examination of the normative corpus. In the Discussion, these findings are interpreted in the context of domestic law and international standards, while the Kazakhstani system is compared with normative standards of equality, non-discrimination, access, and the rights of persons with disabilities.

Methodological limitations. The author clearly identifies the following limitations of the research design. First, the findings cannot be claimed to be empirically generalizable beyond the analyzed normative framework. Second, the study is limited to the laws and regulations of the Republic of Kazakhstan that were in force at the time of writing. Third, statistical data are auxiliary: they are used only for contextualization and illustration, not for presenting empirical findings.

C. RESULTS AND DISCUSSION

The following section presents doctrinal findings obtained through a systematic analysis of the corpus of regulatory legal acts governing the activities of private inclusive schools in the Republic of Kazakhstan. The results are organized according to the three research objectives and hypotheses, with each table summarizing the legal findings derived from formal legal analysis, systematic interpretation, doctrinal interpretation, and the analysis of legal gaps and conflicts. All findings are based exclusively on the examination of the normative materials specified in the Methodology section.

Table 1
Key regulatory legal acts (fragmentary list) governing the activities of private inclusive schools in the Republic of Kazakhstan

№	Normative legal act	Type of regulatory legal act	Adopted by	Year of adoption	Relevance for inclusive schools
1 2	Constitution of the Republic of Kazakhstan Entrepreneurial Code of the Republic of Kazakhstan	Constitution Code	People of the Republic of Kazakhstan through referendum Parliament of the Republic of Kazakhstan	1995 2015	Establishes the right to education and non-discrimination Defines the foundations of entrepreneurship and social entrepreneurship
3	Rules for Maintaining the Register of Social Entrepreneurship Entities	Order	Ministry of National Economy of the Republic of Kazakhstan	Current version	Establishes the mechanism for recognition as a social entrepreneurship entity
4	Social Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2023	Regulates the system of social services and support for persons with disabilities
5	Tax Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2026	Defines the tax burden, including individual income tax, VAT, social tax, property tax, land tax, and vehicle tax
6	Budget Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2008	Regulates public financing of the social sector
7	Code of the Republic of Kazakhstan “On Marriage (Matrimony) and Family”	Code	Parliament of the Republic of Kazakhstan	2011	Defines the status of the child and the duties of the state and parents to protect children’s rights
8	Law of the Republic of Kazakhstan “On Education”	Law	Parliament of the Republic of Kazakhstan	2007	Serves as the main act regulating inclusive education
9	Law of the Republic of Kazakhstan “On the Rights of the Child”	Law	Parliament of the Republic of Kazakhstan	2002	Establishes the child’s right to education and development
10	Law of the Republic of Kazakhstan “On Permits and Notifications”	Law	Parliament of the Republic of Kazakhstan	2014	Regulates the procedure for obtaining licenses and permits, including for educational activities
11	Law of the Republic of Kazakhstan “On Social and Medical-Pedagogical Correctional Support for Children with Disabilities”	Law	Parliament of the Republic of Kazakhstan	2002	Defines the support system for children with special educational needs
12	Law of the Republic of Kazakhstan “On the Status of a Teacher”	Law	Parliament of the Republic of Kazakhstan	2019	Establishes requirements and guarantees for teachers
13	Law of the Republic of Kazakhstan “On Public-Private Partnership”	Law	Parliament of the Republic of Kazakhstan	2015	Creates mechanisms for involving the private sector in the social sphere

14	Law of the Republic of Kazakhstan "On Non-Commercial Organizations"	Law	Parliament of the Republic of Kazakhstan	2001	Defines legal forms for social projects
15	Law of the Republic of Kazakhstan "On Limited and Additional Liability Partnerships"	Law	Parliament of the Republic of Kazakhstan	1998	Regulates commercial forms of activity
16	Resolution No. 249, Concept for the Development of Education for 2023–2029	Resolution	Government of the Republic of Kazakhstan	2023	Defines the strategy for the development of education
17	Resolution No. 1143, Concept of Inclusive Policy	Resolution	Government of the Republic of Kazakhstan	2024	Forms the framework for state inclusive policy integration
18	Resolution No. 326, National Plan on Disability	Resolution	Government of the Republic of Kazakhstan	2019	Aimed at supporting persons with disabilities
19	Resolution No. 1068 on Public-Private Partnership in the Social Sphere	Resolution	Government of the Republic of Kazakhstan	2023	Develops public-private partnership mechanisms
20	Resolution No. 710, List of Public-Private Partnership Facilities	Resolution	Government of the Republic of Kazakhstan	2017	Limits the services eligible for public-private partnership
21	Order No. 130 on Support for Social Entrepreneurship	Order	Ministry of National Economy of the Republic of Kazakhstan	2023	Establishes support measures
22	Order No. 73 on Public-Private Partnership Planning	Order	Ministry of National Economy of the Republic of Kazakhstan	2025	Regulates public-private partnership procedures
23	Order No. 713 on Public-Private Partnership Project Admission	Order	Ministry of National Economy of the Republic of Kazakhstan	2015	Defines the stages of completion of public-private partnership projects
24	Order No. 303 on Amendments to State Compulsory Education Standards	Order	Ministry of Education and Science of the Republic of Kazakhstan	Current version	Updates educational standards
25	Order No. 385 on Standard Rules	Order	Ministry of Education of the Republic of Kazakhstan	2022	Regulates the activities of educational organizations
26	Order on the Activities of Special Organizations	Order	Ministry of Education of the Republic of Kazakhstan	Current version	Regulates special education organizations
27	Order No. 224 on Standard Staffing Schedules	Order	Ministry of Education and Science of the Republic of Kazakhstan	2023	Establishes standard staffing requirements

28	Order No. 145 on Teaching Positions	Order	Ministry of Education and Science of the Republic of Kazakhstan	2020	Defines the list of teaching positions
29	Order No. 4 on Special Educational Needs Assessment	Order	Ministry of Education and Science of the Republic of Kazakhstan	2022	Defines categories of special educational needs
30	Order No. 92 on Psychological and Pedagogical Support Services	Order	Ministry of Education and Science of the Republic of Kazakhstan	2025	Regulates support for children
31	Order No. 70 on Equipment	Order	Ministry of Education and Science of the Republic of Kazakhstan	2016	Establishes equipment requirements
32	Order No. 532 on the State Order for Psychological and Pedagogical Support	Order	Ministry of Education and Science of the Republic of Kazakhstan	2022	Introduces a mechanism for partial financing
№	Normative legal act	Type of regulatory legal act	Adopted by	Year of adoption	Relevance for inclusive schools

This table confirms Hypothesis 1 and demonstrates that the regulation of private inclusive schools in the Republic of Kazakhstan has a fragmented, intersectoral character. Normative provisions are distributed among different branches of law-educational, social, tax, and entrepreneurial-while mechanisms for their systematic coordination and consistent application are absent. As a result, private actors are required to simultaneously take into account the requirements of multiple regulatory legal acts, which increases legal complexity and creates structural barriers to the implementation of projects in the field of inclusive education.

Table 2

Legal gaps resulting from the fragmented regulatory framework governing private inclusive schools in the Republic of Kazakhstan

(Based on Table 1)

No.	**Regulatory legal act**	**Type of regulatory legal act**	**Adopted by**	**Year of adoption**	**Nature of the legal gap**
1	Law of the Republic of Kazakhstan “On Education”	Law	Parliament of the Republic of Kazakhstan	2007	The legal status of a private inclusive school as a separate type of organization is not established

2	Law of the Republic of Kazakhstan "On Education"	Law	Parliament of the Republic of Kazakhstan	2007	A comprehensive financing model for inclusive education in the non-state sector is absent
3	Law of the Republic of Kazakhstan "On Social and Medical-Pedagogical Correctional Support for Children with Disabilities"	Law	Parliament of the Republic of Kazakhstan	2002	The medical model is preserved, while the participation of private and social actors remains insufficiently regulated
4	Law of the Republic of Kazakhstan "On the Rights of the Child"	Law	Parliament of the Republic of Kazakhstan	2002	Procedures for protection against discrimination and bullying in the educational environment are not regulated
5	Entrepreneurial Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2015	The status of inclusive schools as social entrepreneurship entities is not defined
6	Entrepreneurial Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2015	Special support measures for social and educational projects are absent
7	Rules for Maintaining the Register of Social Entrepreneurship Entities	Order	Ministry of National Economy of the Republic of Kazakhstan	2023	The criteria are not adapted to educational activities in the field of inclusive education
8	Social Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2023	Inclusive support in schools is not included in the social services system
9	Tax Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2017	Tax benefits for inclusive educational services are absent
10	Tax Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2017	Taxation of a complex package of services, including education and support, is not regulated
11	Budget Code of the Republic of Kazakhstan	Code	Parliament of the Republic of Kazakhstan	2008	Budgetary financial instruments for private inclusive schools are not provided
12	Law of the Republic of Kazakhstan "On Public-Private Partnership"	Law	Parliament of the Republic of Kazakhstan	2015	The law does not provide for the specific participation of inclusive schools as social entrepreneurship entities in PPP projects; it is primarily focused on investment models and does not offer simplified mechanisms for the participation of private partners without significant capital investment
13	Law of the Republic of Kazakhstan "On Permits and Notifications"	Law	Parliament of the Republic of Kazakhstan	2014	The law does not differentiate requirements according to the specific nature of inclusive education

14	Law of the Republic of Kazakhstan "On the Status of a Teacher"	Law	Parliament of the Republic of Kazakhstan	2019	The legal status of specialists in inclusive education, such as tutors and assistants, is not established
15	Law of the Republic of Kazakhstan "On Non-Commercial Organizations"	Law	Parliament of the Republic of Kazakhstan	2001	The law does not take into account a mixed model combining education and social entrepreneurship
16	Law of the Republic of Kazakhstan "On Limited and Additional Liability Partnerships"	Law	Parliament of the Republic of Kazakhstan	1998	The law does not take into account the social orientation of educational organizations
17	Resolution No. 1143	Resolution	Government of the Republic of Kazakhstan	2024	Measurable indicators and policy implementation mechanisms are absent
18	Resolution No. 249	Resolution	Government of the Republic of Kazakhstan	2023	Inclusive schools are not defined as a separate area of development
19	Resolution No. 1068	Resolution	Government of the Republic of Kazakhstan	2023	There are no mechanisms for including private schools in PPP projects
20	Resolution No. 710	Resolution	Government of the Republic of Kazakhstan	2017	Access to PPP instruments is limited
21	Order No. 4	Order	Ministry of Education and Science of the Republic of Kazakhstan	2022	The monopoly of psychological-medical-pedagogical commissions is preserved, and alternative assessment mechanisms are absent
22	Order No. 92	Order	Ministry of Education of the Republic of Kazakhstan	2025	Sources of financing for support services are not defined
23	Order No. 70	Order	Ministry of Education and Science of the Republic of Kazakhstan	2016	Equipment requirements are not supported by financial mechanisms
24	Order No. 385	Order	Ministry of Education of the Republic of Kazakhstan	2022	A unified model is applied without taking into account the specific nature of inclusive education
25	Order No. 224	Order	Ministry of Education of the Republic of Kazakhstan	2023	There is no flexibility in the staffing model
26	Order No. 145	Order	Ministry of Education and Science of the Republic of Kazakhstan	2020	New inclusive pedagogical roles are not established

27	Order No. 532	Order	Ministry of Education of the Republic of Kazakhstan	2022	The mechanism of the state order is limited and does not extend to school activities
28	Order No. 130	Order	Ministry of National Economy of the Republic of Kazakhstan	2023	Support measures are not adapted to the educational sphere

Source: Compiled by the author based on an analysis of legal gaps in the current corpus of regulatory legal acts listed in Table 1.

Note: Table 2 identifies 28 significant regulatory gaps in the current legal framework governing private inclusive schools in Kazakhstan

Table 2 contains twenty-eight significant shortcomings of a definitional, procedural, budgetary, and enforcement nature. The analysis shows the absence of a legally established status and unified definition of a private inclusive school. It also reveals the absence of a systematic financing model for inclusive education outside the public sector, as well as insufficient adaptation of licensing and regulatory requirements to the specific nature of inclusive education.*

The absence of clearly established criteria for reasonable accommodation and procedures for their application creates legal uncertainty and potential risks of discrimination claims. Insufficient regulation of the training of teachers and support specialists affects the quality of implementation of inclusive education. In addition, inclusive education is not supported by specialized mechanisms for integration into the public-private partnership system. Taken together, the identified provisions indicate the existence of systemic legal gaps caused by the fragmented nature of regulatory governance, which creates increased legal and institutional risks for private founders.

Table 3

Normative conflicts in the legal regulation of private inclusive schools in the Republic of Kazakhstan

(Based on Table 1)

No.	Normative legal act 1	Normative legal act 2	Type of regulatory legal act	Adopted by	Year of adoption	Essence of the normative conflict	Significance for inclusive schools

1	Law of the Republic of Kazakhstan "On Education"	Order No. 385 on Standard Rules	Law / Order	Parliament of the Republic of Kazakhstan / Ministry of Education of the Republic of Kazakhstan	2007 / 2022	The law declares inclusive education, while the subordinate act imposes limitations, including a limit of up to three children with special educational needs per class	Limits the practical implementation of inclusion in private schools
2	Law of the Republic of Kazakhstan "On Education"	Law of the Republic of Kazakhstan "On Social and Medical-Pedagogical Correctional Support for Children with Disabilities"	Laws	Parliament of the Republic of Kazakhstan	2007 / 2002	Conflict between the social model of inclusion and the medical model within the PMPC framework	Hinders the flexibility of educational solutions and the development of private schools
3	Law of the Republic of Kazakhstan "On the Rights of the Child"	Order No. 4 on PMPC	Law / Order	Parliament of the Republic of Kazakhstan / Ministry of Education and Science of the Republic of Kazakhstan	2002 / 2022	The right to education is made dependent on the conclusion of the PMPC	Limits access to education in the absence of such a conclusion
4	Entrepreneurial Code of the Republic of Kazakhstan	Order No. 140 on the Register of Social Entrepreneurship Entities	Code / Order	Parliament of the Republic of Kazakhstan / Ministry of National Economy of the Republic of Kazakhstan	2015 / 2023	There is a mismatch between the declared support for social entrepreneurship and the established criteria for access to the register	Limits access of private educational organizations to state support measures in the field of social entrepreneurship
5	Budget Code of the Republic of Kazakhstan	Entrepreneurial Code of the Republic of Kazakhstan	Codes	Parliament of the Republic of Kazakhstan	2008 / 2015	Budget financing is not coordinated with support for private entities	Excludes private schools from the financing system

6	Law of the Republic of Kazakhstan "On Public-Private Partnership"	Entrepreneurial Code of the Republic of Kazakhstan	Law / Code	Parliament of the Republic of Kazakhstan	2015 / 2015	Social entrepreneurs are recognized as business entities; however, they are not identified as a separate category of participants in PPP projects	The lack of normative integration of the institution of social entrepreneurship into public-private partnership mechanisms prevents its full participation in the implementation of social projects, including in the field of inclusive education
7	Resolution No. 13	Entrepreneurial Code of the Republic of Kazakhstan	Resolution / Code	Government of the Republic of Kazakhstan / Parliament of the Republic of Kazakhstan	2016 / 2015	Investment priorities do not include inclusive education as a form of social entrepreneurship	Deprives schools of investment incentives
8	Resolution No. 1143	Tax Code of the Republic of Kazakhstan	Resolution / Code	Government of the Republic of Kazakhstan / Parliament of the Republic of Kazakhstan	2024 / 2017	There is a declaration of support without corresponding tax instruments	Creates a declarative policy framework
9	Order No. 70 on Equipment	Tax Code of the Republic of Kazakhstan	Order / Code	Ministry of Education and Science of the Republic of Kazakhstan / Parliament of the Republic of Kazakhstan	2016 / 2017	Infrastructure requirements are not accompanied by tax support	Increases the financial burden
10	Order No. 224 on Standard Staffing Schedules	Law of the Republic of Kazakhstan "On the Status of a Teacher"	Order / Law	Ministry of Education of the Republic of Kazakhstan	2023 / 2019	New roles, such as tutors, are not recognized	Limits the staffing model for inclusion

				/ Parliament of the Republic of Kazakhstan			

The results of the analysis of normative conflicts presented in Table 3 make it possible to identify a deep dissonance between the strategic goals of state policy and the mechanisms of their tactical implementation in the sector of private inclusive education. The identified conflicts are inter-level in nature and manifest themselves in three key aspects: First, there is a conceptual gap: while the Law "On Education" is oriented toward the social model of inclusion, subordinate acts, in particular the regulations governing the activities of PMPCs, continue to rely on a medical approach, thereby limiting the agency of private schools and their autonomy in making educational decisions. Second, regulatory restrictions on class size, established by Order No. 385, directly contradict constitutional guarantees of universal access to education, creating artificial barriers to scaling inclusive practices in the private sector. Third, the institutional isolation of social entrepreneurship is a critical factor: despite the legislative recognition of the status of private inclusive schools as social business entities, the lack of correlation between the Entrepreneurial, Tax, and Budget Codes deprives them of real instruments of state support, including PPP mechanisms, tax preferences, and investment incentives. Thus, the current legal environment is characterized by the declarative nature of its norms, which not only hinders the financial sustainability of private inclusive initiatives but also limits the possibility of realizing the right of children with special educational needs to freely choose their educational trajectory.

Table 4

Non-compliance of regulatory legal acts of the Republic of Kazakhstan with international standards of inclusive education as a factor of legal limitations

(Based on Table 1)

No.	Regulatory legal act of the Republic of Kazakhstan	Type of regulatory legal act	Adopted by	Date of adoption	International instrument	Substance of non-compliance	Recommendations for alignment
1	Law of the Republic of Kazakhstan "On Education" No. 319-III	Law	Parliament of the Republic of Kazakhstan	27.07.2007	Convention on the Rights of Persons with Disabilities	Inclusion is established declaratively, without clear priorities	Establish the priority of inclusive education

2	Law of the Republic of Kazakhstan "On Education" No. 319-III / Order of the Minister of Education of the Republic of Kazakhstan No. 385 of 31 August 2022 "On Approval of the Standard Rules for the Activities of Educational Organizations of the Relevant Types and Kinds, Except for Higher and Postgraduate Education Organizations"	Law / Order	Parliament of the Republic of Kazakhstan / Minister of Education of the Republic of Kazakhstan	27.07.2007 / 31.08.2022	Salamanca Statement / Convention on the Rights of Persons with Disabilities	Lack of full integration of children with special needs into the general education system, as well as the retention of legally established quantitative limits on their inclusion	Enshrine the principle of "education for all"
3	Law of the Republic of Kazakhstan "On Education" No. 319-III	Law	Parliament of the Republic of Kazakhstan	27.07.2007	Dakar Framework for Action	There are no guarantees of the quality of inclusive education	Introduce quality standards for inclusion
4	Law of the Republic of Kazakhstan "On Social and Medical-Pedagogical Correctional Support for Children with Disabilities" No. 343-II	Law	Parliament of the Republic of Kazakhstan	11.07.2002	Convention on the Rights of Persons with Disabilities	Establishes a medical model of disability	Transition to the social model of disability
5	Law of the Republic of Kazakhstan "On the Rights of the Child in the Republic of Kazakhstan" No. 345-II	Law	Parliament of the Republic of Kazakhstan	08.08.2002	Convention on the Rights of the Child	Effective mechanisms for protection against discrimination in education are absent	Introduce protection and accountability procedures
6	Entrepreneurial Code of the Republic of Kazakhstan No. 375-V	Code	Parliament of the Republic of Kazakhstan	29.10.2015	International Covenant on Economic, Social and Cultural Rights	The status of inclusive schools as social entrepreneurship entities is not established	Introduce a separate category

7	Entrepreneurial Code of the Republic of Kazakhstan No. 375-V	Code	Parliament of the Republic of Kazakhstan	29.10.2015	Dakar Framework for Action	There are no special investment and entrepreneurial mechanisms aimed at developing inclusive education	Develop instruments to stimulate investment activity and support entrepreneurial entities in the field of inclusive education
8	Code of the Republic of Kazakhstan "On Taxes and Other Obligatory Payments to the Budget" (Tax Code) No. 120-VI	Code	Parliament of the Republic of Kazakhstan	25.12.2017	International Covenant on Economic, Social and Cultural Rights	Tax incentives for inclusive education are absent	Introduce tax benefits
9	Budget Code of the Republic of Kazakhstan No. 95-IV	Code	Parliament of the Republic of Kazakhstan	04.12.2008	Dakar Framework for Action	Financing for private inclusive schools is absent	Introduce state financing mechanisms
10	Law of the Republic of Kazakhstan "On Public-Private Partnership" No. 379-V	Law	Parliament of the Republic of Kazakhstan	31.10.2015	Dakar Framework for Action	The investment-oriented PPP model does not correspond to the objective of ensuring access to education, including with the participation of social entrepreneurship entities	Ensure implementation of approaches to access to education established in international instruments
11	Order of the Minister of Education and Science of the Republic of Kazakhstan No. 4	Order	Ministry of Education and Science of the Republic of Kazakhstan	12.01.2022	Convention on the Rights of Persons with Disabilities	Access to education depends on PMPC assessment	Introduce alternative mechanisms
12	Order of the Minister of Education and Science of the Republic of Kazakhstan No. 70	Order	Ministry of Education and Science of the Republic of Kazakhstan	22.01.2016	UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities	Accessibility requirements are established without resources	Link accessibility requirements to financing

As shown in Table 4, CRPD standards are reflected at the constitutional and statutory levels, but significant shortcomings remain in subordinate legislation and implementation mechanisms. The Law "On Education" and its

amendments prohibit discrimination, including in the context of inclusive education, but subordinate acts do not clarify the meaning and application of reasonable accommodation.

Order No. 92 prescribes support services but does not establish a clear financing mechanism for them. The Concept of Inclusive Policy for 2025–2030 sets out policy directions but does not provide sufficient implementation mechanisms. A particularly important issue is that Order No. 338 does not adequately provide for inclusive education training or training on the rights of persons with disabilities for teachers. In addition, independent monitoring under Article 33 of the CRPD is not sufficiently reflected.

Table 4 proves Hypothesis 3: Kazakhstani laws integrate the CRPD standards on a more advanced normative level; however, there are serious gaps in the subordinate legal regulations and enforcement procedures that leave gaps in adherence to the international legal requirements.

The results of the doctrine indicate a normative paradigm of private inclusive schools in Kazakhstan with structural law barriers, intersectoral disintegration of the regulatory acts, and lack of a unified legal framework of combining the educational, social, tax, and entrepreneurial laws. These findings are interpreted using the human rights model of disability, Pure Theory of Law developed by Kelsen, and critical disability theory.

Table 1 confirms that the normative corpus is made up of thirty-two acts spread in constitutional, statutory, subordinate, and international levels. This kind of distribution is typical of the sectoral law of Kazakhstan. It is not the simple scattering of regulation across sectors that is a problem, but the lack of a legal regime that is particularly aligned with private inclusive education that validates Hypothesis 1.

Table 2 enumerates twenty-eight legal gaps that occur due to the disjointed regulatory system. The analysis reveals that there is no particular legal regime for private inclusive schools, state assistance systems, and clear regulations that refer to the peculiarities of inclusive education in the private sector. The legal norms do not forbid the creation of such schools, but in fact, the creation of such schools is restricted by the lack of special regulatory actions. These gaps pose threats to regulatory uncertainty and institutional instability, which are particularly high at the point of setting up and establishing an educational institution. These results can be aligned with Movkebayeva et al. (2020) and the fragmentation of education governance and Kuzhabekova (2025), who mentions the disproportionate load on the role of

private actors in the education system of Kazakhstan. Hypothesis 2 is thus proven.

Table 3 distinguishes ten normative conflicts of law of inclusive schools which are privately owned. The analysis unveils contradiction between educational needs and business operating conditions, social guarantees and the way they can be provided through the economic mechanisms, between various subordinate acts. These conflicts develop scenarios where one requirement can conflict or even render another requirement impractical or unattainable to comply with. This poses a high regulatory risk to enforcement, such as the risk of denying a license, risk of not complying with inspections, and risk of higher operating expenses. These results align with those of Mamerkhanova et al. (2025) regarding the lack of training of teachers and allocation of resources, yet not with Orynbassarov et al. (2025), who paid attention to the failures of implementation. This article demonstrates that legal conflicts can be demonstrated without referring to societal attitudes, unlike Rollan and Somerton (2021), who focused on the importance of cultural barriers. The outcome supports Hypothesis 2.

Table 4 gives 12 incidents of non-observance of international standards. It can be seen that, on the one hand, the domestic legislation and international standards, such as the CRPD, UNESCO instruments, the Salamanca Statement, and the Dakar Framework comply with the selected normative acts, i.e. at the level of the principles in the Constitution and the basic laws. Conversely, implementation may not be fully guaranteed at the subordinate regulation level. Specifically, the following are not assured: economic mechanisms in favor of inclusion, flexible financing schemes, and incentives to the private providers. This non-conformance poses other regulatory risks in regard to the discrepancy between proclaimed rights and their implementation. These results confirm the trend found by Haynes (2025) and Orozova et al. (2023): legislation is offered some formal improvements, but their mechanisms of implementation are inadequate. The critical disability theory can be used to explain this phenomenon: the ability and disability dichotomy in the legal field is created as a part of the legal system (Meyers, 2025). One of such binary systems may be observed in the lack of a compulsory teacher training in inclusive education, as revealed by Kuchumova and Mukhamedzhanova (2025). Hypothesis 3 is thus justified.

This research has three theoretical contributions. First, it is based on Kelsen Pure Theory of Law (Kelsen, 2005), which demonstrates the violation of the normative hierarchy in the framework of the post-Soviet legal regulation of

inclusive education. Second, it builds on the critical disability theory by using doctrinal analysis of law to show how the medical model still dominates the secondary legislation despite the official recognition of the social model (Watson et al., 2022). Third, it offers the initial structured mapping of legal gaps, normative conflicts, and non-compliance with international law in the current legal framework in Kazakhstan.

There are a number of limitations to this study. First, the findings can be only relevant to the normative analysis of the existing Kazakhstani legislation as of 2025 and cannot investigate the enforcement practice or lived experience of the private founders. Second, the methodology in terms of doctrines adopted in this study cannot be used to consider the generalization empirically. Third, statistical data is not analyzed on an empirical basis; it is merely used to put the situation into perspective in the Introduction, and is not a component of the legal analysis.

D. CONCLUSION

This is a legal research study that explored the legal obstacles and regulatory risks of the establishment of inclusive schools by private founders in the Republic of Kazakhstan. The research met its three objectives and proved its three hypotheses in terms of formal legal analysis of thirty-two regulatory acts, systematic interpretation, doctrinal interpretation, and analysis of legal gaps and conflicts.

The results prove that the current regulatory framework poses a structural legal impediment to the formation of private inclusive schools because of the disintegration of intersectoral regulation and lack of a coherent legal framework integrating educational, social, tax, and entrepreneurial law. This confirms Hypothesis 1.

Table 2 lists twenty-eight legal loopholes brought about by the disjointed regulatory framework. The discussion reveals that there is no particular legal system that applies to private inclusive schools, systems of state support, and definite provisions of inclusive education in the sphere of the private sector. These loopholes leave room for uncertainty in regulations and potential institutional instabilities, which proves hypothesis 2.

Ten normative conflicts are identified in Table 3 and these show conflicting educational needs and business conditions, social guarantees and economic mechanisms, and various subordinate acts. The principal regulatory

risk that is going to emerge due to these conflicts is the risk of failure to be licensed, the risk of failure to meet the standards in the course of the inspection, and the risk of higher operating costs. This confirms Hypothesis 2.

Table 4 reveals that there are twelve instances of non-observance of international standards such as the CRPD, UNESCO, Salamanca Statement, and the Dakar Framework. With formal compliance at both the constitutional and statutory level, the actual implementation is not realised at the subordinate level. Hypothesis 3 is proven right because economic instruments to aid inclusion, flexible financing plans, and incentives to private providers are not guaranteed.

To fill the identified gaps and to eliminate normative conflicts and inconsistencies with international standards are the key elements to be addressed if Kazakhstan is going to meet its proclaimed promise of inclusive education by engaging the private sector.

REFERENCES

Acting Minister of Education of the Republic of Kazakhstan. (2023, July 21). Order No. 224 "On Approval of Standard Staffing Schedules for State Educational Organizations." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://zakon.uchet.kz/rus/history/V2400035475/11.12.2024

Acting Minister of National Economy of the Republic of Kazakhstan. (2015, November 25). Order No. 713 "On Approval of the Rules for Transferring Public-Private Partnership Objects into State Ownership." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Allan, J., & Omarova, T. (2022). Disability and inclusion in Kazakhstan. Disability & Society, 37(7), 1067–1084. https://doi.org/10.1080/09687599.2020.1867073

Amirova, A. (2025). Advancing citizen-centered public services in Kazakhstan: Legal, institutional perspectives and digital governance. Frontiers in Political Science, 7, 1–15. https://doi.org/10.3389/fpos.2025.1679601

Budget Code of the Republic of Kazakhstan No. 95-VII. (2023, December 4). "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/K2300000095

Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan. (2025). Number of children with developmental disabilities. Statistics of the Population with Disabilities. Retrieved from https://stat.gov.kz/en/industries/social-statistics/stat-medicine/dynamic-tables/

Carmel, J.-M., Chapman, S., & Wright, P. (2025). Disability justice: Challenges of integration into everyday life. International Journal of Disability, Development and Education, 1–14. https://doi.org/10.1080/1034912X.2025.2456288

Code of the Republic of Kazakhstan No. 518-IV "On Marriage (Matrimony) and Family." (2011, December 26). "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/K1100000518

Constitution of the Republic of Kazakhstan. (1995). Akorda. https://www.akorda.kz/en/constitution-of-the-republic-of-kazakhstan

Eckel, P. D. (Ed.). (2023). Leading universities in post-Soviet countries: From a common beginning, 1991–2021. Cambridge University Press. https://doi.org/10.1017/9781009105224

Elviandri, E., Darmawan, A., Ridwan, A., Rifandi, A., & Hui, R. T. (2025). The validity of the divine value of the phrase "for the sake of justice based on the One Supreme God": The dialectic of Hans Kelsen's Pure Theory of Law and the transcendental paradigm of law. Pena Justisia: Media Komunikasi Dan Kajian Hukum, 24(2), 8486–8501.

Entrepreneurial Code of the Republic of Kazakhstan No. 375-V. (2015, October 29). "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/K1500000375

Government of the Republic of Kazakhstan. (2016). Resolution No. 13 "On Approval of the List of Priority Areas for Attracting Investment." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/P1600000013

Government of the Republic of Kazakhstan. (2017, November 6). Resolution No. 710 "On Approval of the List of Objects Not Subject to Transfer for Implementation under Public-Private Partnership." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/P1700000710

Government of the Republic of Kazakhstan. (2019, May 28). Resolution No. 326 "On Approval of the National Plan to Ensure the Rights and Improve the Quality of Life of Persons with Disabilities in the Republic of Kazakhstan until 2025." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Government of the Republic of Kazakhstan. (2023, March 28). Resolution No. 249 "On Approval of the Concept for the Development of Preschool, Secondary, Technical and Vocational Education of the Republic of Kazakhstan for 2023–2029." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Government of the Republic of Kazakhstan. (2023, November 30). Resolution No. 1068 "On Approval of the Comprehensive Plan for the Development of Public-Private Partnership in the Social Sphere for 2024–2028." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Government of the Republic of Kazakhstan. (2024, December 30). Resolution No. 1143 "On Approval of the Concept of Inclusive Policy in the Republic of Kazakhstan for 2025–2030." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Haynes, J. (2025). International human rights law's complicity in status subordination: A postcolonial critique of treaty bodies' engagement with trafficking. Leiden Journal of International Law, 38(4), 733–765. https://doi.org/10.1017/S0922156525100332

Hutchinson, T., & Duncan, N. (2012). Defining and describing what we do: Doctrinal legal research. Deakin Law Review, 17(1), 83–119.

Imamatdinova, A., Samambayeva, A., Akhtaeva, N., Kozhageldiyeva, L., Sabyrdilda, Z., Kapanova, G., & Kosherbayeva, L. (2025). Autism spectrum disorders: Parents' experiences in Kazakhstan. BMC Public Health, 25(1), 1–12. https://doi.org/10.1186/s12889-025-23764-3

Kalshabayeva, M., Sartayev, S., Biskultanova, A., Tursynkulova, D., & Abdykadyr, U. (2026). Legislation of the Republic of Kazakhstan and foreign countries in the field of mediation. Rivista di Studi sulla Sostenibilità, 10(2), 17–35. https://doi.org/10.3280/riss2025oa21078

Kelsen, H. (2005). Pure theory of law (M. Knight, Trans.). The Lawbook Exchange. (Original work published 1934)

Khamzina, Z., Buribayev, Y., & Tileubergenov, Y. (2025). Institutionalizing integrity: Rethinking ethical and cultural standards in Kazakhstan's civil service. Frontiers in Political Science, 7, 1–12. https://doi.org/10.3389/fpos.2025.1573608

Kuchumova, G., & Mukhamedzhanova, D. (2025). Problems of developing research-based teacher education in Kazakhstan. Education Sciences, 15(10), 1–15. https://doi.org/10.3390/educsci15101339

Kuzhabekova, A. (2025). Unlocking the potential of equality as a transformative force in Kazakhstan's post-Nazarbayev higher education reform. Central Asian Survey, 1–21. https://doi.org/10.1080/02634937.2025.2566291

Law of the Republic of Kazakhstan No. 56-VII "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Inclusive Education." (2021, June 26). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z2100000056

Law of the Republic of Kazakhstan No. 202-V "On Permits and Notifications." (2014, May 16). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z1400000202

Law of the Republic of Kazakhstan No. 219-I "On Limited and Additional Liability Partnerships." (1998, April 22). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z980000219_

Law of the Republic of Kazakhstan No. 288-V "On Ratification of the Convention on the Rights of Persons with Disabilities." (2015, February 20). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z1500000288

Law of the Republic of Kazakhstan No. 293-VI "On the Status of a Teacher." (2019, December 27). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z1900000293_

Law of the Republic of Kazakhstan No. 319-III "On Education." (2007, July 27). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z070000319_

Law of the Republic of Kazakhstan No. 343-II "On Social and Medical-Pedagogical Correctional Support for Children with Disabilities." (2002, July 11). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z020000343_

Law of the Republic of Kazakhstan No. 345-II "On the Rights of the Child in the Republic of Kazakhstan." (2002, August 8). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z020000345_

Law of the Republic of Kazakhstan No. 379-V "On Public-Private Partnership." (2015, October 31). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z1500000379

Law of the Republic of Kazakhstan No. 410-VI "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Education." (2021, January 8). "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z2100000410

Law of the Republic of Kazakhstan No. 449-V "On Ratification of the Convention against Discrimination in Education." (2016, January 28). Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/Z1600000449

Maksatova, A. (2024). Development of inclusive education for students with disabilities in Kazakhstan. InterConf, 50, 80–87. https://doi.org/10.51582/interconf.19-20.10.2024.010

Mamerkhanova, Z., Sakayeva, A., Akhmetkarimova, K., Assakayeva, D., & Bobrova, V. (2025). Development of inclusive education in the Republic of Kazakhstan: An insider's view using the example of the Karaganda region. Frontiers in Education, 10, 1–15. https://doi.org/10.3389/feduc.2025.1630225

Meyers, S. (2025). Disability rights and disability justice in prison: The limits of state-protected rights and the possibilities of mutual aid. Disability & Society, 40(7), 1779–1800. https://doi.org/10.1080/09687599.2024.2407829

Minister of Education of the Republic of Kazakhstan. (2022, August 31). Order No. 385 "On Approval of the Standard Rules for the Activities of Educational Organizations of the Relevant Types and Kinds." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://continent-online.com/Document/?doc_id=33565276#pos=0;0

Minister of Education of the Republic of Kazakhstan. (2022, December 29). Order No. 532 "On Approval of the Rules for Placing the State Educational Order for Special Psychological and Pedagogical Support for Children with Disabilities." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of Education of the Republic of Kazakhstan. (2025, April 29). Order No. 92 "On Approval of the Rules for the Functioning of Psychological and Pedagogical Support Services in Educational Organizations." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of Education of the Republic of Kazakhstan. (Current version). Order No. 303 "On Amendments to Order No. 348 of the Minister of Education of the Republic of Kazakhstan dated August 3, 2022." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of Education of the Republic of Kazakhstan. (Current version). Order "On Approval of the Standard Rules for the Activities of Special Educational Organizations." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of Education and Science of the Republic of Kazakhstan. (2016, January 22). Order No. 70 "On Approval of Equipment and Furniture Standards for Preschool, General Secondary, and Special Educational Organizations." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of Education and Science of the Republic of Kazakhstan. (2020, April 15). Order No. 145 "On Approval of the List of Teaching Positions." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of Education and Science of the Republic of Kazakhstan. (2022, January 12). Order No. 4 "On Approval of the Rules for Assessing Special Educational Needs." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of National Economy of the Republic of Kazakhstan. (2023). Order No. 130 "On Approval of the Rules for Supporting Social Entrepreneurship Development Initiatives by State Bodies, National Holdings, National Development Institutions, and Other Organizations." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Minister of National Economy of the Republic of Kazakhstan. (2023). Order No. 140 "On Approval of the Rules for Maintaining the Register of Social Entrepreneurship." "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://cis-legislation.com/document.fwx?rgn=151770

Minister of National Economy of the Republic of Kazakhstan. (2025). Order No. 73 "On Amendments to Order No. 52 of the Deputy Prime Minister — Minister of National Economy of the Republic of Kazakhstan dated June 16, 2025." Adilet Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/

Movkebayeva, Z., Khamitova, D., Zholtayeva, A., Balmagambetova, V., & Balabiyev, K. (2020). Factors affecting legal regulation and management of the education system in Kazakhstan: A review and analysis. Problems and Perspectives in Management, 18(4), 14–24. https://doi.org/10.21511/ppm.18(4).2020.02

Musabalinova, A. (2025). Exploring access to education for children affected by nuclear testing in Kazakhstan. Education and Conflict Review, 6, 105–112. https://doi.org/10.14324/000.ch.10216113

O'Callaghan, E., Lin, M., Maxwell, N., & Boustead, E. (2025). Inclusive higher education for people with intellectual disabilities: Higher education institutions' obligations under the United Nations Convention on the Rights of Persons with Disabilities. Higher Education. Advance online publication. https://doi.org/10.1007/s10734-025-01536-7

Orozova, R., Battalova, A., & Bagdasarova, N. (2023). A critical analysis of the disability movement in Kyrgyzstan: An attempt to be heard. Europe-

Asia Studies, 75(2), 232–251. https://doi.org/10.1080/09668136.2023.2179602

Orynbassarov, D., Baiyrbek, P., & Saparkhan, L. (2025a). Towards an inclusive future: Public administration, legal reforms, and education in Kazakhstan. Journal of Law, 2(2), 34–52. https://doi.org/10.47344/676v3423

Orynbassarov, D., Maulen, A., & Rollan, K. (2025b). Teachers' perspectives on educational inclusion of students with disabilities and their transition to the labor market in Almaty, Kazakhstan. International Journal of Disability, Development and Education, 1–13. https://doi.org/10.1080/1034912X.2025.2571766

Ramazanova, D., Togaibayeva, A., Yessengulova, M., & Yertleuova, B. (2025). Assessment of stress levels among students with special educational needs during distance learning. Cogent Education, 12(1), 1–12. https://doi.org/10.1080/2331186X.2025.2579736

Rollan, K., & Somerton, M. (2021). Inclusive education reform in Kazakhstan: Civil society activation from the bottom up. International Journal of Inclusive Education, 25(10), 1109–1124. https://doi.org/10.1080/13603116.2019.1599451

Rymkhanova, A., Mulikova, S., Sakayeva, A., Akhmetzhanova, Z., Zhanibekova, S., & Bekmaganbetova, A. (2025). Addressing gaps in ASD specialist training in Kazakhstan: A forecasting-based approach. Journal of Education and Health Promotion, 14(1), 1–8. https://doi.org/10.4103/jehp.jehp_1040_24

Social Code of the Republic of Kazakhstan No. 224-VII. (2023, April 20). "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan. https://adilet.zan.kz/eng/docs/K2300000224

United Nations. (1989). Convention on the Rights of the Child. https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child

United Nations. (2006). Convention on the Rights of Persons with Disabilities. https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities

United Nations Educational, Scientific and Cultural Organization. (1960). Convention against Discrimination in Education.

https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education

Watson, J., Anderson, J., Wilson, E., & Anderson, K. L. (2022). The impact of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) on Victorian guardianship practice. Disability and Rehabilitation, 44(12), 2806–2814. https://doi.org/10.1080/09638288.2020.1836680

Yeleussizova, S., Kan, G., & Rau, J. (2025). Exploring the impact of information technologies on the social integration of people with disabilities in the digital era. Rotura – Revista de Comunicação, Cultura e Artes, 55–70. https://doi.org/10.34623/S7MW-9B37

Yussupova, D. S., Zhussipbek, T. Z., & Dwyer, H. (2023). Analysis of the shortage of specialists in inclusive education schools in Kazakhstan. Bulletin of Karaganda University. Economy Series, 110(2), 123–135. https://doi.org/10.31489/2023ec2/123-135

Zancajo, A., Fontdevila, C., Verger, A., & Bonal, X. (2021). Regulating public-private partnerships, governing non-state schools: An equity perspective (Background paper for the UNESCO Global Education Monitoring Report). UNESCO. https://unesdoc.unesco.org/ark:/48223/pf0000380092

Zharlygassinov, T., Ruzanov, R., & Dosmanbetova, M. (2025). Dynamics of public administration reform practices in the healthcare sector of the Republic of Kazakhstan: Global and local perspective. Value in Health Regional Issues, 45, 1–8. https://doi.org/10.1016/j.vhri.2024.101047