

Summary

The topic of the thesis is constitutional guarantees of the right of persons with disabilities to education. Both physically and mentally disabled persons form a significant part of the society. However, they have not been considered a specific subject of human rights until the second half of the 20th century. At first, they were protected as a subject of social security and charity. Nowadays the regulation is focused on social inclusion of persons with disabilities. The most important international legal instrument in this field is the Convention on the Rights of Persons with Disabilities which was adopted by the United Nations in 2006.

The right to education is a substantial human right and it arises from human dignity itself. Education is also a requisite for the execution of other rights and it is a key means for social inclusion of persons with disabilities. Disability can often be an obstacle or a reason for discrimination in access to education. Thus it is necessary to pay special attention to persons with disabilities in this field.

The aim of the thesis is to name the main constitutional guarantees of the right of disabled persons to education. The source of these guarantees is the Charter of Fundamental Rights and Freedoms with regard to the Constitutional Court's practice. The thesis also considers the guarantees emerging from international human rights conventions of which the Czech Republic is a signatory, including the European Court of Human Rights case law. The constitutional guarantees can be organized into these groups: availability, accessibility, acceptability and adaptability of education, emphasis on the child's best interest and judicial review of education-related decision-making.

Moreover the thesis deals with Czech regulation and its dynamic evolution, which was triggered especially by the decision the European Court of Human Rights in the case *D.H. and others v. Czech Republic*. The current education of disabled persons regulation on elementary level is contained mainly in The Education Act and its implementing regulations. The theses assesses the regulation through the optics of the aforementioned constitutional guarantees of the rights of disabled person to education.