

INCLUSIVE EDUCATION – POLICY PERSPECTIVES

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The concept of inclusion first gained recognition in Canada followed by the USA and Great Britain. To understand inclusion, it is important to acknowledge that each child is unique in terms of physical ability and mental capacity and has a preferential learning style. Inclusion is a sense of belonging: feeling respected, valued for who you are, feeling a level of supportive energy and commitment from others so that you can do your best work." (Miller and Katz, 2002)

Inclusive educational set up refers to equitable and non-discriminating arrangements where each child is valued, accepted and respected. An inclusive set up helps in building a community, nurturing and comforting environment where each child can acquire academic and social skills with a positive attitude and values, Inclusion promotes quality and equity education for all, without any type of barrier. An estimated 15% of the world's population suffers from disability. Globally, 93 million children are estimated to have moderate and severe disabilities and many of these children are out of school.

The exclusion of children with disabilities from education and from fair life chances requires urgent attention. Efforts have been done at international and national level by respective Government.

UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (UNCRPD)

The Convention on the Rights of Persons with Disabilities highlights that there is discrimination on the basis of disability all over the world. As the first human rights treaty of the twenty-first century, it represents a major step towards realising the rights of disabled people to be treated as full and equal citizens. The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 at the United Nations Headquarters in New York. The Convention entered into force on 3 May 2008.

Article 24 of the UNCRPD deals with the right to education of persons with disabilities.

1. States Parties recognise the right of persons with disabilities to education. With a view to realising this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:
 - a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
 - b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential; and
 - c) Enabling persons with disabilities to participate effectively in a free society.

2. In realising this right, States Parties shall ensure that:
 - a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
 - b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
 - c) Reasonable accommodation of the individual's requirements is provided;
 - d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education; and
 - e) Effective individualised support measures are provided in environments that maximise academic and social development, consistent with the goal of full inclusion.
3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:
 - a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
 - b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; and
 - c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deaf blind, is delivered in the most

appropriate languages and modes and means of communication for the individual, and in environments which maximise academic and social development.

4. In order to help ensure the realisation of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.
5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

EDUCATION FOR ALL (MILLENNIUM DEVELOPMENT GOALS)

Education For All (EFA) is a global movement led by UNESCO (United Nations Educational, Scientific and Cultural Organisation), aiming to meet the learning needs of all children, youth, and adults by 2015. The EFA was adopted by The Dakar Framework in April 2000 at the World Education Forum in Senegal, Africa, with the goal that all children would receive primary education by 2015. The EFA also contributes to the global pursuit of the eight Millennium Development Goals (MDGs), especially MDG2 on universal primary education and MDG3 on gender equality in education by 2015. The EFA 'flagship' initiative draws global attention to the fact that 'education for all' is a fundamental human right, which cannot be realised without the full inclusion of all people, who are in any way disabled. The original

EFA promises were made at Jomtien, Thailand in 1990 by a consortium of agencies including the World Bank, UNESCO, UNICEF AND UNDP, and 155 countries in a landmark declaration. Article III of the Jomtien Declaration addressed universalisation of access and promotion of equity as essential goals for basic education, which "should be provided to all children, youth and adults" who need it. Paragraph 5 states "Steps need to be taken to provide equal access to education to every category of disabled persons as an integral part of the education system."

CONSTITUTIONAL OBLIGATIONS/PROVISIONS FOR EDUCATION OF DIVERSE GROUPS OF INDIA

The Constitution of India has embodied a number of Fundamental Rights in Part III of the Constitution to safeguard individual liberty and also to ensure social, economic, and political justice for every member of the community.

Children from diverse cultural and social backgrounds have the right to free and compulsory education guaranteed under Article 21A and the Right to Education Act, 2009.

Article 21A says that, "The State shall provide free and compulsory education to all children of the age of six to fourteen years."

Article 46 provides special care to the promotion of education and economic interests of the Scheduled Caste, Scheduled Tribes, and the weaker sections of society.

The Constitution directs every State to provide adequate facilities for instruction in the mother tongue at the primary stage of education to children belonging to linguistic minority groups (Article 350A)

Article 29 and Article 30 of the Indian Constitution provide cultural and educational right to the minorities. Article 29 (1) says that, "any section of the citizens residing in the territory of

India or any part of there of having a distinct language, script or culture of its own shall have right to conserve the same."

Article 29(2) and Article 30 of the constitution provides protection to the linguistic and religious minorities of the society. It says that all minorities whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

NATIONAL POLICY OF EDUCATION (1986-92)

Some observations and recommendations of NPE in relation to the education of disadvantaged and disabled people.

MINORITIES EDUCATION

The national policy on Education 1986 states that "Some minority groups are educationally deprived or backward. Greater attention will be paid to the education of these groups in the interest of equality and social justice. This will naturally include the constitutional guarantees given to them to establish and administer their own educational institutions, and protection to their languages and culture. Simultaneously, objectivity will be reflected in the preparation of text books and in all school activities, and all possible measures will be taken to promote an integration based on appreciation of common national goals and ideals, in conformity with the core curriculum."

EDUCATION OF THE HANDICAPPED

The NPE stipulates that wherever possible education of children with locomotor handicap and other mild handicaps will be common with that of others. The children with severe handicaps are proposed to be enrolled in special schools with hostels at district headquarters.

The following provisions including incentives are proposed:

- i) Provision of aids and appliances in the area to be covered.
- ii) Adequate, provision for the payment of transportation allowance (Rs.50/- per month).
- iii) Provision for capital cost for the purchase of school rickshaw in rural area to an institution which has at least 10 handicapped children.
- iv) Removal of architectural barriers in school building where at least 10 handicapped children are enrolled.
- v) Supply of text books and uniforms free of cost as given to scheduled caste and scheduled tribe students.
- vi) Attendance incentives like other special groups like girls and ST children.
- vii) Arrangements for the preparation of these children in Early Childhood Centres for education in schools.
- viii) Provision for admission of children older than the eligibility (up to 8-9 years instead of 6 years). It is essential in the transitional phase of the provision. Extended preparation from schooling also necessitates this provision.

REHABILITATION COUNCIL OF INDIA ACT 1992

Another important legislation which came into being in 1992, prior to the PWD Act, was the Rehabilitation Council of India Act. The RCI was set-up in 1986 as a registered society, which became a statutory body on June 22, 1993. The RCI Act was further amended in 2000 by the Parliament to make it broader-more based. It has the mandate to regulate and monitor services given to persons with disabilities, to standardise syllabi, and maintain a Central Rehabilitation Register of all qualified professionals and personnel working in the field of Rehabilitation and Special Education.

The rehabilitation of persons with disabilities in India has been receiving attention during the last five decades since independence. The year 1981 was declared as the 'International Year of the Disabled Persons (IYDP)' by the United Nations. Lack of appropriate trained manpower has been one of the major constraints in the expansion of rehabilitation services in the country. The training programmes in the field of rehabilitation special education were isolated and ad-hoc in nature, with no standard syllabi. There was no uniformity in the teaching curriculum run by various institutions at the Under-Graduate, Graduate, and Post-Graduate levels. It was, therefore, decided by the Government of India in 1986 to set-up a Rehabilitation Council to be responsible for:

- I. training policies and programmes;
- II. to standardise the training courses for professional dealing with persons with disabilities;
- III. to grant recognition to the institutions running these training courses;
- IV. to maintain a Central Rehabilitation Register of the rehabilitation professionals; and
- V. to promote research in Rehabilitation and Special Education.

In order to give statutory powers to the Council for carrying out its duties effectively, the Rehabilitation Council of India Act, 1992, was passed by the Parliament which came into force with effect from 22nd June 1993.

In India, the first concrete step towards ensuring full participation of persons with disabilities in nation building was the persons with Disabilities (Equal Opportunities, Full Participation and Protection of Rights) Act, 1995. The persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 came into force on February 7, 1996. The main provisions of the Act are:

PREVENTION AND EARLY DETECTION OF DISABILITIES

- Surveys, investigations, and research shall be conducted to ascertain the cause of occurrence of disabilities;
- Various measures shall be taken to prevent disabilities. Staff at the Primary Health Centre shall be trained to assist in this work;
- All the children shall be screened once in a year for identifying 'at-risk' cases;
- Awareness campaigns shall be launched and sponsored to disseminate information; and
- Measures shall be taken for pre-natal, peri-natal, and post-natal care of the mother and child.

EDUCATION

Every child with disability shall have the rights to free education until the age of 18 years in integrated schools or special schools.

- Appropriate transportation, removal of architectural barriers and restructuring of modifications in the examination system shall be ensured for the benefit of children with disabilities.
- Children with disabilities shall have the right to free books, scholarships, uniform and other learning material;
- Special Schools for children with disabilities shall be equipped with vocational training facilities;
- Non-formal education shall be promoted for children with disabilities.
- Teachers' Training Institutions shall be established to develop requisite manpower; and
- Parents may move to an appropriate forum for the redressal of grievances regarding the placement of their children with disabilities.

EMPLOYMENT

3% of vacancies in government employment shall be reserved for people with disabilities, and 1% each for the persons suffering from:

- Blindness or Low Vision.
- Hearing Impairment, and
- Locomotor Disabilities and Cerebral Palsy, Suitable schemes shall be formulated for :
- The training and welfare of persons with disabilities;
- The relaxation of upper age limit;
- Regulating the employment; and
- Health and Safety measures and creation of a non-handicapping environment in places where persons with disabilities are employed.

AFFIRMATIVE ACTION

Aids and appliances shall be made available to the people with disabilities.

Allotment of land shall be made at concessional rates to the people with disabilities for house, business, Special Recreational Centres, Special Schools, Research Schools and factories by entrepreneurs.

NON-DISCRIMINATION

- Public building, rail compartments, buses, ships, and air-crafts will be designed to give easy access to the disabled people.
- In all public places and in waiting rooms, the toilets shall be wheel chair accessible.
- Braille and sound symbols are also to be provided in all elevators (lifts).
- All the places of public utility shall be made barrier-free by providing ramps.

RESEARCH AND MANPOWER DEVELOPMENT

- Research in the following areas shall be sponsored and promoted:
- Prevention of disability,
- Rehabilitation including community-based rehabilitation,
- Development of Assistive Devices,
- Job Identification,
- On-site modification of offices and factories,
- Financial assistance shall be made available to universities, other institutions of higher learning, professional bodies and non-government research units or institutions, for undertaking research for special education, rehabilitation, and manpower development.

SOCIAL SECURITY

- Financial assistance to non-government organisations for the rehabilitation of persons with disabilities;
- Insurance coverage for the benefit of government employees with disabilities; and
- Unemployment allowance to people with disabilities, who are registered with the special employment exchange for more than a year and could not find any gainful occupation.

GRIEVANCE REDRESSAL

In case of violation of the rights as prescribed in this Act, people with disabilities may move and application to the-

- Chief Commissioner for Persons with Disabilities in the Centre, or
- Commissioner for Persons with Disabilities in the State.

NATIONAL POLICY FOR PWD (2006)

The Government of India formulated the National Policy for Persons with Disabilities in February 2006 which deals with Physical, Educational and Economic Rehabilitation of persons with disabilities.

Focus of the policy: The focus of the policy is on the following

1. **Prevention of Disabilities-** Policy lays a strong emphasis on prevention of disabilities. It calls for programme for prevention of diseases, which result in disability.
2. **Rehabilitation Measures-**
 - Physical rehabilitation, which includes early detection and intervention, counselling & medical interventions and provision of aids & appliances. It will also include the development of rehabilitation professionals.
 - Educational rehabilitation including vocational education and
 - Economic rehabilitation for a dignified life in society.
3. **Women with disabilities-** Women with disabilities require protection against exploitation and abuse. Special programmes will be developed for education, employment and providing of other rehabilitation services to women with disabilities keeping in view their special needs. The Government will encourage the projects where representation of women with disabilities is ensured at least to the extent to twenty five percent of total beneficiaries.
4. **Children with Disabilities-** Children with disabilities are the most vulnerable group and need special attention. The Government would strive to:-
 - Ensure right to care, protection and security for children with disabilities;
 - Ensure the right to development with dignity and equality creating an enabling environment where children can exercise

their rights, enjoy equal opportunities and full participation in accordance with various statutes.

- Ensure inclusion and effective access to education, health, vocational training along with specialized rehabilitation services to children with disabilities.
- Ensure the right to development as well as recognition of special needs and of care, and protection of children with severe disabilities.

RESPONSIBILITY FOR IMPLEMENTATION

- The Ministry of Social Justice & Empowerment will be the nodal Ministry to coordinate all matters relating to the implementation of the Policy.
- Every five years a comprehensive review will be done on the implementation of the National Policy. A document indicating status of implementation and a roadmap for five years shall be prepared based on the deliberations in a national level convention. State Governments and Union Territory administration will be urged to take steps for drawing up State Policy and develop action plan.

NATIONAL CURRICULUM FRAMEWORK (NCF 2005)

The NCF 2005 draws its policy basis from earlier government reports on education as Learning Without Burden and National Policy of Education 1986-1992 and focus group discussion.

MAIN FEATURES OF NCF 2005

The NCF 2005 document has made following recommendations and changes related to Inclusive System of Education.

- A policy of inclusion needs to be implemented in all schools and throughout our education system.
- The participation of all children needs to be ensured in all spheres of their life in and outside the school.
- Schools need to become centres that prepare children for life and ensure that all children, especially the differently abled, children from marginalised sections, and children in difficult circumstances get the maximum benefit of this critical area of education.
- Children with disabilities, who may need assistance or more time to complete their assigned tasks should be addressed by the teacher. While planning for such activities, the teacher should ensure that each child is given an opportunity to contribute.
- Teacher plays an important role in ensuring the participation of all. It becomes important on the part of the teacher to allow children to make errors and mistakes, to remain an integral part of the learning process, and remove the fear of not achieving 'full marks.'
- The ideal of common schooling advocated by the Kothari Commission four decades ago continues to be valid as it reflects the values enshrined in our Constitution.

SARVASHIKSHA ABHIYAAN

Different measures have been adopted at the global and national level by the government to give effect to the right to education of Children with Special Needs. Sarva Shiksha Abhiyan is an effort to universalise elementary education by community-ownership of the school system.

RTE – SSA'S POLICY ON INCLUSION-POLICY INTERVENTIONS

SSA ensures that every child with special needs, irrespective of the kind, category, and degree of

disability, is provided meaningful and quality education. Hence, SSA has adopted a zero-rejection policy. The major thrust of SSA is on inclusion or mainstreaming CWSN into the fabric of formal elementary schooling. Every child with special needs should be placed in the neighbourhood schools, with needed support services. Children with special needs are required to be facilitated to acquire certain skills that will enable them to access elementary education as envisaged in the Act.

PROVISIONS FOR CWSN UNDER SSA

SSA provides up to Rs.3000/- per child for the inclusion of disabled children, as per specified proposal, per year. A district plan for children with special needs is formulated within Rs.3000/- per child norm, with Rs.1000/- earmarked exclusively for engagement of resource teachers.

RMSA

RMSA is a major scheme launched in March 2009 with the vision of making secondary education of good quality available, accessible and affordable to all young persons in the age group of 15-16 years.

The main aims and objectives of the Rashtriya Madhyamik Shiksha Abhiyan are as follows:

1. To enable all students with disabilities, to pursue further four years of secondary schooling after completing eight years of elementary schooling in an inclusive and enabling environment.
2. To improve the quality of education imparted at secondary level by making all secondary schools conform to prescribed norms.
3. To remove gender, socio-economic, and disability barriers.
4. Universal access to secondary level education by 2017, i.e., by the end of the XII Five-Year Plan.

5. Girls with the disabilities receive special focus to help them gain access to secondary schools.
6. Universal retention of students by 2020.

NATIONAL COMMISSION ON MINORITY EDUCATION INSTITUTIONS (NCMEI)

The Constitution of India has envisaged a number of rights and safeguards for minorities. To provide equality and to lessen discrimination, various measures have been taken in the Fundamental Rights (Part III); Directive Principles of State policy (Part IV), and also the Fundamental Duties (Part IV-A)

The Union Government set-up the National Commission for Minorities (NCM) under the National Commission for Minorities Act, 1992. Six religious communities, viz., Muslims, Christians, Sikhs, Buddhists, Zoroastrians (Parses), and Jains have been notified in the Gazette of India as minority communities by the Union Government. The original notification of 1993 was for five religious communities Sikhs, Buddhists, Parses, Christians, and Muslims.

The Commission has the following functions:

1. Evaluate the progress of the development of Minorities under the Union and States.
2. Monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament and the State Legislatures,.
3. Look into specific complaints regarding deprivation of rights and safeguards of the Minorities and take up such matters with the appropriate authorities.
4. Conduct studies, research and analysis on the issues relating socio-economic and educational development of Minorities.
5. Make periodical or special reports to the Central Government on any matter pertaining to

Minorities and in particular the difficulties confronted by them.

COMPOSITION OF COMMISSION

The Commission shall consist of:

- a Chairperson.
- a Vice Chair person, and
- Five Members to be nominated by the Central Government from amongst persons of eminence, ability and integrity, provided that five members including the Chairperson shall be from amongst the minority communities.

RIGHTS AND SAFEGUARDS OF MINORITIES

1. Right of 'any section of the citizens' to 'conserve' its 'distinct language, script or culture' (Article 29(1));
2. Right of all Religious and Linguistic Minorities to establish and administer educational institutions of their choice (Article 30(1); and
3. Freedom of Minority-managed educational institutions from discrimination in the matter of receiving aid from the State (Article 30(2)).

NATIONAL COMMISSION FOR SCHEDULED CASTE AND SCHEDULED TRIBES

The National Commission for Education of SC and ST was created by the 5th Amendment. The 89th Amendment bifurcated it and a National Commission for SCs and STs was created.

The Commission has a Chairman, a Vice Chairman, and three other members. All are appointed by the President and their conditions of service and tenure is determined by the President himself. The tenure is currently for three years. The Chairman has the status of a cabinet minister and the Vice Chairman that of a minister of state.

The main functions of the SCs and STs Commission are as follows:

- To investigate and monitor all matters relating to the constitutional and other legal safeguards for the SCs and STs and to evaluate their working;
- To inquire into specific complaints with respect to the deprivation of rights and safeguards of the SC's and ST's;
- To present to the President, annually and at such other times as it may deem fit, reports upon the working of those safeguards;
- To make recommendations as to the measures that should be taken by the Union or a state for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the SCs and STs.

PROVISIONS MADE FOR SCS AND STS BY THE GOVERNMENT

- Any section of the citizens of India having a distinct language, script or culture of its own shall have the fundamental right to conserve the same.
- This means that if there is a cultural minority which wants to preserve its own language and culture, the State would not by law impose upon it any other culture belonging to the majority of the locality.
- The Constitution directs every State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups and empowers the President to issue proper direction to any State in this behalf (Art. 350A).
- No citizen shall be denied admission into any educational institution maintained by the State or receiving State aid on grounds only of religion, race, caste, language or any of them.

This means that there shall be no discrimination against any citizen on the ground of religion, race, caste or language, in the matter of admission into educational institutions maintained or aided by the State.

- All minorities, whether based on religion or language, shall have the fundamental right to establish and administer educational institutions of their choice.

Every minority community has the right not only to establish its own educational institutions, but also to impart instruction to the children of its own community in its own language.

- The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.
- Financial support is given for their education in the form of scholarships in order to encourage them to acquire higher education.
- Reservation policies are made by the respective State governments based on the directions of the Central government to see them placed in the different sectors of employment.

CONCLUSION

Every human being is asset to the nation and human resources are as important as any other productive resources which never get depreciated. Human resource should not be wasted because of some deformity as it is invaluable. Teacher's abilities, proper infrastructure, support system is required for proper nurturing of disables in India. Teacher's attitude towards disables can be positively changed with the proper training regarding disable education. Indian schools are not fully prepared to accommodate all disables and fulfil their needs in the process of education so, a proper environment in schools is needed in India to strengthen inclusive education. At societal level too, it is necessary to change attitude with a proper planning in India, inclusive education must respond to all pupils as

individuals, recognizing individually as something to be appreciated and respected.

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