

The Universality of Education for Children with Special Needs in India: Current Status

Sushma Kumari^{1*}, Gita Jyoti Ojha²

¹Department of Psychiatric Social Work, Institute of Human Behaviour and Allied Sciences (IHBAS)
Dilshad Garden, Delhi-110095

²Department of Occupational Therapy, Institute of Human Behaviour and Allied Sciences (IHBAS)
Dilshad Garden, Delhi-110095

*Corresponding Author: sushma_cip@yahoo.com

Copyright©2018 by authors, all rights reserved. Authors agree that this article remains permanently open access under the terms of the Creative Commons Attribution License 4.0 International License

Abstract The Right to education is one of the basic fundamental rights upheld by the constitution of India to every child. Children with special needs face massive challenges in being able to access education equitably due to various reasons viz. a rigid curriculum, non-accessibility, untrained teachers, bullying, and attitudinal issues. The new NEP (National Education Policy) 2020 seems to bring across many progressive steps which when clubbed with the RPWD (Right of Persons with Disabilities) act 2016 offers hope for children with special needs. In this article, we try to examine the various provisions outlined in the new NEP 2020 in the backdrop of RPWD 2016. An understanding of which will lead to predicting the barriers and gaps one can come across in the future during implementation at the ground level. Something which remains a challenge for a country like India with the best policies yet few actions.

Keywords: The Right to Education, Children with Special Needs, National Education Policy.

1. Introduction

Inclusive education means a system of education where students with and without disabilities learn together [1]. Education without discrimination. It helps not only to mainstream children with special needs but also help alleviate poverty by providing them an opportunity to earn for themselves. Inclusive classrooms in schools might contain several students with special needs who are mainstreamed full time into the general classroom, or a few students who spend time in both a special education classroom and a regular classroom daily. In India, the terms inclusive and integrated are often used interchangeably. They are not, however, synonymous concepts. Choices in education are hard for the parent of a child with special needs under the current legal frameworks though they offer many educational models. There has been a continuous effort by the Government of India to bridge the gaps and ensure the universality of education from time to time. All these well-meaning measures both legally binding and non-binding have brought about changes yet educational inequality is very much a reality in India. There are 27 million people with special needs (about 2.2% of the population of India). About 4.6 million of them are in the age group 10–19 years. The picture for 0–6 years is also of concern, with about 2 million in the age group having special needs [2]. They often have trouble with access to education.

According to the Census, only 61% of Children With Special Needs (CWSN) aged 5–19 years attended educational institutions of any sort [2]. Given the magnitude, special education is needed which has only in the last century been seen as a necessity. That number of 61% may not be representative too [3]. A majority of children with special needs do not receive any formal education, despite the practice of inclusive education in some schools [4]. CWSN in India are more likely to belong to socio-economically worse-off households as compared to other children [5]. Moreover, 72% of the disabled population in India resides in rural areas [6]. Inaccessibility of education for many CWSN is thus an outcome of poverty. There has been an improvement in infrastructure and enrolment in the education sector but that has changed little for children with special needs. Many times children with disabilities and learning deficiencies are segregated from mainstream schools and other regular routines and social activities of normal children. Though few articles are existing on the legal frameworks and their impact on inclusive education, there is hardly any research into its implementation. Thus, this study is necessary to understand the recent National Education Policy (NEP) [7], 2020 along with other legal frameworks and their provisions regarding inclusive education.

2. METHOD

This study adopts a “black letter” approach where the focus is on the content of the legislation rather than its effect. Therefore, this paper primarily discusses the written content of the NEP 2020 in the context of the current status of inclusiveness in India and where relevant, other pieces of Indian legislation are also considered; e.g. the RPWD Act, 2016 available free online.

3. Results

3.1 Current Status Of Inclusive Education In India

An Inclusive education system prepares children for life. It ensures that children with special needs and the low achievers not qualifying for special education get maximum benefit out of education. A truly inclusive environment fosters belongingness, develops comfort level and social cognition. India is a signatory to the child rights commission (CRC) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), hence every possible step is taken by Government to ensure the rights of children including those with special needs. The Right to education is one of the basic fundamental rights as in Article 21 (a) of the Indian constitution. Historically, the concept of integrated education (IE) took shape in India during the mid- 1950s. Since then the government and private sector have both made effort towards universalizing education for children with disabilities.

3.2 Government Initiatives

As early as December 1974, IEDC (Integrated Education for Disabled Children)9 scheme was initiated by the planning commission with the aim of

1. Providing educational opportunities to CWSN in regular schools
2. Facilitating their retention in the school system
3. Placing children from special schools in common schools.

In 1987, the Ministry of Human Resources Development, along with UNICEF launched another task: Project Integrated Education for the Disabled (PIED) [8][9]. In this approach, a cluster, instead of the individual school was the focus. It was a gateway to freedom for the individual with disabilities.

The District Primary Education Programme (DPEP) [9][4], was another major step with suitable teacher preparation, infrastructure facilities, aids, and appliances towards universalization of primary education (up to Class V) of children with special needs.

3.3 The Persons with Disability (PWD) Act (Equal Opportunities, Protection of Rights and Full Participation Act, 1995)

This Act was put into effect on Feb. 1995 by the government. It guarantees equal opportunities for persons with special needs. Chapter V of the PWD Act sanctions free education up to the age of 18 years for every child with a disability. The Act established the responsibility of society to make adjustments, places people with disabilities at par with other citizens of India, in respect to education, vocational training, and employment [10]. It provides for nondiscrimination in transport and the environment including that of schools and educational institutions.

3.4 Sarva Shiksha Abhiyan (SSA), 2003

It is a government-run program to make primary education universal. It has a zero rejection policy. This is due to the belief is that all children aged 6–14 are entitled to quality education as their fundamental right. It also has a provision of INR 3,000 per special needs child, per year, for the use of special resources and teacher training [3].

Besides all these, the Department of Empowerment of Persons with Disabilities (Divyangjan), Ministry of Social Justice and Empowerment originally called the Department of Disability Affairs was formed to oversee all the issues related to disability. Under the Divyangjan Schemes, concessional benefits are provided to persons with disabilities to complete their studies or go for higher education. National handicapped finance and development corporation (NHFDC) also provides educational loans for students with disabilities. Accessible India Campaign was started to provide accessibility to Persons with Disability (PWDs).

3.5 Private Initiatives

Funded by corporate donors or as CSR initiatives, many of the companies, entrepreneurs and NGOs aim to provide education, therapy, vocational training and improved accessibility to CWSN.

3.6 Highlights of Right to Free and Compulsory Education Act, 2009 (RTE Act) [12] for six and fourteen years

This Act was enacted by the Parliament in August 2009 to grant children of the age group 6–14 years the right to free and compulsory education. An Amendment in 2012 made exclusive provisions for disabled children in the form of reserved seats. It also mentions the provision of transport in case of lack of access.

3.7 Highlights of National Policy on Education (1986)

Emphasis on equal educational opportunity for those marginalized so far such as women, handicapped, etc. by the removal of disparities and by attending to their specific needs [11].

It advocated community integration of those with physical and mental handicaps by preparing them for normal growth and to enable them to face life challenges.

It outlines the following measures in this regard:

1. As far as possible, the education of children with locomotor handicaps and other mild handicaps will be common with that of other typical children.
2. Special schools with residential facilities for severely handicapped children
3. Sufficient arrangements for vocational training to the disabled to enable them to live with dignity.
4. Training programs for teachers to deal with the problems of handicapped children.
5. Voluntary efforts for the education of the disabled by the voluntary organizations

3.8 Highlights of the New Education Policy (NEP) [7], 2020

“Education is fundamental for achieving full human potential, developing an equitable and just society, and promoting national development” [7].

On July 29, 2020, the Union Cabinet of India laid the vision of India’s new education system with the New Education Policy, 2020. India had adopted in 2015 “The 2030 Agenda for Sustainable Development (SD)”[12] in which Goal 4 (SDG 4) seeks to “ensure inclusive and equitable quality education and promote lifelong learning opportunities to all by 2030.” Based on the concepts of Access, Equity, Affordability, Quality and Accountability, it aims to portray India as a knowledge superpower in the global platform in near future by making both school and college education more holistic, flexible, multidisciplinary, and suited to the current needs. The NEP, 2020 offers a shift from the Education policy of 1986 with more focus on an inclusive education system by working on fundamental challenges at different levels.

1. Introduces 5+3+3+4 curricular structure corresponding to ages 3-8, 8-11, 11-14, and 14-18 years respectively. This will bring the uncovered group of 3–6 years under the school curriculum, globally accepted as the crucial stage of mental faculty development. A National Curricular and Pedagogical Framework for Early Childhood Care and Education for children up to the age of 8 years to be developed by NCERT.
2. Children with special needs will be fully supported to participate in the regular schooling process from the foundational stage to higher education, with the assistance of educators with cross-disability training, assistive and adaptive devices, technology-based tools, accommodations, resource centers, and other support mechanisms tailored to suit their needs.
3. Technology-based education platforms such as “Diksha/Swayam” will be better integrated. Unless online education has the right mix of experiential and activity-based learning, it will tend to become a screen-based education with limited focus on the social, affective and psychomotor dimensions of learning.
4. Vocational education will start in schools from the 6th grade and will include internships. Also, vocational education through the Online Distance Learning mode will be explored.
5. Indian Sign Language will be standardized across the country, and National and State curriculum materials developed, for use by students with hearing impairment.
6. Steps to reduce the load of books and the school bags. Special attention to be provided to both physical development and learning of children with disabilities. Special centers like “Bal Bhavans” and “Samajik Chetna Kendras” will be established.
7. Aims to recruit special educators in all school complexes to make sure that teaching is more inclusive and cognizant of the needs of children. Children with benchmark disabilities will have the option for homeschooling with skilled homeschooling educators so that they can still learn and acquire educational facilities of good quality.
8. Further, teachers will be trained to identify learning disabilities and mental health issues in children early on .
9. National Assessment Centre, PARAKH will be formulated to create equitable systems of assessment for children with disabilities. Alternate models for schooling are proposed to advance this objective.
10. Focus on aspects such as school drop-offs, equity and inclusion in higher education,
11. and the adaptation of more holistic approaches at each stage of education.
12. All of these activities shall be a joint venture of Ministries of Human Resource Development, Women and Child Development, Health and Family Welfare and Tribal Affairs

4. Discussion

Different laws around education for children with disabilities are not harmonized in terms of their approach to education. The National Education Commission in 1966 had acknowledged that ordinary classrooms in India were primarily designed for the ‘average’ learner’s needs. Thus, for proper emotional and social development of non-average students tuitions and special classes were offered [13]. The PWD, 1995 Act also mentioned of allotment of land in every region to increase access to such special schools. The discourse around the most appropriate way of educating children with special needs has changed over time in India, shifting towards a greater emphasis on inclusive education

With the enactment of the Rights of Persons with Disabilities (RPWD) Act in 2016, ‘inclusive education’ became a statutory guarantee, resulting in a major shift from an exclusive focus on special education. It guaranteed that children with benchmark disabilities – defined as someone with at least 40% of a specified disability – have a right to free education in neighbourhood schools or special schools [14].

Presently, there is no mention of special schools or an inclusionary framework for education in the RTE Act [15].

While the RPWD Act stresses an inclusive education approach that emphasizes changes in system-level practices and policies to meet student needs, the RTE Act still alludes to the PWD Act, 1995, which draws on an approach of integration that emphasizes that a student fit in the system rather than the system has to adapt.

In the RPWD Act, 2016 the government must take necessary steps to ensure inclusive education. On the other hand, the PWD Act, 1995 stated that the government must put in efforts to integrate children with disabilities into 'mainstream schools', simultaneously setting up special schools for those in need of special education.

The NEP 2020 policy recognizes children with special needs and believes in incorporating them into the mainstream education systems. It broadly aligns with the objectives of The Rights of Persons with Disabilities (RPWD) Act 2016 [16].

However, the NEP seems to overlook many ground realities. It fails to take into account the acute shortage of staff least trained ones in the schools. Most teachers are poorly trained for such special assignments. Also, there is no mention of plans to create alternative homeschooling mechanisms that are truly inclusive.

It fails to mention what the change in the curriculum would be to ensure that children with disabilities like Specific learning disabilities don't feel excluded in the extremely competitive environments that Indian schools operate in today, though flexible curriculum has been advocated to be tailored as per need.

Hence, the current policies be examined in detail by various stakeholders and suitable measures planned. The UNESCO has laid down a policy review framework for countries to evaluate their policies for their attention to inclusiveness and equity and to monitor their progress based on the four dimensions of concepts, policy statements, structures and systems and practices and the four key features of each [17]. They recommended consultation by various stakeholders like educators, policymakers, etc. to formulate action plans to advance education policy and monitor progress.

The Biggest hurdle in India is a lack of clarity on what 'inclusion' really means. The awareness of inclusive education in schools throughout the country is still at an infancy stage, educational institutions are somewhat skeptical about having both normal and special children studying in the same classroom [8].

Besides these, some other challenges making it even more difficult for the differently-abled to continue schooling and pursuing higher education to grab mainstream opportunities are:

1. Despite well-intent India's policies regarding children with special needs are unclear.
2. The Ministry of Social Justice and Empowerment (MSJE) runs separate schools for special needs children. But, the Ministry of Human Resource Development (MHRD) promotes the mainstreaming of these children in normal classrooms creating confusion for parents.
3. There is no central regulatory body to frame guidelines. This allows colleges and schools to decide for themselves to the disadvantage of the CWSN.
4. Having a special needs child can be an expensive affair about four times the cost of raising a normal child. As renowned economist Amartya Sen has put it as "conversion handicap". Since many of these children will not be able to join the workforce, their parents struggle to save for years of care even after reaching adulthood.
5. Doctors' visits, medication, and special items like wheelchairs can cause costs to pile up. Insurance is not always available, though government schemes like Niramaya has a limited provision regarding it. Education in the private sector is too expensive with hefty money charged for various therapy and special education.
6. Untrained manpower coupled with shortage of special educators and teachers.
7. Availability of books and appropriate resources or teaching-learning materials.
8. Lack of proper infrastructure. Poorly accessible structures. Lack of ramps and disabled-friendly toilets.
9. Attitudinal barriers. India still has a long way to go when it comes to societal acceptance of special needs due to a lack of awareness. Mental health issues are poorly understood in India. Many children with a learning disability, ADHD, etc. had faced a lot as they were simply brushed off as 'badly behaved'. Its only in the recent past that these diagnoses have entered the discussion. Institutions for higher studies sometimes refuse admission to students with special needs based on their prejudiced view of their ability to complete certain courses. In 2010, a visually challenged young woman had to approach the Bombay High Court to be allowed to study physiotherapy.²¹
10. With associated health conditions like epilepsy, parents are also afraid of sending their children to school, as they lack understanding of their condition. So, education gets low or no priority for such children.
11. Schools also do not want to admit them because they are viewed as potential disruption due to a lack of understanding.
12. Poor knowledge of government schemes and policies.
13. Poorly designed and rigid curriculum.
14. However, availability is also an issue. Even basic aids like wheelchairs require money to buy and maintain. There are some schemes in place to subsidize or provide these aids and appliances free of cost like the Assistance to Disabled persons for purchasing/ fitting of aids/ appliances (ADIP) scheme. But many special needs children in India do not have access to these due to lack of awareness, red-tapism or other reasons.
15. In this digital era, online classes or virtual education has somewhat offered solution for the accessibility issues for locomotor disability but have increased it for the blind and those with speech and hearing impairment.
16. A disability certificate can greatly help a person with special needs in getting benefits like scholarships, prosthetic aids and access to government welfare schemes. Usually, Medical boards of district civil hospitals issue these.

However, 51% of the disabled population did not have these as of 2015 [3].

17. While certificates must be issued within a month of the application, it often takes much longer. Centers to issue these are also limited. Especially in rural areas, there is also a shortage of specialists. Certificates for issues such as cerebral palsy cannot be issued without a proper diagnosis.
18. There are about 3,200 special schools throughout India [17]. However, these special schools reach out only to a limited number of children, largely in urban areas and they were not cost-effective. These special schools segregated Children With Special Needs (CWSN) from the mainstream, thus developing a specific disability culture [18].
19. Census statistics are insufficient and inadequate to determine disability prevalence, the accessibility of education to children with a disability in India, and in particular what factors may promote or inhibit their access to education [19].
20. This, combined with numerous other issues, means that many special needs children do not get the education they need. While 89% are enrolled in primary school, that number drops to 8.5% in secondary school. Only 2.3% of special needs children reach higher secondary (11th and 12th) [3][20].

Covid -19 has affected the vulnerable ones most badly.

1. The mental health of children, especially those with intellectual disabilities has been affected due to disrupted routines.
2. Most students requiring more attention and support were unable to understand lessons and complete assignments, even if they had access to classes regularly in the virtual mode.
3. Students having visual and hearing impairments reported inaccessibility of learning materials such as lack of subtitles or sign language interpreters on TV lessons for the latter.
4. Teachers also faced difficulties in navigating online modes of instruction as they were more dependent on parents now for engaging students. Issues such as access to devices and the internet, technological know-how, and getting familiar with new online modes were present [21].
5. Digital modes offer limited opportunities for two-way interaction. While home visits were not allowed due to Covid -19.
6. Education could not be a priority ahead of the provision of food and health care. Hence, guidelines for the education of CWSN to teachers got left out.

The Possible solution:

1. The use of technology can greatly improve the lives of special needs children, motorized wheelchairs, prosthetic limbs, hearing aids, tablets, and other electronic devices made for learning can help improve functioning, accessibility, and eventually learning. Accessibility using universal design.
2. *Making digital modes of education inclusive and accessible* – these include using multiple modes of communication, enabling two-way interaction between students and teachers.
3. Employing sign language interpreters, using pre-recorded videos or television lessons, and assessing the possibility of providing devices/ internet to vulnerable households where possible
4. Reorienting pedagogical practices towards teaching children at their level rather than syllabus completion, and encouraging a holistic approach to a child's education, including mental socio-emotional, psychological well-being.
5. Trained teachers and staff. Also, Culturally appropriate practices and precepts (CAPP) to be promoted [22].
6. Adjunct therapies that assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children like occupational therapy should be made mandatory. (IDEA, Sec. 602.26).
7. Insurance to help pay for needed therapies.
8. Filling up required posts
9. Scholarship and special assistance to disabled persons to facilitate better accessibility in higher education.
10. Infrastructure development.
11. True integration rather than segregated classes. Block teaching methods can be used.

Conclusion

The Policy is not enough true inclusiveness would require acceptance, conversation, action, and practices, etc. Despite commendable progress made over the past two decades to expand access to basic education to one and all, further concerted efforts are needed to minimize the barriers to learning and to ensure a genuinely inclusive environment. "Every child with or without special needs should matter".

References

- [1] S. T., "Examining Disability Inclusion in India's New National Education Policy." <https://canderesearch.wordpress.com/2020/08/12/examining-disability-inclusion-in-indias-new-national-education->

policy/#:~:text=India's National Education Policy 2020,education of children with disabilities.&text=The finalized policy incorporates several,organizations on the 2019 draft.

- [2] S. S. Gandhi, "Government of India," *Rehabilitation*, 2010.
- [3] A. Thakkar, "The Essential Guide to Special Needs Education in India." <https://blog.firstcrayon.com/the-essential-guide-to-special-needs-education-in-india-47769fc4d234>.
- [4] D. Singh, "INCLUSIVE EDUCATION IN INDIA – CONCEPT, NEED AND CHALLENGES," *Sch. Res. J. Humanit. Sci. English Lang.*, 2016.
- [5] M. Kalyanpur, "Equality, quality and quantity: Challenges in inclusive education policy and service provision in India," *Int. J. Incl. Educ.*, 2008, doi: 10.1080/13603110601103162.
- [6] S. Taneja-Johansson, N. Singal, and M. Samson, "Education of Children with Disabilities in Rural Indian Government Schools: A Long Road to Inclusion," *Int. J. Disabil. Dev. Educ.*, 2021, doi: 10.1080/1034912X.2021.1917525.
- [7] N. E. Policy, *Ministry of Human Resource Development, Government of India*. 2020.
- [8] S. Chakraborti-Ghosh, "Inclusive Education in India: A Developmental Milestone from Segregation to Inclusion," *J. Educ. Syst.*, 2017.
- [9] A. Advani, L., & Chadha, "The inclusive initiative in India," *J. Int. Assoc. Spec. Educ.*, vol. 2, no. 17–22, 2002.
- [10] J. Kothari, *The Future of Disability Law in India: A Critical Analysis of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995*. 2012.
- [11] F. Gupta, K., & Siddiqui, "Salient features of measuring, interpreting and addressing Indian inflation," 2014.
- [12] M. M. Panditrao and M. M. Panditrao, "National Education Policy 2020: What is in it for a student, a parent, a teacher, or us, as a Higher Education Institution/University?," *Adesh Univ. J. Med. Sci. Res.*, 2020, doi: 10.25259/aujmsr_32_2020.
- [13] S. Naina, "Different Policy Approaches to Inclusive Education in India," *Vidhi Legal Policy*, 2020. <https://vidhilegalpolicy.in/blog/different-policy-approaches-to-inclusive-education-in-india/>.
- [14] A. Balakrishnan, K. Kulkarni, S. Moirangthem, C. N. Kumar, S. B. Math, and P. Murthy, "The rights of persons with disabilities Act 2016: Mental health implications," *Indian Journal of Psychological Medicine*. 2019, doi: 10.4103/IJPSYM.IJPSYM_364_18.
- [15] S. Rao, Priyanka & Shrivastava, "Towards an Inclusive Education Framework in India," *Vidhi Legal Policy*, 2020. <https://vidhilegalpolicy.in/research/how-can-children-with-disabilities-be-meaningfully-included-in-indias-education-framework/>.
- [16] J. & S. N. Khan, "Equitable and inclusive vision in the National Educational Policy 2020: A Critique," *Observer Research Foundation*, 2020. <https://www.orfonline.org/expert-speak/equitable-and-inclusive-vision-in-the-nep-2020/>.
- [17] S. and C. O. United Nations Educational, "A guidefor ensuring inclusion and equity in education," 2017.
- [18] U. Sharma and A. Das, "Inclusive education in India: Past, present and future," *Support Learn.*, 2015, doi: 10.1111/1467-9604.12079.
- [19] N. Grills, J. Devabhaktula, N. Butcher, S. Arokiaraj, P. Kumar Das, and P. Anderson, "'Inclusive education' in India largely exclusive of children with a disability," *OPEN ACCESS*, 2019.
- [20] J. Barnes, J. Gardiner, A. Sutcliffe, and E. Melhuish, "The parenting of preschool children by older mothers in the United Kingdom," *Eur. J. Dev. Psychol.*, 2014, doi: 10.1080/17405629.2013.863728.
- [21] M. B. Cahapay, "Ushering children with disabilities in the 'new normal' post-COVID-19 period: collective actions in the Philippines," *Disabil. Soc.*, 2021, doi: 10.1080/09687599.2020.1829557.
- [22] Chaterjee, "The movement for inclusive education," *India Together*, 2013. .