



Inclusion- The Right of Every Child.

**Reshmi
Ramachandran**

Research Scholar, Sri Ramakrishna Mission Vidyalaya College of Education (Autonomous), Coimbatore.-20.

**Dr. G.
Subramonian**

Associate Professor, Sri Ramakrishna Mission Vidyalaya College of Education (Autonomous), Coimbatore.-20.

ABSTRACT

10% of the world's population lives with a disability, and 80% of these people with disabilities live in developing countries. Globally, children with disabilities count for one-third of all children out-of-school. Inclusive education is built around the goals and ideologies of the social model. Education is just one of the many sections of society to which the social model applies; and "inclusion" in education means removing the barriers in the classroom and school so that students of all ability levels are included in the same lesson. India is one among the few countries all over world where the education of children with disability doesn't fall within the purview of human resource development ministry but under the ministry of social justice and empowerment. There are many schemes, acts and conventions formed in favour of disabled children. In this paper an attempt is made to discuss about the various schemes, acts and conventions that have been formed for the empowerment of disabled children with more emphasis on education. Awareness about these schemes and convention is required by the disabled to ensure that their rights are safeguarded.

KEYWORDS : Inclusion, inclusive education, children with disabilities, schemes and conventions.

Introduction

UNESCO defines inclusive education as 'a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the state to educate all children'.

SCHEMES AND POLICIES FAVOURING INCLUSIVE EDUCATION

SARVA SHISHKA ABHIYAN

The key objective of SSA is Universalization of Elementary Education (UEE). Three important aspects of UEE are access, enrolment and retention of all children in 6-14 years of age. This goal of UEE, has been facilitated by the Constitutional (86th Amendment) Act, making free and compulsory elementary education a Fundamental Right, for all the children in the age group of 6-14 years. Without the inclusion of Children With Special Needs (CWSN), the objective of UEE cannot be achieved and thus becomes an important component of SSA.

SSA ensures that every child with special needs, irrespective of the kind, category and degree of disability, is provided meaningful and quality education. SSA has adopted a 'zero rejection policy' which means that no child having special needs should be deprived of the right to education and taught in an environment, which is best, suited to his/her learning needs.

The interventions under SSA for inclusive education are identification, functional and formal assessment, appropriate educational placement, preparation of Individualized Educational Plan, provision of aids and appliances, teacher training, resource support, removal of architectural barriers, research, monitoring and evaluation and a special focus on girls with special needs.

REHABILITATION COUNCIL OF INDIA (RCI) ACT (1993)

The Rehabilitation Council of India (RCI) Act came into force on 22nd June, 1993 which was further amended in 2000. The Act came into force to have uniformity, ensure minimum standards, quality of education and training in the disability field. The RCI is entrusted with the responsibility to develop standardized syllabi for various rehabilitation courses, and to regulate and monitor services given to persons with disability.

It also aims to maintain a Central Rehabilitation Register of all qualified professionals and personnel working in the field of Rehabilitation and Special Education. The Act also prescribes corrective action against unqualified persons delivering services to persons with disability.

Some of the objectives of the RCI are:

- To regulate the training policies and programmes in the field of Rehabilitation of people with disabilities;
- To prescribe minimum standards of education and training of various categories of professionals dealing with people with disabilities;
- To regulate these standards in all training institutions to bring about uniformity throughout the country;
- To promote research in rehabilitation, prevention, early intervention, special education, for persons with disability
- To maintain a Central Rehabilitation Register for registration of professionals and personnel working in the field.

THE PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) ACT, 1995

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (PWD Act) is the most important piece of legislation enacted by the Parliament in the history of disability movement in India.

The Act puts the responsibility on society to provide equal opportunities to persons with disabilities for their full participation in every day life.

The main objectives of the Persons with Disabilities Act are summarized as below:

- To ensure that the government takes responsibility for prevention of disabilities, protection of the rights of persons with disabilities, provision of medical care, education, training, employment and rehabilitation of persons with disabilities.
- To create a barrier-free environment for persons with disabilities.
- To ensure that every child with a disability has access to free education appropriate environment till he attains the age of eight years
- To promote the integration of student with disabilities in the normal school.
- To equip the special schools for children with disabilities with vo-

ational training facilities.

- f) To remove architectural barriers from schools and colleges etc.
- g) To restructure the curriculum for the benefit of children with disabilities.
- h) To supply books, uniforms and other materials to children with disabilities attending schools.
- i) To grant scholarship to students with disabilities

THE NATIONAL TRUST ACT (FOR THE WELFARE OF PERSONS WITH AUTISM, CEREBRAL PALSY, MENTAL RETARDATION AND MULTIPLE DISABILITIES) ACT 1999

The National Trust is a statutory body under the Ministry of Social Justice and Empowerment, Government of India, setup under the "National Trust for the Policies on Disability in India for the welfare of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities" Act.

Major objectives are:

- a) To enable and empower persons with disability to live as independently and as fully as possible within and as close to the community to which they live.
- b) To strengthen facilities to provide support to persons with disability.
- c) To facilitate the realization of equal opportunities, protection of rights and full participation of persons with disability.

NATIONAL POLICY FOR PERSONS WITH DISABILITIES, 2006

The National Policy for Persons with Disabilities was released in February 2006. The policy provides provisions in early identification and support, education, rehabilitation programmes, employment, social security, barrier-free environment, trained human resources, recreation and cultural options, and access to appropriate aids and appliances.

The policy emphasizes that children will receive education right from preschool years to primary education, secondary, post secondary and vocational training. Children can opt for regular schools in an inclusive setting or community based rehabilitation or home based programmes for children with severe disabilities

The policy makes a special mention of protecting the rights of young children with disabilities to access care, protection and security. It also highlights the need to ensure that children with all levels of ability are included in accessing education, recreation, rehabilitation, health and other specialized services.

Main objective are:

- a) Make schools(building, toilets, playgrounds, laboratories ,libraries etc) barrier free and accessible for all types of disability.
- b) Medium and method of teaching will be suitably adapted to the requirement of most disability conditions.
- c) Schools will be located within easy travelling distance.
- d) Teachers, principals and other staff members will be provided awareness and provide in service training programmes.
- e) Three percent reservation for person with disabilities will be provided for admission in higher educational institutions.

CONVENTION ON THE RIGHTS OF THE CHILD

The 1989 Convention on the Rights of the Child (CRC) is the first binding instrument in international law to deal comprehensively with the human rights of children, and is notable for the inclusion of an article specifically concerned with the rights of children with disabilities.

The main objectives of UNCRC are:

- a) The convention applies to everyone whatever their race, religion, abilities be (Article 2)
- b) Children who have any kind of disability should be given special care and support. This will help them in leading full independent lives(Article 23)
- c) All children have a right to a primary education, which should be free. The convention places highest value for education. (Article 28)

UN CONVENTION ON THE RIGHTS OF THE PERSONS WITH DISABILITIES (UNCRPD) 2009

Article 24 of the convention is about the Rights on Education which highlights that the States Parties recognize the rights of persons with disabilities to education. States Parties shall ensure an inclusive education system at all levels and life long 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
- c) Enabling persons with disabilities to participate effectively in a free society.
- d) State parties shall ensure that persons with disabilities can access an inclusive, quality and free primary education and secondary education on equal basis.
- e) To provide effective individualised support that maximizes academic and social development.

INCLUSIVE EDUCATION FOR DISABLED AT SECONDARY STAGE (IEDSS 2009)

The Scheme of Inclusive Education for Disabled at Secondary Stage (IEDSS) replaces the earlier scheme of Integrated Education for Disabled Children (IEDC) which provide assistance for the inclusive education of the disabled children in classes IX-XII .

This scheme covers all children studying at secondary stage in Government, local body and Government-aided schools, with one or more disabilities as defined under the Persons with Disabilities Act (1995) and the National Trust Act (1999) in the class IX to XII, namely blindness, low vision, leprosy cured, hearing impairment, loco motor disabilities, mental retardation, mental illness, autism and cerebral palsy, and may eventually cover speech impairment, learning disabilities, etc.

RIGHT TO EDUCATION ACT, 2009

Right to Education is a significant Act for children with disabilities as this fundamental right guarantees free and compulsory education to all children from age six to fourteen years. Inclusive education for children with disabilities has received the much needed attention, resources and opportunities under this Fundamental Right. This Act promotes inclusive education for children with disabilities and ensures that good quality education, with the appropriate levels of support is provided by skilled teachers in a healthy school environment. It aims in providing schools in neighbourhood which helps the disabled child for easy accessibility. It focuses on including all children into the education system without giving consideration to their challenges, difficulties, academic achievement levels and other differences.

Some of the objectives are:

- a) The act specifically prohibits schools from charging any type of fee from the child
- b) If a child turns six and is not in school, the child will be admitted into an age-appropriate classroom, and will not be admitted into a classroom based on their perceived level of education. The exception to this rule is if children have an intellectual disability they may be placed according to their perceived level of education.

CONCLUSION

From the time of independence, many policies have been outlined for people with disabilities. But most of the policies remain words on paper. To enable a good inclusive system of education, the Government of India should remove the dualism which prevails in responsibility of disabled to Ministry of Social Justice and Empowerment and responsibility for education under Ministry of Human Resource Development.

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