

INCLUSIVE EDUCATION AND RIGHT TO EDUCATION ACT-2009

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Abstract

The key objective of SarvaShikshaAbhiyan (SSA) is Universalization of Elementary Education (UEE). This goal of UEE, has further 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. The Right of children to free and compulsory Education Bill was passed through both the houses of parliament without a word of opposition. This Amendment has given a new thrust to the education of Children With Special Needs (CWSN), as without their inclusion, the objective of UEE cannot be achieved. 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. SSA has adopted a more expansive and a broad-based understanding of the concept of inclusion. The practices and innovations in SSA are no doubt leading to a gradual increased identification of CWSN. The focus of SSA is now on reaching out to those out of school CWSN, not covered so far and developing a strategy that will ensure that every child with special needs receives continuing onsite support. This perhaps is the biggest challenge of all and a crucial determinant of the success of the inclusive education programme under SSA.

Key words:- Inclusive, Education and Right to education Act-2009

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INTRODUCTION

Education holds the key to a long term and sustainable social transformation. The need for investment in this sector stems from the fact that education is an intrinsic human right essential to build critically conscious citizens and not for the production of mere literates to add to the workforce. Schools are the primary institutions that impart formal education. They play a crucial role in the growth and development of children. A good school would be an institution that would be inclusive and acknowledge diversity of culture, religion, abilities and varied class and caste backgrounds.

The constitution of India ensures equality, freedom, justice and dignity of all individuals and mandates an inclusive society for all including persons with disabilities. In the recent years, there have been vast and positive changes in the perception of society towards persons with disabilities. It has been realised that the majority of persons with disabilities can lead a better quality life if they have equal opportunities and effective access to rehabilitation measures. The earlier emphasis on medical rehabilitation has now been replaced by an emphasis on social rehabilitation. There has been an increasing recognition of abilities of persons with disabilities and emphasis on mainstreaming them in the society based on their capabilities. Education is the most effective vehicle of social and economic empowerment. The formal, non formal, adult education, vocational education, special education and open schooling systems all have to optimize their services and support to promote the full and equal participation of persons with abilities.

CONCEPT OF INCLUSIVE EDUCATION:

The concept of inclusion has emerged from the ideas of providing equal opportunities to all children keeping in mind the diverse nature of their individual needs

The **dictionary meaning** of 'inclusion' is- to take in, or consider as part, or member of or to embrace. In education 'inclusion' refers to the placement and education of children with disabilities in regular education classrooms with children of same age who do not have

disabilities. The underlying premise of inclusion is that all children can learn and belong to the mainstream of school and community life.

Thomas (1997) has defined inclusion as the “acceptance of all pupils in the mainstream system, taught with a common framework and identified as the responsibility of all teachers.”

In the words of **Loreman and Deppeler (2001)** “Inclusion means full inclusion of children with diverse abilities (that is both giftedness and disability) in all aspects of schooling that other children are able to access and enjoy.

According to **National curriculum framework review (2005)**, Inclusive education means all learners young people with or without disabilities being able to learn together in ordinary pre-school, provisions, community educational seating with appropriate network of support services. In the inclusive education setup, three types of services are provided directly to the disabled child. The most essential services are provided by the general classroom teachers and parents as well. The concept of child to child learning, cooperative learning approaches etc. have demonstrated that learning can also happen through interaction between the disabled child and non-disabled child. Therefore, use of the assistance of normal; children is also vital in the inclusive education. The second type of services is support given by qualified teachers. These teachers provide academic and material support in regular classroom situation. Third type includes need-based peripheral services provided by the community. Thus education should be accessible to all those who desire to be educated, no matter what their ability is; disabled people should have the option to be integrated with the general school population.

PRINCIPLES OF INCLUSION

Inclusive Education is based on following principles:

- Every child has a fundamental right to education;
- Every child has unique characteristics, abilities, interests, and learning needs;
- Education systems need to accommodate this diversity in student population;
- Students with special needs must have access to regular schools;
- Regular schools with an inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all.

CHARACTERISTICS OF INCLUSIVE EDUCATION

- Acknowledges that all children can learn.
- Acknowledges and respects differences in children: age, gender, ethnicity, language disability, HIV, TB status etc.
- Enables education structures, systems, and methodologies to meet the needs of all children.
- Is a part of wider strategy to promote an inclusive society?
- Is a dynamic process that is constantly evolving?

PROVISIONS IN RTE ACT FOR INCLUSIVE EDUCATION

RTE mandates free and compulsory education to all children from 6-14 years of age. The key objective of RTE-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 has further been facilitated by the constitutional (86th Amendment) Act, making free and compulsory Education a Fundamental Right, for all children in the age group of 6-14 years. This Amendment has given a new thrust to the education of Children With Special Needs (CWSN), as without their inclusion, the objective of UEE cannot be achieved.

- Right to elementary education becomes the fundamental right of each and every child including 8-10 per cent disabled children u/s 3(1) of right to Education (RTE) Act 2009 and u/s 2(i) of the Person with Disability (PWD) Act, 1996.
- Section 3(1) envisages that Every Child of age 6-14 years shall have right to free and compulsory education in a neighbourhood school till completion of elementary education, Provided that a child suffering from disability, as defined in section 2(i) of the PWD Act, 1996, shall have right to pursue free and compulsory elementary education in accordance with the provisions of chapter V of the said Act..
- Among the age group of 6-14, there are 8-10 per cent those children who are suffering from disability shall have right to pursue free and compulsory elementary education in accordance with the provisions of the said act.

• Apart from normal children, one of its prime objectives is to include the exclude children with special need (CWSN) in the mainstream schools and educate them without discrimination.

• Inclusion is not an experiment to be tested but a value to be followed. All the children whether they are disabled or not have the right to education as they are the future citizens of the country. Focus of inclusive education in coming years would be on infrastructure development, strengthening material support to CWSN to promote effective inclusion in schools and classrooms and strengthening schools for the enrolment and retention of all kinds of CWSN.

GROWTH OF INCLUSIVE EDUCATION IN INDIA

The concept of inclusive education has been finding its reference in many national education documents in the post- independent period. The Article 45 of the constitution of India assures better services to persons with disabilities. The education Commission Report (1964-66) recommended placement of the disabled child, “as far as possible’ in ordinary schools. The National Policy on Education (NPE, 1986) strongly emphasized the need for the expansion of Integrated Education programs. A scheme of Integrated Education for disabled (IED) was formulated in 1982 by the department of Education, Ministry of Human Resource Development (MHRD) and a project on Integrated Education for Disabled (PIED) was launched by the National Council of Educational Research and Training (NCERT) in 1987. The movement towards inclusive schooling gain momentum with the World Declaration of Education for All in 1990. The commitment of the Government of India in 1993 to special education became multifold with the inclusion of disabled children in the campaign for Education for All (EFA). In 1994 at the World conference at Salamanca, a frame work for Action was adopted which promoted integration and participation of persons with disabilities to combat exclusion. The issue of services for children with disabilities is treated as human resources development with the introduction of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) act 1995. The PWD Act 1995 is strongly encouraging inclusive education concepts wherever possible. The National Curriculum framework for School Education (NCERT, 2000) has recommended inclusive schools for learners with special educational needs by making

appropriate modifications in the content, presentation and transaction strategies, preparing teachers and developing learning friendly evaluation procedures. A meeting of experts committee of RCI-NCTE was organized on 27 April 2006 in which the committee has decided to incorporate special education in general B.Ed. to strengthen inclusive education (Rehabilitation Council of India News, Vol. 2, No. 2, March-June, 2006). Therefore, while efforts for inclusion were persistently made, the general education system is yet to be fully sensitized to the educational needs of children with special disabilities.

CHALLENGES AND KEY OBSERVATIONS ABOUT INCLUSION IN INDIA

The real challenge of inclusive education is to meet the special needs of all children with and without disabilities. Inclusion requires a lot of struggle and commitment to overcome all types of barriers mainly attitudinal and social. People have to change their established beliefs, practices and modes of working. An inclusive education demands the class teacher to be innovative, flexible, creative, ready to learn from the learners and capable of imitating active learning. The development of an inclusive educational policy, curriculum and teacher training programs are frontiers of challenges encountered in course of implementing inclusive education. Generally the challenge towards inclusive education could proceed from different directions such as attitudinal factors, rigid school system, and resistance to change, lack of clear educational guideline and fear of losing one's job on the part of special school teachers.

Following are the key observations about inclusive education:

- Firstly, there is absence of interlinks and collaborations among various organisations which result in overlapping, duplication and contradictions in program implementation.
- The majority of children with disabilities who live in rural areas do not get benefit from these services as most of the services for these children are concentrated in big cities or close to district headquarters.
- It is very difficult to understand the nature of the problem and to make realistic interventions as there is an absence of consistent data on the magnitude and educational status of children with disabilities, and the disparities between regions and types of disability.
- Community involvement and partnerships between government agencies and NGOs had been instrumental in promoting inclusive education.

- Many teachers are reluctant to work with children with disabilities as in many regular schools number of such children are large and teachers are few. They consider it an additional workload.
- The number of skilled and trained personnel for supporting inclusive practices is not adequate to meet the needs of different types of disability.
- The curriculum lacks the required flexibility to cater to the needs of children with disabilities. There are limited appropriate teaching-learning materials for both with and without disabilities. The teaching-learning process addresses the individual learning needs of children in a limited way.
- Families do not have enough information- the support system in the disability the child is suffering from. This often leads to a sense of hopelessness. Early identification and intervention initiatives sensitize parents and community members to the education of children with disabilities.
- Sensitization of masses towards disability and inclusion issues, and how to converge efforts for effective implementation of programs, are important concerns.

CONCLUSIONS AND SUGGESTIONS

As the government is taking several initiatives in the country towards Inclusive Education and it should be encouraged further because it would make education accessible to children with disability in all parts of the country. Inclusive education is still an evolving concept, but now there is a clearer focus on how to change systems, methodologies, policies, curricula and environments, rather than on how to prepare or change individual children. Five years ago the discussion tended to focus on special or integrated, whereas now it has moved on to integrated or inclusive thus indicating a belief that inclusive education is possible. Therefore keeping this in view, the following suggestions are required to be considered:

- Inclusive education should be started at pre-school level. At this level parents' emotional support can prepare the disabled child for integration program at a formal level. The children should be brought up with affection and care right from the beginning just to provide them with a least restrictive home environment. Parents should study and understand the psychology of their special need child which helps a lot in overcoming the difficulties created by disability.

- There should be general access to education services, dropout and repetition rates, emphasis on creation of necessary infrastructure and a positive climate within the school to promote inclusive education. The facilities in the schools need to work focusing on the needs of children with varying competencies in order to actually bring about inclusion.
- Teachers should be recruited to serve special education needs of this population. Training in inclusive education should be for all teachers and related educational staff; additional training should be given to heads and deputies in the management of inclusive education. Teacher's in-service training through refresher courses and orientation program will help them in learning new techniques to handle maximum children with disabilities and strategies to deal with specific needs and competencies of this segment.
- Training should involve local resource persons, such as disabled people. Support from a resource person and special educator would also assist regular teachers in planning and teaching of children with special needs; this would also enable them to appreciate their roles in creating public awareness.
- Modifications should be made in existing curriculum to meet the needs of child without compromising the quality of education.
- The NGO's should be actively involved in policy formulation, planning, implementation, monitoring and seeking their advice on various issues relating to persons with disabilities.
- Administrators should strictly comply with the provisions framed by the government for inclusion to show commitment with regard to educating all children; legislative measures such as reservation of three to five percent of seats in schools for children with special needs can also achieve quick results.
- Policy makers should make efforts in making inclusion socially and academically meaningful by providing information on the cost effectiveness of inclusion in transport, buildings and staffing to achieve the goals of Education for All (EFA).

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