



Access to education of children with disabilities : A contemporary perspective.

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Abstract

Education is the right of every child because it equips them to meet the challenges of life. The children with disabilities (CWD) need this all the more, to supplement their differential talents so that they can prepare themselves for a happy, productive and useful life. In the present study, an attempt has been made to examine policies and legislations for educating the disabled children, challenges providing education to CWD in the context of Assam, India. A few recommendations were also made as part of the study. It is hoped that the juxtaposition of existing laws, the academia, media and the public domain along with the discussion in this paper will successfully shed more light on the interactions between disability, law and gender on access to education.

Keywords: Education, disability, gender, Law, Assam

1. Introduction

Disability is an impairment that may be cognitive, intellectual, mental, physical, sensory and so on. Person with disabilities are amongst the most disempowered groups. Due to their marginal status, they are denied the fundamental civil, political, educational, social, economic and cultural rights that are the prerogative of all citizens in a democracy. They are constantly faced with discrimination and are subject to neglect, prejudice, revulsion, rejection and pity besides suffering from economic, educational, legal and health barriers, which prevent them from leading a fulfilling life and achieving their full potential (Block, 2007). Disability is now a central international and national human rights and policy issue with the passage of the United Nations Convention on the Rights of Persons with Disabilities in 2006, a convention that India has signed and ratified.

Disabilities may be congenital or from birth. As defined by IDEA (Individual with Disability Education Act), the term child with disability means a "*child with mental retardation, hearing impairment, visual impairment, orthopedic impairment, autism, or other health impairment and who, by reason thereof, need special education and related*

services". Malnutrition and micronutrient deficiencies may result in disabling conditions in children in the form of stunted physical and mental growth. It generally has two components i.e. medical limitation and social prejudice, which often gets translated into discriminatory behavior towards the disabled person. In legal documents and policy statements, disability is defined in terms of what qualifies for public assistance (Danforth and Narain, 2015).

Education is the right of every child because it equips them to meet the challenges of life. The children with disabilities (CWD) need this all the more, to supplement their differential talents so that they can prepare themselves for happy productive and useful life. Efforts to educate children with disabilities began soon after independence in India. Access to education is an important factor that determine educational attainment. In the era of liberalization and privatization, higher education has emerged as a private good which emphasized on the underlying principles of 'one who benefits, pay' raises serious concerns in terms of ensuring equity in access (Hurwitz, 2019). Assam government had made a few attempts to improve their conditions such as a separate school for visual

impairment and hearing impairment students, to promote physically challenged equal education along with other students. The aim behind such an attempt was a charity which could not achieve considerable effect in the lives of these disabled students.

The present study makes an effort to understand the access to education scenario of students with disability in a contemporary context, with special reference to the State of Assam, India. A discussion on State government initiatives for disabled students and related policy implications has also been done. The paper traces the engagement of the State with the educational issue of disability over the past decades as the discourse of charity and welfare gives way to one of equality and human rights.

2. Materials and method

2.1 Study area and data collection

The present study has been done with respect to the State of Assam, India. Data has been sampled from secondary sources such as the Ministry of Human Resource Development as well as the Government of Assam. Further, data has also been collected from Deaf and Dumb School, Guwahati; Blind School, Guwahati, and Social Welfare Department, Government of Assam.

2.2 Data analysis

The analysis has been using a descriptive research methodology along with certain aspects of doctrinal method.

3. Findings and discussion

3.1 Understanding disability in a broader sense

Across the world, the amount of marginalization faced by people with disability is tremendous. Among them women and children are further discriminated by two points, one being their disability status and the other being the social status (Izudin and Amilia, 2018). In the third world developing countries like India, those with disability experience another aspect of misery, which is poverty. According to the report about two percent of the Indian population is disabled from which almost a negligible figure enters the realm of education after overcoming their physical, social, educational and cultural barriers. Out of 2.9% million with disabilities, 990,000 children aged 6 to 14 years are out of school. Females with disability are not considered an educational investment by Indian families because they marry into a husband's family, whereas boys stay with and provide their extended families all their lives. Hence girls with disabilities have a lower enrolment

rate in school than boys with disabilities (Campbell and Norton, 2007). As a result, 685 of girls with disability are not in school. Most families have a mindset that girl with disabilities are vulnerable in the society and if they do not go to school family will be able to supervise them closely. Although these gender trends are also true for girls without disabilities, economic, social and cultural factors have led to women and girls with disabilities to become one of the most marginalized groups in society. The plight of women and girls with disability is worse than men with disability and women without disability (Griful-Freixenet, et al., 2017). Apart from being considered as a financial burden and social liability they are subjected to violence, abuse, exploitation, forced sterilization, extreme poverty and also denied the right to family and reproductive and health services.

To address the issue of people with disability at grassroots level, one major step taken by the government of India was introduction of schemes for inclusive education at primary and secondary school level like IEDC (Integrated Education for Disable Children) and IEDSS (Inclusive Education for the disabled at Secondary Stage).

The 86th amendment of the Constitution of India in 2002, made the right to education a fundamental right by promoting rights to free and compulsory education to all the children between the age of 6 to 14 years. SSA (Sarva Siksha Abhiyan) is a national programme implemented in collaboration with state government to promoting universal access to basic education for children between these ages. SSA was launched in 2001, among other things it promoting right to primary education for children with disabilities by promoting mainstreaming and inclusive education. For children with secure disabilities who were unable to access local school to proposed home based education. The impact of SSA evaluated in 2008 in 11 states including Assam, both in rural and urban areas from NE regarding the overall impact of SSA on children with disabilities. An impressive increase was also observed in the enrolment of differently abled children with their share rising from 0.43% of the total enrolment in 2003 to 1.17% in 2007 in rural areas. In urban schools, their share decline during the reference period. Though the children were provided financial and non-financial incentives, few schools had individualized education plans. The IEDC training was provided to teachers on teaching techniques and for preparation of individualized educational plans children were provided assistive devices such as

hearing aid, spectacles, wheel chairs, braille papers, etc.

3.2 Disability in the contemporary context

In recent times, individuals with Intellectual Disabilities (ID) benefit from the same teaching strategies used to teach people with other learning challenges. Each learning task is introduced, one step at a time. Once the student has mastered one step, the next step is introduced. This is a progressive, step-wise, learning approach. The second strategy is to modify the teaching approach. Most of the people are kinesthetic learners. This means they learn best by performing a task “hand-on” (Eckes and Ochoa, 2005). They learn best when information is concrete and observed. Thirdly, people with ID do best in learning environments where visual aids are used. This might include charts, pictures and graphs. These visual tools are used for helping students to understand what behaviors are expected of them. For instance, using charts to map students’ progress is very effective and used as a means of providing positive reinforcement for appropriate, on task behavior. Fourth teaching strategy is to provide direct and immediate feedback. This enables them to make a connection between their behavior and the teacher’s response delay in providing feedback makes it difficult to form connection between cause and effect. As a result, the learning point may be missed. Fifthly, visually impaired children use braille paper, which help them to write. Because most visually impaired or blind children are denied an opportunity to participate in mainstream education. So, these help them bring a balance at educational level.

The scheme of Integrated Education for Disabled Children, a centrally sponsored scheme was launched in 1974 by the Department of Social Welfare and later transferred to Department of Education in 1982. Under the scheme, handicapped children are sought to be integrated in normal school system-the hearing impairment are provided following allowances and facilities under this scheme- books and stationary allowances of Rs 400/-, uniform Rs 50/-, transport allowance Rs 50/-, but there is no state scheme of scholarships to hostellers, the disabled children whose parents’ income do not exceed Rs. 3000/- per month, may be paid actual boarding and lodging charges subject to maximum of Rs. 200/-

Further, the scholarship schemes are operated by the Union Minister of Social Justice and Empowerment through State governments to disabled persons from 9th class onwards for general technical or professional

education. The scholarship is awarded to all the kinds of disabled students subject to their obtaining of at least 40% marks at the last annual examination. The above rates were effective from 1986-87. Vocational training and courses will get scholarship according to level of diploma and certificates. In music, students should have passed Madhyamika or its equivalent examination at least in ‘Second Division’ from affiliated University (state/central). Craft training has perceived free of cost which also student can achieve scholarships, but scholarship will not be awarded for pursuing a parallel over the study outside India, if candidate has already completed conventional course/ training for undertaking any training course for second time (Koganuramath and Choukimath, 2009).

While the disabled children may attend regular schools, there are also special schools made for them. Most of these schools are located in urban areas. Voluntary organizations are taking major initiative in opening special schools in Assam. The Minister of Welfare provides financial assistance to these organizations to establish special schools. A few special schools offer vocational training in trades like tailoring, carpentry, book, blinding. There are four national mental institutes in the areas of visual, hearing, mental, and locomotor disability which organize regular programmes for the training of teachers for the handicapped. These schemes have been transferred to the Department of education since 1982. Under the integrated education schemes disabled students are sought to be integrated in the normal school system. Cent percent assistance is being provided to states and UT’s for education of the children suffering from certain mild handicapped in common schools with the help of necessary aid, incentives and especially trained teachers.

Free education is provided by the Government of Assam up to the age of 18 years for disabled students. Central government funds the state governments as well as other institutions, organization, autonomous bodies, making barriers free and access environment for disabled persons. There is also a supply of books, uniform and other necessities to the disabled children after attaining schools but the hostellers were able to get the scholarships after getting the opportunities to stay in hostels. Disabled children residing in school hostel within the same institution where they are studying may be paid actual boarding and lodging charges. For disabled students the scholarships are provided from class 9 onwards. Applicants are eligible if they have disability above 40% and total family

income do not exceed Rs. 15000/-

Financial assistance is provided for procuring computer with editing software for student with visual impairment, hearing impairment pursuing proper education, 3% reservation in govt. aided educational institutions. Under the educational schemes for disabled students provides, books and stationaries allowances of Rs. 400/- per annum, actual expenses on uniform up to Rs. 200/-, transport allowance Rs. 50/-. Reader allowance Rs. 50/- in case of visual impairment after class 5, actual cost of equipment subject to a maximum of Rs2000 per students for a period of 5 years.

In the school, in rural areas where at least 10 disabled children are enrolled, capital cost for purchase of school rickshaw puller Rs. 300/- per month will be provided under the educational scheme. In such no transport allowances will be paid to the students. Also, in examination of any board, disabled students were able to get extra time for per hour 20 minutes.

3.3 Inclusive Education in North-East region and Assam

Annual report of Ministry of Human Resource Development at national level for the year 2013-14 informs that under SSA, provision of Rs. 3000/- for the integration of each child with disability in the school and to cover the actual cost for assistive devices, books and stationery, uniform and transportation will be done. For blind children the cost of a reader is covered and girls with disabilities get a monthly stipend of Rs. 200/-. For every 10 children with severe orthopedic difficulties, the cost of 1 attendant is covered. A National Institute of Open Schooling has been created to provide pre-university level distance and vocational training. 3% reservation for in students with disabilities for receiving scholarships for higher education also created, that can cover 82,000 students. This report also provides a long list of various schemes and services to support education for children and young adults with disabilities.

Table 1: National schemes for disabled students

Notification/Schemes	Issuing Authority
Scheme of National Scholarships for disabled students	Ministry of Social Justice and Empowerment
3% reservation in govt. aided institutes	Ministry of Education
Comprehensive Scheme for disabled children	Ministry of Social Justice Empowerment
Integrated Education for disabled in the secondary stage	Department of Education
Rajib Gandhi Fellow Scholarship	Department of Disability Affairs

The report too provides an information about students with disabilities enrolled in educational field in North east. In 2011-12, they were 663(65 % male and 34% female), in 2014-15 they were 867(66% male and 34% female) and 2017-18 they were 2182 (61% male and 39% female). Thus between 2011-12 and 2017-18, there has been more than 100% increase in enrolment of students with disabilities in the higher education in NE and this increase has been much higher for female

students. However, if we look at the data from individual states of NE, the increase to enrolment in higher education has occurred mainly in Assam and Tripura and to a lesser degree in Manipur and Meghalaya. In Mizoram and Nagaland, the increase was minor and the total number of students with disabilities in higher education has actually decreased. In terms of enrolment of female students, the positive changes is almost exclusively due to Tripura.

Table 1: Student with disability in higher education in NE

States	Student with Disability in Higher Education		
	2011-12 (53)	2014-15(32)	2017-18(31)
Arunachal Pradesh	(384)	(517)	(396)
Assam	(80)	(93)	(150)
Manipur	(24)	(106)	(63)
Meghalaya	(9)	(13)	(12)
Mizoram	(96)	(92)	(914)
Tripura	(7)	(4)	(1)
Sikkim	(10)	(10)	(15)
Total	663	867	2182

Source: Ministry of Human Resources Development (MHRD) and state governments

Thus, the specific attention shown by the MHRD and State governments had a positive impact in enrolment of student with disabilities in higher education in some states of the NE. However, it will be important to see what percentage of students with disabilities complete school and what percentage joins the institutes of higher education compared to non-disabled students. While disaggregation of data between male and female students is important, it will also be important if data on different disabilities is also disaggregated.

With special regard to inclusive education in

Assam, to help the huge population of physically challenged people in the state Assam government has taken up several schemes such as, scholarships for such students, one-time grant for rehabilitation of physically challenged individuals and also to the organization. Also, 15 NGO's have been engaged for the task. School for visually challenged people have been set up in Jorhat and Tinsukia, homes for disabled set up in Guwahati and Lakhimpur as well as training centres for blind have been built in Nagaon.

Table 2: Some initiatives of Government of Assam with regard to disabled students

Name of the schemes	Description
Scholarships	Disabled students who were pursuing studies in the special institution of the directorate of Social Welfare or institutions runs by NGO's are in also general schools and colleges are each offers a stipend of Rs 200/- per month. The state govt. awarded scholarships to disabled students from class 1 to class 8
Reservation	3% seats in the MBBS course in Assam are reserved for disabled students

Table 3: Schemes for National scholarships for disabled students' scholarships for pursuing post matric/ professional/technical courses of duration more than 1 year.

Category	Day scholars	Hostelers
Graduate/PG course in professional/technical	Rs 700/-	Rs 1000/-
Diploma/Certificate level professional courses	Rs 400/-	Rs 700/-

Notably, in the Comprehensive Education Scheme for Disabled Children, provisions of exemption from mathematics and pictorial question for visually impaired and use of scribes for as well as extra time in examination for disabled students has been made.

3.4 Policy implications with regard to educational right of disabled students

With regard to the review of existing data, the educational scenario is gloomy because there has not been any appropriate attention need in the area of implementation of the enacted initiatives. There is a great need for holding more training programmes to meet the acute shortage of teachers and rehabilitation professionals (Sarkar, 2016). Many of the authorities themselves need to be sensitized about disabilities issues. Some of the states have only facilities for students with disabilities in institutes of higher education. However, none of the universities in the region have availed of UGC assistance to make their universities accessible for disabled students. If disabled students who are under any schemes of Central/State government have receive craft training free of cost, provision of scholarship also has to be made. But scholarships should not be awarded for pursuing a parallel course of study e.g., M.A. in Economics and Politics, or studies outside India, if a candidate has already complete conventional course and training for undertaking any training course for the second time (Sharma, et al., 2009). A report prepared by *Sishu Sarothi* throws light on the lack of implementation of the disability related laws.

Instead of giving rights to person with disabilities and empowering them, a culture of charity and welfare has been systematically promoted in Assam. This is a crucial step in the disability movement, because it has resulted in the legislation for positive action and other policies and schemes moves. However, it is not enough. The passage of Persons with Disabilities Act, 1995, transformed the political and public discourse on disability. Globalization has given a fillip to new identity politics based on hither to unacknowledged axis of

oppression, namely disability. A gender-based analysis of these changes also reveals patriarchal discourses from the bulwark of laws, policies and programmes in the disability sector, be it by government or the voluntary organizations. Disable women's experience and concerns continue to be marginalized.

While the role of civil society organizations and self-advocacy by disabled persons in initiating positive changes can be undermine, ultimately it is the law which has played a pioneering role in guiding policies in the disability sector in every state. This development is a piece with a general pattern of law becoming a springboard for change, be in the realm of reducing caste inequalities, empowering women or mainstreaming the disabled. For instance, 3% reservation seats are mandated by the person with disabilities in educational system. Positive ruling in this regard have helped in increasing the number of persons with disabilities in the educational sector, which has in turn contributed to enhancing visibility of the issue in multiple spheres.

4. Conclusion

The present study has been done with a view to create a body of knowledge, which can stimulate rethinking and reflecting upon aspects of our understanding of disability and social marginalization. The identity of disability is not an idle insertion into feminist discourses, rather than it has critical implications for how the understanding of disability can expand and thrive within academic sphere (Wolanin and Steele, 2004). The idea is wide-ranging with the most radical re-imagining of possibilities but it seems quite conservative. The problems cannot be resolved so easily by merely adding on disabled women as another category, rather their issues need attention. It is hoped that the juxtaposition of existing laws and ongoing discussion in the judiciary, the media, the academy and the public domain including hitherto almost absent voices of person with disabilities and their families will shed more light on the interactions between disability, law and gender on educational purpose.

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