

# Special needs education

## Implementing Article 24 of the UN Convention on the Rights of People with Disabilities in Commonwealth countries



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Through its mandate derived from the regular Commonwealth Conference of Education Ministers (CCEM) and the biennial Commonwealth Heads of Government Meetings (CHOGM), the Commonwealth Secretariat is committed to ensuring the implementation of the six Education for All (EFA) goals and the education Millennium Development Goals (MDGs). These include ensuring that countries achieve universal primary education as well as gender equality at all levels of education.

Education is the human right of every child of school-going age, and this right forms the framework for all of our work, particularly that of focusing on universal primary education/education for all. In addition, the rights of girls to education is very critical; as we know, the majority of children out of school are girls so there is a very strong gender equality aspect to this.

The 2008 EFA Monitoring Report states that:

- The number of out-of-school children dropped by 24 million to 72 million between 1999 and 2005.
- Despite overall enrolment increases, sub-national disparities in school participation persist between urban and rural areas. Children from poor, indigenous and disabled populations are also at a systematic disadvantage, as are those living in slums.
- Going on current trends, 58 out of 86 countries that have not yet reached universal primary enrolment will not achieve it by 2015.

On progress towards achieving gender parity, the report states that:

- Only 18 out of 113 countries that missed the gender parity goal at primary and secondary level in 2005 stand a chance of achieving it by 2015.
- Gender equality remains elusive; sexual violence, insecure school environments and inadequate sanitation disproportionately affect girls' self-esteem, participation and retention. Textbooks, curricula and teacher attitudes continue to reinforce stereotypes on gender roles in society.

### UN Convention on the Rights of People with Disabilities

The Commonwealth Secretariat's Social Transformation Programmes Division, Education Section, is spearheading a process of compiling lessons from promising practices in provision of inclusive education for children with disabilities. The focus has been

on getting countries to adopt the UN Convention on the Rights of People with Disabilities, which came into force in March 2007. All Commonwealth countries are expected to sign, expressing their determination to implement this Convention. After adoption, countries will be expected to work towards ratification, when the rights contained in the Convention are incorporated into national law. Education, as with other social and economic rights, is subject to the 'Progressive Realisation' clause, to take account of the varying resources in countries.

The adoption of the Convention on the Rights of People with Disabilities by the United Nations, and, in particular, Article 24 (requiring the development of an inclusive education system for *all* children), presents both a challenge and an opportunity to the countries of the Commonwealth. The Convention covers many aspects of education at different stages of life. Its priority is to encourage children with disabilities to attend school at all levels (Article 24 (2) (a)). It asserts that the best way to do this is to focus on the best interests of the child (Article 24 (2) (b)). The Convention also addresses the education needs of the large number of adults with disabilities who are either uneducated or under-educated, due to a lack of opportunity or access to schooling when they were children. It also recognises the importance of learning over one's lifetime (Article 24 (5)), including those adults who acquire disabilities and, therefore, want or need further education to support their ability to find employment, including vocational training and university-degree programmes.

Many education systems around the world have been designed to provide barriers to the effective provision of education to disabled children and young people. These barriers are often reinforced by negative cultural attitudes.

It is common knowledge that the most difficult children to reach are those with disabilities, since they are often hidden in the backyard of their homes. When you visit a village, you may not see the disabled children unless you make an effort to do so. You have to ask and insist, and then the disabled children will be shown to you. Some cultures perceive these children as a curse to the family and so they keep them hidden from public view. In such communities, there is absolutely no hope that these children will ever go to any kind of school and that in turn affects progress towards achievement of the agreed global education goals.

Yet the right to education for *all* children is enshrined in the Universal Declaration of Human Rights (1948) and more recently in the MDG that all children be given the ability to complete primary education by 2015. This will need a terrific effort to achieve when



A disabled boy being taught how to play a musical instrument in India

it comes to disabled children. EFA and the UNESCO Flagship Programme are attempts to channel funding and promote good practice in developing inclusive education. The UN Convention on the Rights of People with Disabilities builds on the UN Convention on the Rights of the Child (1989) – and the subsequent accords reached in Jomtien (1990), Salamanca (1994) and Dakar (2000) – to promote education for all disabled children.

## Promoting and implementing inclusive education

The main emphasis in EFA to date has been on the inclusion of girls, street children, children in poverty and children in rural areas. However, the largest group of children remaining out of education is disabled children, and they are one of the prime target groups of the Commonwealth Secretariat:

*That persons with disabilities, of both genders and all ages, have a right to education cannot now be disputed. Unfortunately, neither can it now be disputed that persons with disabilities, of both genders and all ages and in most parts of the world, suffer from a pervasive and disproportionate denial of this right. The impact of a denial of education generally at all ages and in all spheres of life, has been powerfully demonstrated. As an estimate of persons with disabilities is between 500–600 million (of which 120–150 million are children, 80–90% live in developing countries) and some 15–20% as having special educational needs at some point in their careers,<sup>1</sup> the current and potential impact is both unacceptable and causes considerable concern.<sup>2</sup>*

It is within the above background that the Commonwealth Secretariat contracted Disability Equality in Education (DEE), UK – a renowned consultancy firm that provides training, consultancy and

resources to improve the position of disabled people in the education system and all public services in the UK and around the world – to prepare a publication advocating the implementation of Article 24 on inclusive education. The aim is to urge all member states to develop education systems based on human rights where all children and young people are given the opportunity to develop their potential. The publication, *Implementing Inclusive Education: A Commonwealth Perspective*, will cover the following areas.

- a) Provide an overview of the historical development of state education for disabled children and young people.
- b) Make clear what the concepts of segregation, integration and inclusion mean, and how they relate to core educational targets, particularly access, retention and achievement, drawing on examples from Commonwealth countries. These concepts will locate gender as one of many intersecting inequalities, and hence be sensitive to gendered aspects of varied forms of social exclusion.
- c) Demonstrate how different models of change have been used to develop inclusive education, e.g., South Africa, UK, India, Australia, Malaysia and Uganda.
- d) Examine how inclusive education can be promoted through:
  - policies: particularly integrating Special Education across education policies in access, retention and achievement.
  - programmes and Projects: integrating Special Education into education programmes and projects; and monitoring and examining evaluations of projects and programmes focused on elementary education, and the extent to which disability is considered within them.
- e) Outline how institutions can respond to the challenge of disability in education – the necessary practical and strategic shifts required to transform institutions.



- f) Assess disability-awareness of current educational implementation through an analysis of contemporary planning, management and delivery strategies and structures.
- g) Discuss political constraints to institutional transformation.

These materials will also draw particular attention to the following issues:

- a) The way forward to developing an all-inclusive education system in countries at different socio-economic levels.
- b) The valuable practices that can be adopted into governmental and international donor policies, budgets and systems.
- c) How these policies, budgets and systems need to change in order to successfully scale up these practices.
- d) The role of governments, donor agencies, the UNESCO Flagship Programme, the Enabling Education Network (EENET) and civil society in supporting processes of inclusive education.
- e) Special attention will be given to the aspects of emergencies, HIV/AIDS, and conflict/post-conflict situations. The conclusions will focus on the implications for reform modalities for scaling up good practices, giving special attention to gender issues in assessing aid modalities, such as Poverty Reduction Strategy Papers (PRSPs), Sector-Wide Approaches (SWAs), the Fast Track Initiative (FTI) and Gender Budgets, which are being used to drive national level reform.

*Implementing Inclusive Education* seeks to provide the argumentation and examples of how such education systems have been established in pockets throughout the Commonwealth. The task ahead will be to disseminate these materials widely, and to develop training manuals for teachers and education managers to ensure implementation of inclusive education in all member states of the Commonwealth. These materials will also give member countries an opportunity to share good practices that are already ongoing and also explore areas of South-South co-operation.

## Conclusion

In preparing the publication, Dr. Richard Rieser, Director of DEE, drew extensively on the definitions of inclusive education as seen by UNESCO, 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. Inclusive Education involves changes and modifications in content, approaches, structures and strategies, with a common goal that covers all children of appropriate age range, and with a conviction that it is the responsibility of the regular system to educate all children.<sup>3</sup>

Inclusion seeks to address the learning needs of all children, youth and adults with a specific focus on those who are vulnerable to marginalisation and exclusion. Schools should accommodate all children regardless of their physical, intellectual, social, emotional, linguistic or other conditions. This should include disabled and gifted children, street and working children, children from remote or nomadic populations, children from linguistic, ethnic or cultural minorities, and children from other marginalised areas or groups.

In practice, the UNESCO definition of inclusion means:

- One ministry is responsible for the education of all children.
- One school system is responsible for the education of all children in their region.
- Having a diverse mix of students in classes.
- Teachers using classroom strategies that respond to diversity, such as multi-level instruction, co-operative learning, individualised learning modules, activity-based learning and peer tutoring.
- A collaboration between teachers, administration and others to respond to individual student needs.<sup>4</sup>

The UN Convention on the Rights of People with Disabilities requires all state parties, educationalists, parents of disabled children and disabled people's organisations to be actively aware of the changing paradigm around disability. This is moving from viewing the disabled person as the problem to identifying the barriers to disabled people's inclusion in society, and then by enacting laws, policies, procedures and practices to change the situation.

The task we face across the Commonwealth and around the world is daunting, but through enhanced international co-operation and a real determination from political leaders to put right the wrongs of the past, we can make progress towards the goal of every disabled child and young person by accessing and achieving within the education system. The wastage of human potential and resources must cease. The evidence from around the world is clear: when disabled people are included in education they can escape the inequalities and prejudices that confine them to poverty and deny them their human rights. Moreover, the changes in our education systems this will require will improve the human rights of all learners, leading to a strengthening of civil society and the socio-economic well-being of all.

The booklet and DVDs entitled, *Implementing Inclusive Education: A Commonwealth Perspective*, will be launched during the month of July 2008, after which it will be available for countries to use, and we believe this will be a major breakthrough in the efforts to achieve EFA goals and the MDGs.

## Endnotes

- 1 Jonsson, Ture, Wiman, Ronad. Education, Poverty and Disability in Developing Countries, *Poverty Reduction Source Book*, June 2001, p.11.
- 2 Vernor Muñoz *The Right to Education of Persons with Disabilities*, Report of the Special Rapporteur on the right to education, to Human Rights Council A/HRC/4/29, Geneva, 19 February 2007, p.5.
- 3 UNESCO Guidelines for Inclusion: Ensuring Access to Education for All. 2005, UNESCO, Paris, p.13.
- 4 Richler, D. Inclusion International, 2005.

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