**Article 24 and the development of inclusive education for disabled people.**

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**The submission traces the development of thinking and about the medical model and the development of an alternative social model approach by Disabled People’s International. It examines how this can be mapped into different forms of geographic educational organisation such as inclusive mainstream schools, resourced schools and attached units and cannot fit the development of segregated special schools. Through analysing CRPD Country comments and the sometimes ambiguous wording of Article 24 and by examining it’s formation it is proposed that a number of measures be adopted by the CRPD Committee to make Article 24 clearer to State Parties in its requirements for an inclusive education system. Examining recent work conducted by the author for UNICEF recommendations are made for the professional development and training of teachers and other educational professionals. As we said in making the Convention, ‘Nothing About Us Without Us’ and the CRPD Committee should encourage State Parties to the involve (and fund) representative organisations of disabled people in the development of Inclusive Education alongside parents.**

**“**The Convention follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities. It takes to a new height the movement from viewing persons with disabilities as "objects"  of charity, medical treatment and social protection towards viewing persons with disabilities as "subjects" with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society”[[1]](#footnote-1). UN DESA



It was in 1981 that Disabled People International first recognised the difference between our impairments and disability. **Impairment** is the loss or limitation of physical, mental or sensory function on a long term, or permanent basis.   
**Disablement (**Handicap at the time**)** is the loss or limitation of opportunities to take part in the normal life of the community on an equal level with others due to physical and social barriers. (Disabled People's International 1981) This definition allowed the burgeoning Disability Movement to use the ‘social model’ to analyse the oppression people with disabilities faced and to campaign for a fundamental change in attitudes and practices as a human rights issue. This analysis led directly to the UNCRPD 25 years later[[2]](#footnote-2).



This paradigm shift, as it has been called, from as traditional/medical model ( Figure 1) to a social/human rights model(Figure 2) in education requires a fundamental shift in thinking, planning and implementation of education. Just calling education inclusive because children and students with disabilities are on the roll of the school or college misses the transformative changes that are necessary. Placement is **integration** ,not be confused with **inclusion** and often leads to little progress and drop-out as teachers and schools fail to provide the necessary support and understanding of how progress can be achieved by students with disabilities.

The old way of viewing children and students with disabilities was either that they could not function in the general education system and so were excluded, or that their needs were defined by what they could not do and special schools and classes were set up to address what they could not do. The well documented effects of this system has been to isolate socially, to provide inadequate educational outcomes, to encourage low self-esteem and lack of employability and reinforce disability as an individual problem to be fixed, rather than addressed across society[[3]](#footnote-3). This **medical model** approach still predominates, as can be seen in the analysis carried out of the first 19 country conclusions by the CRPD Committee (Table 1). More dominant in developed countries, special education, which on purpose was not mentioned in Article 24, still predominates as an educational ideology. It is still increasing in low and middle income countries due to a failure of State parties to grasp what they are now required to do to implement Article 24.



It is also important to support the individual with disabilities with rehabilitation for their impairment, but as recent work on Community Based Rehabilitation demonstrates this is an essential part of getting children with disabilities ready for education in the general education system[[4]](#footnote-4).Figure 3 demonstrates the way that the different thinking about disability leads to different forms of organisation. Figure 4 demonstrates the different forms these can take on the ground. Only 4.6 will meet the requirements of Article 24, but it needs to be recognised that 4.3, 4.4 and 4.5 can be stages to full inclusion, provided the change process is recognised[[5]](#footnote-5).



We have enough examples of good practice from around the world, that demonstrate that all children and students with disabilities, regardless of their type of impairment or socio-economic status, can make substantial progress towards achieving their potential. Given the right attitudes, support and teaching they can be successfully included in mainstream schools with their non-disabled peers. Inclusive education lies at the heart of the UNCRPD and Article 24. It gives the direction to governments, administrators, educators, parents and people with disabilities on how to achieve this.[[6]](#footnote-6)

There are currently many barriers to achieving our goal of inclusion, but the hardest part of any journey is of keeping a general sense of direction. There are already many lessons learned about what works which can act as beacons on the progression to inclusive education.

The recent WHO World Report on Disability (2011) identifies 15% of the world’s people as people with disabilities. UNESCO has identified the large under-representation of children with disabilities attending school in the least developed countries suggesting that only 1-3% attend school. The 2011 Global Report on education suggests that 30 to 40% of the 67 million children identified as not attending school are children with disabilities. However, a far larger number of children and students with disabilities drop-out, fail to complete elementary education or progress to secondary and tertiary education. This leads massive negative effects on their livelihoods, consigning them to unemployment and poverty. We still have few accurate statistics on the number of children with disabilities in the majority world and so the statistics above are almost certainly under-enumerated**. A major priority for the implementation of Article 24 must be for State parties to be required to produce disaggregated statistics of children and students with disabilities in all localities, schools and colleges. This will enable progress to be measured.**

In the more developed countries and the former Soviet and eastern European countries segregation into special schools, institutions and hospitals is a normal experience for millions of children and young people with disabilities. We know that this treatment overall leads to low self-esteem, neglect and lack of educational progress. There are in these parts of the world powerful vested interests that seek to maintain this situation. This is usually underpinned by an out-dated ‘medical’ model of disability or ‘defectology’ in the extreme version, which locates the lack of progress in the child or young person’s impairments rather than barriers in the system[[7]](#footnote-7).

Around the world such thinking is backed up by negative attitudes and thinking drawing on myth, superstition and prejudice that have for thousands of years seen physical and mental difference as bad, evil, punishment by God(s) and many other such false notions. It worth remembering that **Article 8** of the UNCRPD on awareness raising requires all signatory state to challenge and address these negative ideas in school and in the media. **State Parties should be asked to report on what concrete measures they are taking to address these issues.**The reality is that people with disabilities with all types and degrees of impairment have made a huge contribution to human development in all areas of life. How much more can be achieved for humanity if the barriers and prejudices against people with disabilities are systematically addressed at every level-class, school, district, region, national and internationally. In the process of achieving our inclusion as people with disabilities the education system will be improved for all those currently underachieving or excluded.[[8]](#footnote-8)

The development of an inclusive education system requires structural change from **a competitive** **to a collaborative child focused system** ,that develops the potential in every learner and in this change lie the answers to many of the world’s current problems. It also requires individual support and teaching expertise to accommodate particular children/students with different impairments. We know what works here whether it be high tech or low-tech, but many of the world’s educators are not trained to meet these needs.

**Training All Teachers for Inclusive Education**

However, as demonstrated by my recent work for UNICEF[[9]](#footnote-9) on preparing teachers for children with disabilities (CWD), most teachers in developing countries get no training on including children with disabilities. If they do get training, it is based on a special education needs model, where the focus is on separating the child from their peers to segregated classes and schools and focussing on what they cannot do from a ‘medical model’. There is an urgent need for all teachers pre-service and in-service, to get twin-track training on including children with disabilities. **State parties should be required to demonstrate how all teachers including leaders/headteachers get adequate training on track one Inclusion, Equality and Child Empowerment and Track 2 accommodating the different impairment specific needs of children with disabilities. They should provide data on the number of teachers so trained.**

**Track One: Education based on Principles of Equality and Child Empowerment** involves foundations and inclusive values which apply and are beneficial to all groups of marginalized learners and children e.g. girls, nomads, rural, poor, child soldiers/orphans, those with HIV/AIDS, children with disabilities, linguistic and ethnic minorities, traumatised and displaced children. The principles to enable a child friendly educational environment outlined by UNESCO are:

‘Equality and Valuing Difference

Identifying Barriers - Finding Solutions

Collaborative Learning - Peer Support

Differentiation & Flexible Curriculum and Assessment

Stimulating and Interesting Multi-Sensory Learning Environment

An Anti-Bias Curriculum

Child Centred Pedagogy, Creative with Reflective Teachers

Quality education requiring rigour and effort for each child to achieve their potential’ (UNESCO). [[10]](#footnote-10)

**Track Two: Education accommodating the different impairment specific needs of children with disabilities or special needs.** This will require teachers to be familiar with and able to make accommodations for:

a) Blind and Visually-Impaired pupils /students (Braille, tactile maps and plans, tapes and text to talk, mobility training, large print, magnification, orientation, auditory environment & talking instruments.)

b) Deaf & Hearing-Impaired pupils/students (Sign Language taught & use of interpretation, oral/finger spelling, hearing aid support, visual and acoustic environments.)

c) DeafBlind-Language (Use of interpreters, tactile environment, aids and appliances, orientation.)

d) Physical Impairment (Accessible infrastructure, toilets and washrooms, furniture adjustments, equipment, prosthesis, use of personal assistance, diet, transport, medication.)

e) Speech & Communication impairment (Facilitated communication, augmented communication [high and low tech], social use of language switching, talkers, information grids.)

f) Specific Learning Difficulty (Coloured overlays & background, Easy Read, tapes and text to talk, spell-checkers, concrete objects.)

g) Autism Spectrum Continuum-create an understanding of the diversity of presentation of the condition and how to accommodate those with overloaded environmental stimuli, how to develop communication, develop social awareness and anger management.

g) General Cognitive Impairment (Pictograms, small steps curriculum, easy read, scaffolding, Makaton, use of symbols & information grids, using concrete objects.)

h) Mental Health and Behaviour (Counselling and personal support, differentiated behaviour policy, empathy, quiet chill-out space, circles of friends, collaborative learning and structured day.)

i) Introduction to screening, identification and key adjustments for main impairments.

UNESCO Bangkok have produced a very useful online guide on how to go about implementing track two in mainstream schools.[[11]](#footnote-11)

**Developing a working definition of inclusion**. The Ad Hoc committee which formulated the wording of the UNCRPD was fraught with different interests and many sharp disagreements. None was more marked than around the process, which eventually led to the wording of Article 24. Three major debates and a good amount of behind the scenes lobbying took place to reach the compromise wording that is in Article 24[[12]](#footnote-12). But a number of issues were resolved. Chief among the issue resolved in these debates was a mainstream inclusive system for all, rather than choice of special schools, no mention of special educational needs only human rights, the right to reasonable accommodation, individual programmes, the right to learn and access sign language and Braille and other alternative and augmented communication systems within an inclusive education system. One of the casualties of this process was the failure of the UNCRPD to define Inclusive Education.

But confusion still remains among state parties, educators, politicians and parents. **There is an urgent need for the Committee to adopt a clear definition of what it means by inclusive education to guide State parties in implementing Article 24.**

**Possible Definitions -Track one** Inclusion is thus seen as a process of addressing and responding to the diversity of needs of all children, youth and adults through increasing participation in learning, cultures and communities, and reducing and eliminating exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision that covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children.[[13]](#footnote-13)

**Track two** Schools, teachers and education systems developing the knowledge, skills, support and pedagogy to accommodate the learning and life needs of children and students with a wide range of specific impairment in mainstream/ordinary schools so that children/students with disabilities are successful academically and socially.[[14]](#footnote-14)

**Buy in to Article 24 by State Parties-**153 countries including the European Union have ratified the United Nations Convention on the Rights of Persons with disabilities (UNCRPD) and 159 have adopted the Convention. In December 2013 a Report-‘Thematic Study on the Rights of persons with disabilities to education’[[15]](#footnote-15) from the UN Human Rights Council made clear inclusion and inclusive education is one of the key provisions of the UNCRPD. Article 24 commits State parties to developing an inclusive education system, where disability should not prevent people from successfully participating in the mainstream education system. But this study demonstrates that although there have been moves towards inclusion such as, by the provision of statutory rights to inclusion in Spain and Portugal (joining the long standing practice in Italy), there are still many barriers including lack of adequately trained teachers, accessible buildings, peer support and challenging bullying, with much more integration than inclusion.

The observations of the CRPD Committee on the first 19 Country Reports[[16]](#footnote-16) also demonstrate a wide variation in practice, for example China is criticised for only integrating those with physical and mild visual impairments and for an expanding programme of special school building. Austria, which had developed moves to inclusion a decade ago is criticised for lacking continuing momentum in this process. All 19 countries are urged to do more to shift from a medical model special education /special schools approach to a more inclusive system and reminded that the duty of making reasonable accommodations in education for disabled people is not a progressively realised right, but must be implemented from the point of ratification. (Table 1)



In March 2014 the Human Rights Council passed a resolution urging more to be done to implement the right to inclusive education[[17]](#footnote-17). As these Reports point out implementing full inclusive education is a matter of political will and where that consensus has been built as in New Brunswick Province, Canada it can happen. In New Brunswick Policy No 322 on inclusive education states:

“6.2.2 . The following practices must **not** occur: 1) Segregated, self contained programs or classes for students with learning or behavioural challenges, either in school or in community based learning opportunities. 2) Alternative education programmes for students enrolled in kindergarten to grade eight.”

**Prospects for developing inclusive education for children and students with disabilities**

Around the world we have much to campaign for in terms of developing inclusive education for all disabled learners. The Global Campaign for Education last year focused on getting the 40% of out-of- school children who are disabled, into school. That is 24million out of 57 million children still out of school

However, worldwide, despite 14 years of the Millennium Development Goal (2) requiring that **all** children should complete primary education, this will not be achieved next year. There have been big advances in many countries in getting millions of children into school, but the nature and quality of that schooling has not been adequate with a recent survey of 350,000 pupils in East Africa (Tanzania, Kenya, Uganda) showing only 15% achieved expected literacy and numeracy levels[[18]](#footnote-18).

When it comes to children with disabilities , the numbers in school in most developing countries, though there are no accurate figures, is likely to be less than 10% and numbers completing primary education is less than 1%. So as more children are successfully enrolled in school, the proportion of those out of school who are disabled, are rising. Schools and learning are not generally accessible and teachers do not know how to make reasonable accommodations or provide the right support, so the drop out of enrolled pupils with disabilities is high.

There are many reasons. Negative attitudes of parents and teachers are the biggest barrier, followed by poverty-parents need children to work and can’t afford school fees, long distances to school, lack of accessible schools and then lack of adequate teacher training.

However, even in areas where many children with disabilities do not attend school there appears to be grassroots support for their inclusion. In a recent study we carried out for Light for the World for the Government of South Sudan[[19]](#footnote-19) on developing a plan for an inclusive education system there was widespread support for the development of an inclusive education approach as opposed to resourced schools, units or separate schools. Research of parents, teachers, headteachers, district officials and school children demonstrated in 48 schools in Aweil, Yei, Mundri East, Mundri West, Wau, Torit counties

**This said, there are many examples of teachers developing the above expertise and including children with disabilities successfully. However, they are the exception rather than the rule and nowhere have come to scale.[[20]](#footnote-20)**

Studies have shown that teachers' attitudes, knowledge, skills, and understanding are major factors in the effective inclusion of children with disabilities. This report highlights the key findings carried out as part of UNICEF's Rights, Education, and Protection (REAP) project. The primary objective is to identify ways that teachers are educated, to teach children with disabilities in inclusive environments, and subsequently to make recommendations based upon the findings. Following an extensive literature review, on-line survey covering all world regions, interviews with international experts the following recommendations were made. These could be incorporated into the General Comment and become targets for State parties

**Recommendations of the Report**

A clear understanding of the concept of inclusive education is essential to each of the recommendations below. A paradigm shift from a medical/traditional model to a social/rights-based model lies at the heart of this transformation.

1.Promote education policies and sector plans that are inclusive of children with disabilities through UNICEF and other regional partners and State parties. These policies/plans should:

• Guarantee the capacity development of teachers in inclusive education systems;

• Incorporate a wide range of consultations;

• Aim toward achievable targets and monitoring that can effectively be implemented.

2.Encourage governments and school leadership to:

• Ensure that high quality teacher-training materials are made easily available based on the urgent need to disseminate best practices;

• Establish resource centres in each local district to support the inclusion of children with disabilities in general schools;

• Provide Disability Equality Training and Disability Studies to all educators;

• Guarantee career-long education and development programs for teachers on inclusive pedagogy.

3. Actively recruit of teachers with disabilities so they represent 5% of the teaching staff as the most effective way to promote inclusion is for education personnel themselves to include representatives from marginalized groups at all levels.

4. Develop inclusion competencies that are redefined as broad-based good teaching competencies rather than 'special'.

• Allow teachers to develop a child-focused pedagogy;

• Create approaches to the pedagogy of inclusive education that are transformative and twin-track;

• Create a test so all teacher trainers can demonstrate their understanding of inclusive education as it relates to children with disabilities;

• Provide all pre-service teachers a grounding in the principles and practice of inclusive education;

• Provide elective impairment-specific skills courses for 10-20% of pre-service teachers;

• Offer in-service training, continuing education and support around the education of children with disabilities and make diploma and master's level qualifications on inclusion available to all teachers;

* Address the need for adequate training and support for head teachers or school principals who, according to studies, are key catalysts for school improvement.

5. Create a multilingual and global website for sharing examples of good practice, especially to establish communities of interest for all those involved in developing the education of children with disabilities.

6. Develop a post-2015 development framework that considers:

• The proportion of pre-service teachers who have received training on the inclusion of children with disabilities;

• The proportion of in-service teachers who have undertaken courses for the inclusion of children with disabilities for 5 days, 20 days, 90 days and 1 year;

• The proportion of children with disabilities, disaggregated by impairment type, who complete primary, lower secondary and upper secondary education. These would be in line with Article 31 of UNCRPD, and help fill the existing data gap.

Involving representative organisations of people with disabilities (DPOs) is a crucial part of getting an effective implementation plan for including children and students with disabilities at local, regional and national level. The efficacy has been demonstrated by Handicap International in their Making It Work project. Recognising that the largest group of children and young people who do not obtain any education or an education that meets their potential are disabled children and young people, Peters *et al [[21]](#footnote-21)*. draw upon the experience and thinking of the disabled people’s movement and other human rights advocates to construct a useful model for the assessment of inclusive education at local, national and international level. The model is equally useful in relation to both the North and South. The model, with its focus on the inclusion of disabled students, does not ‘trump’ other issues, but

the disabled population is inclusive of those in poverty, girls and other marginalised groups. Specifically, disability cuts across race, gender, class, ethnicity and other characteristics, so a model focusing on the inclusion of disabled students may have relevance for other disenfranchised groups. DREM challenges the legacy of oppressive

ideas that focus on the individual tragedy of impairment and replaces them with the social construction of disability.

Susan Peters, a disabled academic who led in formulating the DREM, argues that‘research on inclusive education makes clear that change is needed at all these levels to address the systemic barriers that continue to hold back progress’ (Peters, 2004)[[22]](#footnote-22). In her extensive review of the international research, she concludes that achieving inclusive education is a ‘struggle’ that takes place in ‘power relations’ because of all the interests involved’. Where there is political leadership, systems for inclusion have been

created. So she cogently argues to make progress on the inclusion of children with disabilities the disable people’s movement must be involved.

The prospects for the coming period could change the few examples of inclusive practice into the norm, but there are two obstacles. Firstly, that as the pressure to marketize education increases and more businesses view education services as a means of profit, rather than a public good, then those who are seen as difficult or different from the norm will become an inconvenient truth. As the currency of the market becomes standardised test scores those who achieve differently or at a different pace will be squeezed out and old models of segregation will re-assert themselves.

Secondly, as the world moves closer to all children being in school the decreasing minority still out of school will not be funded. Against this is the agreement that in what replaces the Millennium Development Goals, disability should be specifically mentioned. The Office of the High Commissioner on Human Rights have issued guidance to countries that they must consider disabled children when reporting on progress in establishing human rights[[23]](#footnote-23). UNICEF have prioritised disabled children and held the first global meeting of disabled children and young people in New York last June. This followed the publication of a series of useful publication[[24]](#footnote-24). ‘Take us Seriously’, being about gathering children with disabilities views[[25]](#footnote-25) and the Global Report on Children last year focused on disability[[26]](#footnote-26). So it is now about mounting sufficient political pressure to turn fine words into reality.

**Conclusions**

**In June 2014 the Global Fund for Education following a lead from DFID(UK) agreed that all new education development plans they fund must have disability access for schools built in. This is an important, if belated, step. Just as important is a commitment to develop the capacity of schools, teachers, headteachers and education officials locally and nationally to effectively meet the needs of the range of children with disabilities in their mainstream/ordinary schools. This appears to be the major barrier, in addition to negative parental attitudes in many low income countries. The CRPD Committee by promoting adequate twin track training for all education professionals and monitoring its roll out by asking for monitoring targets would help greatly in the development of inclusive education based on the human rights principles contained in the UNCRPD.**

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**World of Inclusion and Disabled Peoples International**

**20th March 2015**

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