

# National Education Policy 2020 - Advocating Right to Education for Children with Disabilities

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**Abstract:** Every child has an equal right to get all basic human rights which include right to learn and avail education. Children with disabilities have the same right to learn like children without disabilities. In reality, children with disabilities face discrimination worldwide. The United Nations Convention on Rights of Persons with Disability initiated the significance of right based legislations for pwws and inclusive education to all children with disabilities. The Rights of persons with disabilities Act, 2016 was enacted after India became a signatory of UNCRPD (2007). Subsequently, the country formulated the National Education Policy of 2020 in consonance with the act. NEP is considered as a transformative educational policy for children with disabilities. In this doctrinal research paper, the author studies the inclusive education provisions in the NPE, 2020, evaluates the need and persisting issues faced by children with disabilities in accessing inclusive education in India. The suggestions of the study will provide insights for promoting inclusive education for children with disabilities.

**Keywords:** National education policy (NEP), Child with disability Inclusive education UNCRPD, RPWD Act, 2016

## 1. Introduction

All children are born equal and have the same rights. Centuries, children with disabilities were viewed as objects of charity. The historical evolution of special education, the advocacy of parent organizations, professional awareness, the role played by United Nations Conventions for the protection of rights of persons with disabilities- the UNCRPD (2007) paved way to more acceptance and right based legislations, and education policies in all member states including India. The ultimate hindrance to avail education of children are due to condition of any disability which can be sensory, physical, intellectual and developmental. According to UNICEF, nearly 240 million children have disabilities worldwide. In India, the legislations specifically for the education of persons with disabilities started with Rehabilitation Council of India Act, 1992, PwD Act, 1995. Further, Right to Education Act (RTE) 2009 makes education a fundamental right of every child between 6 and 14 years under Article 21 A of the Constitution of India. The Rights of persons with disabilities Act, 2016 and National Policy on Education 2020 advocates full equity and inclusion of children with disabilities. The new National Policy of Education of India, came into existence in July, 2020 is a landmark policy of education, which recognizes the needs of Children with disabilities and aligns with objectives of RPWD Act, 2016. It promotes access of education to all children with disabilities in a barrier free manner. This policy of education envisages adaptations with special reference to children with disabilities with special provisions like inclusive curriculum, infrastructure, and assessment, teacher training to teach children with disabilities in inclusive settings and support home schooling for children with benchmark disabilities. The effect of NEP 2020 on inclusive education of children with disabilities in India needs to be analysed after implementation all over India.

## 2. Review of Literature

The education system in India is one of the largest and every policy related to education serves as a bridge between the needs of students and the formulated reforms. The Indian

Constitution enshrines right to education as a Fundamental right. There is a clear disparity of educational rights of children with disabilities and children without disabilities. The periodic labour force survey (2023) points out that 23.3% of the population of India are illiterate and there is disparity in rural urban areas. Kumar (2023) advocated equal rights for children to get education irrespective of other factors. The research study on Impact of National Education Policy 2020 on inclusive education for individuals with disabilities (Anerave et al. 2024) highlights the opportunities present for the education of children with disabilities while analysing the possible benefits and challenges related with the policy's inclusion strategy. The new policy comprises technology, teacher preparation, involvement of communities all of which could support inclusive practices. It operates in line with RPWD Act of 2016, which mandates barrier free access, cross disability training and enshrines right to inclusive education. NEP prioritises well-structured education in the area of teaching learning with well trained teachers and innovative pedagogies.

### Features of NEP, 2020

It ensures universal access at all levels of schooling from pre-primary to grade 12 and replaced the 10+2 system. NEP 2020 introduces new education structure of 5+3+3+4 with Foundational stage of 5 years, preparatory stage of 3 years, Middle stage 3 years, secondary stage of 4 years. The need of early childhood care and education from 3 to 6 year of age is addressed. It has special features like flexible curriculum, national assessment centre (PARAKH- Performance Assessment, Review, and Analysis of Knowledge for Holistic development), there is no hard separation between arts and science streams, and provisions for digitalized smart classroom. Specific provisions for equitable and inclusive education with socially and economically disadvantaged groups (SEDGs). Teachers are to be selected through transparent and robust process of recruitment with sensitization and special training for inclusive education.

### Educational Rights of children with disabilities

In India, there was no specific legislations for persons with disabilities till nineties. The rehabilitation council of India act, 1992 was came in to effect for regulation of man power development for training of children with disabilities. Persons with disabilities act, was enacted in 1995 which had specific educational provisions and inclusive education for children with disabilities. India, ratified the UNCRPD in 2007.

Under Article 24 of UNCRPD, Inclusive education is defined as an obligation for states to ensure that PWDs are not excluded from the general education system and can access quality, free primary and secondary education on equal basis. The pwd act, 1995 and act was repealed after India enacted the first right based legislation, rpwd act of 2016. Specifically for persons with disabilities was enacted. It paved way to a strong legal framework for complete inclusion of disability community, Prioritization of disability policies, resource allocation and implementation of the provisions. The right to education act, 2010 guarantees free and compulsory education for children aged 6 years to 14 years, with Sarva Shiksha abhyan, SSA is the operational arm in the right to education Act.

### Educational policies in India

India had many educational policies after independence. The **structure of national policy of education 2020** the old education structure 10+2 has been replaced by 5+3+3+4 structure. it has, Foundational stage which is the first and most crucial stage of child education (aged between 3-8 years). There is a provision of early childhood care and education (ecce) under this stage which supports children with developmental delays and disabilities. The next stage is the preparatory stage: covers children of 9 to 11 years and the focus is on activity- based learning. Then there is middle stage: covers age- 12 to 14 years with its main focus on skill development. In this stage, basic coding and vocational education will be introduced with 10 days internship programs. The last stage is the secondary stage of 5+3+3+4 format. (15 to 18 years- it covers the 9th, 10th, 11th and 12th classes, no hard separation among the arts, commerce, and science streams unlike previous policies.

### NPE 2020- Provisions for children with disabilities:

#### Key High lights

NPE 2020 provides early identification and intervention which can reduce severity of disabling conditions, timely support, and remedial support and promote learning especially in learning disabilities. Teachers sensitized on disabilities and special educators are appointed.

There is stronger foundation of literacy and numeracy. Flexibility is incorporated in learning paths with promotion of multilingual learning with mother tongue till the child reaches class five. Skill based education in a holistic manner, focus of vocationalised education from class sixth. There is a transformation of education system of the country. There are provisions of equitable and inclusive education for giving maximum supportive environment with the goal of providing equal opportunities for all children despite their abilities. National education policy is based on human rights approach

and it covers all sedgs i.e. socio-economically disadvantaged groups (SEDGS-which is an umbrella term covering gender identities, socio-cultural and socio-economic identities, geographical identities as well as disabilities.

There is extremely flexible curriculum, teacher education and in service training for teachers for addressing the unique requirements of needs children with disabilities. The ultimate aim for developing an inclusive culture and attaining a society which has place for every human being to co-exist with others.

### Special Provisions for Children with Disabilities

Include Inclusive education- defined as a system of education where students with and without disabilities learn together.

**Accessibility** - Removal of Infrastructural barriers, attitudinal barriers, learning barriers.

Community Involvement-Building school communities, developing school clusters for better Physical and Infrastructural access and support and awareness programs.

Learning and Participation includes Participation of all SEDGs in schooling process including children with disabilities. Making learning meaningful, relevant, age and level appropriate. Adopting Universal Design of Learning

### Curriculum for Children With disabilities

The pedagogy and curriculum include the frame work of NIOS (The National Institute of Open Schooling). There is integration of assistive technology to make the content such as screen readers, adaptive software, tactile materials which make the curricular contents accessible.

### Training programs for Teachers

Regular school teachers need to undergo sensitization programs and training on inclusive pedagogy for identifying, supporting children with disabilities. Further, NEP mandates in hiring special education teachers in regular schools.

### Learning Outcomes

Based on individual capacities, needs and learning preferences using Differentiated instruction and assessment and Competency based Continuous Assessment

Recruitment of special educators with cross-disability training and incorporates disability awareness within teacher education. Teachers and Anganawadi Teachers receive 6 months to one year training in special education. Training and Sensitization of all School Teachers to cater the needs of students with disabilities.

### Choices of Schools for children with Disabilities

Regular Schools with zero rejection policies, appointment of special educators and with reservation of seats for children with disabilities. Provisions for more Special Schools with trained special teachers and Home- based Education for children with profound disabilities who need continuous care.

### Samagra shiksha scheme-

The centrally sponsored scheme of samagra shiksha has its goal in ensuring equity and inclusion at all levels of school

education (scheme of the ministry of education) from pre-primary to senior secondary classes. It has the aim to fulfill to universalize access to school education and supports all states and union territories in implementing the recommendations of the NPE.

### 3. Discussion

The actual progress of every country will be decided by the progress of all children which include children with disabilities. The development of a child friendly, disability specific policies which should ensure equal participation of all children. For the first time in India, there is a right based legislation for PWDs including children with disabilities and an education policy which provides maximum support in an inclusive manner. In accordance with the RPWD Act 2016, the NEP 2020 includes different choices for children with disabilities including Special schools as an option for children with benchmark disabilities (children with more than 40% disabilities). Children with profound disabilities and associated health conditions receive Home based training. These may be viewed as further segregation. Though NEP, 2020 provides free and compulsory education of children with Bench mark disabilities, by the provisions of special schools and home training, it may create parallel, segregated school systems for few instead of a common schooling system for all. Many times, providing tailor made support to these children will reduce their handicapping conditions and often benefit them.

The national education policy with specific provisions of children, should specifically focus on children who are at risk of dropping especially in rural areas of India. There is a need of regular training and orientation programs for all teachers, cwd and family/care takers on use of technology in instruction. Children with communication difficulties need to be trained to access digital learning provisions of NEP. The community engagement initiatives need to focus on early intervention and inclusive education of cwd. Further, teacher training to cater needs of cwd, infrastructure accessibility, provision of training for using assistive devices still remain not fully achieved in most rural areas. The implementation of nep across India is still inconsistent.

### 4. Conclusion

India has definitely come a long way in the area of education, training and rehabilitation of persons with disabilities. The National Policy on Education, 2020 with its holistic approach, shows a huge commitment for inclusive education. It has provisions early childhood education, assessment, support of special education which are tailor made for children, sensitization and preparation for teachers to cater the needs of children with disabilities, appropriately revised curriculum, and the most remarkable move in the form of community involvement. Though NEP offers a strong foundation for the education of cwc, there is significant gaps in implementation. The accessibility of proper assistive devices and early intervention are pre requisites to achieve educational rights. The research highlights the initiatives of teacher preparation, infrastructural accessibility, curricular modifications and specialized supports. The need of adequate funding, efficient implementation of policy provisions in both rural and urban

areas. The need of the hour is to collect data to find out how much it is implemented which will decide the real impact of this policy on the much-needed inclusive education for children with disabilities. There is a need to monitor the policy is implemented in the rural and urban areas of India so that children are benefitted in both areas equally.

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