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**Dr. Dhaval P Vyas**  
Assistant Professor,  
Shri PK Mehta College of Special  
Education, Mamtamandir  
Campus, Palanpur, Gujarat,  
India

**Corresponding Author:**  
**Dr. Dhaval P Vyas**  
Assistant Professor,  
Shri PK Mehta College of Special  
Education, Mamtamandir  
Campus, Palanpur, Gujarat,  
India

## National education policy, 2020 and disability rights

**Dr. Dhaval P Vyas**

### Abstract

Every citizen of India enjoys fundamental rights described in the Indian Constitution. No left behind persons with disabilities for this too. In this article, the author have analysed the National Education Policy, 2020 and while appreciating the government's bold initiative in terms of Disability Acts towards establishing an egalitarian society in its real sense, the authors have tried to shed some light on the intricate fallacies of the policy and its implementation process which if not cured, would defeat the entire purpose of the education system at large, let alone the policy at hand.

**Keywords:** National Education Policy (NEP), 2020, Disability Rights, Disability Acts

### Introduction

The first Indian legislation which dealt with the needs of special education was the Rehabilitation Council of India Act, 1992 which trained educators to provide education for persons with disabilities. In between 1992-2020, a National Policy for Persons with Disabilities in 2006 was formulated which dealt extensively with integrated and inclusive education for the first time.

The National Education Policy (NEP), 2020 has been hotly debated about its impact on special education in India. The policy has been well engaged with the educational rights of students with disabilities and has introduced laudable changes that were missing from previous education policy. However, there are some issues that have not been addressed and require immediate attention from policymakers and implementers.

Chapter VI of the NEP focuses on equitable and "inclusive" education. It primarily emphasizes the need of having an inclusive education system consisting of inclusive schools, where students with and without disabilities learn together and where due regard is paid to the needs of the disabled students. To achieve this goal, the NEP sets out a very ambitious plan which consists of making disability-friendly infrastructure and educational resources available in all schools across the country.

The focus has been laid down on open schooling, appropriate infrastructure, suitable usage of technological interventions to ensure access for the disabled students. A prime focal point of the NEP was on early childhood care and education (ECCE), and emphasis has been laid down on the need for prioritizing the inclusion of children with disabilities in ECCE. Safety of the disabled students, recruitment of educators with cross-disability training, emphasis on the availability of textbooks in large print and braille, PARAKH (Performance Assessment, Review, and Analysis of Knowledge for Holistic Development), etc. have been envisaged. Further, a new vocabulary of SEDG's also includes persons with disabilities. The NEP also advocates special attention for students with learning disabilities from a foundational level by relying on suitable assessment procedures and the usage of technology to meet the needs of students with learning disabilities.

### Education and Disability Rights

The biggest victory for disability rights in the NEP is the recognition of the 2016 legislation on disability i.e. The Rights of Persons with Disability Act, 2016 with a strong promise to enforce the legislation. Chapter III of the Act deals with education and outlines various methods and means to achieve special education goals. The Act provides for free education for a child with benchmark disability between the ages of six to eighteen years. Further, it provides for the reservation of not less than 5% seats in government and government-aided higher educational institutes for students with benchmark disabilities. Age relaxation of five years for admission has also been provided.

### NEP, 2020 and Disability Rights

The National Education Policy, 2020 has provided for the standardization of sign language as previously the sign language had many variations and uniformity was lacking. Further, language standardization also involves the publication of a dictionary and a grammar and modernization of the grammar. However, standardization of the sign language will now mean that only one sign will correspond to a particular word. This is wrong from both every day and academic points of view. Spoken languages such as English, Nepali, etc. have various synonyms and antonyms, but no standardization of such spoken languages has ever been done. After standardization, the standard form is referred to as the 'legitimate form' and all other variations of the language become illegitimate. In India, already failing to impart quality sign language education to students, standardization was unnecessary and uncalled for.

The Rehabilitation Council of India (RCI) which was one of the first institutions tasked with educating teachers in special education had seemingly failed in its mandate. However, under the NEP the RCI has now to collaborate with the NCTE in making the curriculum for educators. Similarly, the NCERT has been asked to consult the Department of Empowerment of Persons with Disabilities before formulating a curriculum for students so that its recommendations are also implemented.

Further, it has now been mandated under the NEP, 2020 that the B.Ed. programs would also impart training to teachers on teaching children with disabilities or those with special interests and talents. In case teachers show a special interest in special education, provision for a shorter post-B.Ed. certification course has also been provided for.

However, what doesn't go down well with reality is the fact that this special educator will get be sufficiently trained in the span of 4 years in his B Ed to teach and train students with special needs. Moreover, the term 'disability' is heterogeneous which encompasses people with different special needs including the blind, deaf, or people with other physical or cognitive disabilities. To make a general reference in the policy that special educators shall be trained in their B Ed. course to teach and train people with special needs is only extensively vague as the teachers cannot be trained to be professionals in teaching ISL and Braille and the methods of teaching students with intellectual disabilities all at the same time. The NEP, 2020 could have provided for a major and a minor in B Ed which would have given the teachers to opt for one subject that they wanted to specialize in and another as their minor. This would have resulted in there being more specialized and qualified teachers to help students with disabilities rather than there being teachers with little knowledge of all the modes of teaching students with different disabilities.

Moreover, it would be a tedious task to firstly sensitize the teachers in their training towards students with disabilities and then educating them on how to train such students all in just 4 years. Instead of making changes in the teaching courses, the NEP, 2020 could have rather focused on including at least ISL and Braille as a compulsory subject for every student right from their primary education, which would not only help sensitizing young minds but would also in later years make it a common subject amongst students which would promote inclusivity in its real sense. Ergo, the need for special training teachers for students with a disability shall wear off to a certain extent as everyone who

would join a teaching course shall have good knowledge in Indian Sign Language and Braille, to say the least, and more emphasis could on other kinds of disabilities.

The NEP, 2020 has certainly tried to promote more teachers to become special educators and that is evident from the fact that it provides that if teachers in service want to specialize and teach students with disabilities, they'll have a chance to do it by completing a certificate course of 1 year. Contrary to the hopes of the government of being noticed by the people as working for the betterment of the disabled students in the country, the reality of the desperate move surfaces as a person can't be completely trained in just one year to teach and train people with disability.

The establishment of cluster schools has been envisaged for cooperation and sharing of resources across schools which would provide for better facilities than usual for the students with disabilities. However, instead of laying down a well-formulated plan for the clustering of schools keeping in mind the needs of education of disabled students, the NEP merely shifts the burden to do so on the State governments and tasks them to adopt "innovative" mechanisms by 2025 to solve the challenge of ensuring co-operation across schools for the education of disabled students.

Secondly, if inclusive schools are the aim of the NEP, then it is difficult to understand how cluster schools would be able to fulfil that aim. Clustering of schools is being done to make schools more efficient, but the NEP does not engage on whether all schools are to be made inclusive in a cluster or whether a few schools in a cluster are only going to be made inclusive. In case the latter is what has been envisaged, it essentially brings up the hardship of traveling a larger distance to a few select inclusive schools in a cluster, only more pertinent.

Very few national institutions today have facilities for disabled students and little has been done in the past few years. The five years' limit set by the act for making existing infrastructure and premises accessible is diluted by the subsequent proviso which provides for the grant of extension of time on a "case to case" basis.

The concept of inclusive education has not originated in India with NEP, rather it is inspired by western cultures like that of the UK and USA where there are inclusive schools. The very idea of inclusive schooling is very pious and the intent of legislature stands out to be bona fide. But, how far does this importation of western ideas without required changes to suit the dynamics of Indian society tenable in terms of working is a question that needs to be pondered upon? 70% of the Indian population lives in rural areas devoid of even basic amenities like water and electricity, let alone education and sensitivity amongst people towards people with special needs. In this backdrop, how far is it legitimate to expect that the teachers would be specialized in teaching students with special needs and would have knowledge of ISL or Braille? Moreover, in a country where people believe in superstitious ideas like "bad karma of one's past makes them disabled", how can one expect that non-disabled students in villages would attend school with students with special needs and not traumatize and condescend to them with their belittling remarks?

Another noteworthy provision of the policy is its emphasis on and acknowledgment of different kinds of disabilities. It has aptly covered disabilities in their apparent form but has left out "intellectual disability" and has only referred to learning disability in the context of training the teachers to

identify a disability. It has blatantly left out other cognitive disabilities and autism which further marginalizes students suffering from such disabilities in the assessments done by the National Assessment Centre which ensures assessment guidelines for children with learning disabilities.

### **Conclusion**

All said and done, the Rights of Persons with Disabilities Act, 2016 and the NEP would be of no use if necessary, changes in line with the RPWD Act, 2016 is not made to the Right of Children to Free and Compulsory Education Act or Right to Education Act, 2009. The RTE Act still has references to the old act of Persons with Disabilities Act, 1955. The NEP says that everything mentioned in the context of education in the RPWD Act shall be complied with but the RPWD Act shall have no meaning for students with special needs unless there are necessary changes made in the RTE Act, 2009.

Nevertheless, From Macaulay's 'Minute on Indian Education' to the NEP, India and disability education has come a long way. The NEP provides further rays of hope. And as we set out on the implementation of the NEP, we also need to ensure the transformation of our social perspectives. For far too long, the problems of people with disabilities have been compounded by a disabling society that has focused upon their impairments rather than their potential.

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