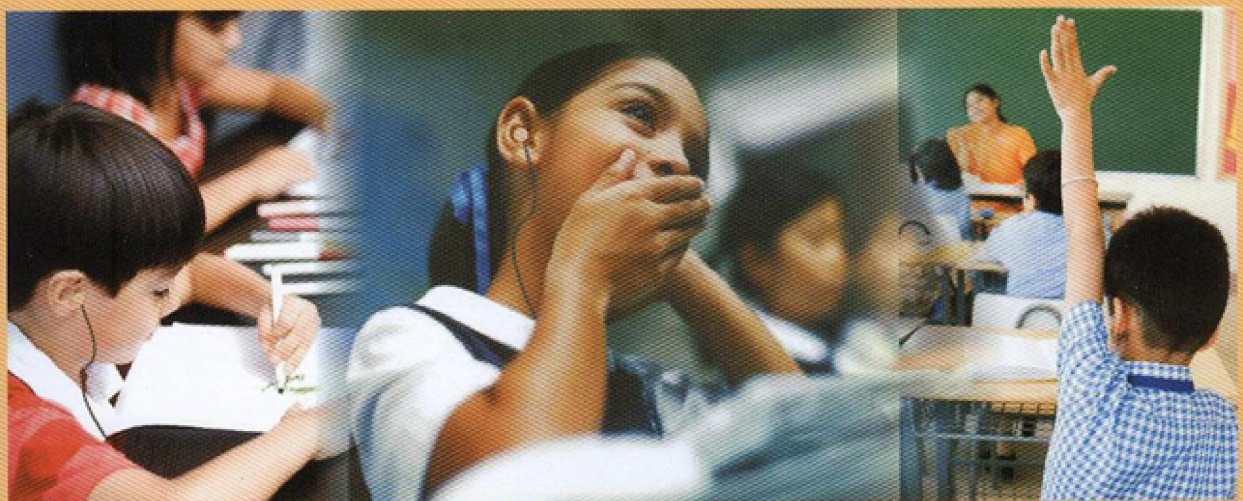


Teachers

2010



# TOWARDS INCLUSIVE EDUCATION



स्वाध्यायानमा प्रमदः

**STATE COUNCIL OF  
EDUCATIONAL RESEARCH AND TRAINING (SCERT)**

Varun Marg, Defence Colony, New Delhi-110024

# **TOWARDS INCLUSIVE EDUCATION**

**MANUAL  
FOR  
GENERAL TEACHERS**

2010



स्वाध्यायानमा प्रमदः

**STATE COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING  
VARUN MARG, DEFENCE COLONY, NEW DELHI -110024**

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## **PREFACE**

Inclusive education seeks to address the learning needs of everyone, children, youth and adults and focuses specifically on those who are vulnerable to marginalization and exclusion. It is based on the right of all learners to quality education that meets basic learning needs and helps to enrich lives and develop the full potential of every individual. It implies to all learners, with disabilities or without, being able to learn together through access to common pre-school provisions, in schools and community educational settings, with an appropriate network of support services. This is possible only in a flexible education system that assimilates the needs of a diverse range of learners and adapts itself to meet these needs. It aims at all stakeholders in the system (learners, parents, community, teachers, and administrators, policy makers) to be comfortable with diversity and see it as a challenge rather than a problem.

The need for inclusive education arose as a result of researches which have shown that social development and academic outcomes for all learners can improve in inclusive environment. It develops social skills and better social interactions because learners are exposed to real environment in which they have to interact with other learners having unique characteristics, interests and abilities. The non-disabled peers adopt positive attitudes and actions towards learners with disabilities as a result of studying together in an inclusive classroom. Thus, inclusive education lays the foundation to an inclusive society accepting and respecting learners with diverse abilities.

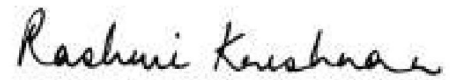
There is a dearth of educated and trained manpower to promote improvement and implementation of education policies on inclusive quality education. Added to this, is the concern for the welfare and sustained improvement in the quality of life of children with special needs. For their integration into the social system, they need to be given ample opportunities to grow and interact. The ultimate goal of inclusive quality education is to end all forms of discrimination and foster social cohesion

SCERT, Delhi has endeavored to address the issue of Inclusive Education through a set of three Manuals - *for general teachers, for teachers specializing in special education, and for educational administrators*. These would help the educators and others

concerned with education to overcome exclusion through inclusive approaches to Education. The manuals are intended to create a positive atmosphere for children's needs which will help all the learners to develop appropriate relationships and prepare them for a useful life in the mainstream..

I express my sincere gratitude to all the experts from SCERT/DIETs and other agencies for their contribution in bringing out these manuals. I hope these will be a reasonably good start in addressing the issues and challenges concerning special education.

**Inclusive education is a human right!!**



**Rashmi Krishnan**  
**DIRECTOR, SCERT**

## CONTENTS

	<b>Page</b>
<b>UNIT I - INTRODUCTION TO INCLUSIVE EDUCATION</b>	
1.1	1
1.2	2
1.3	2
1.4	2
1.5	3
1.6	5
1.7	6
1.8	9
1.9	10
1.10	13
1.11	14
1.12	16
1.13	17
1.14	19
1.15	20
<b>UNIT 2: IDENTIFICATION AND ASSESSMENT</b>	
2.1	21
2.2	21
2.3	22
2.4	22
2.4.1	22
2.4.2	25
2.5	28
2.6	30
2.7	31
2.8	31
2.9	32
<b>UNIT 3. CURRICULUM ADAPTATION AND INTERVENTION</b>	
3.1	33
3.2	33
3.3	34
3.4	34
3.5	35
3.6.	36
3.7	48

#### **UNIT 4: ROLE OF GENERAL TEACHER**

4.1	Introduction	49
4.2	Objectives	49
4.3	Concepts of Guidance & Counselling	50
4.4	Counselling to Parents	50
4.5	Counselling to Students with Special Needs	51
4.6	Counselling to Peers	51
4.7	Maintenance of Records About Children with Special Needs	52
4.8	Liasion with Colleagues	52
4.9	Liasion with Principal	53
4.10	Liasion with Parents	53
4.11	Liasion with Community	54
4.12	Liasion with Other Institutions/ NGOs	55
4.13	Conclusion	55

#### **BIBLIOGRAPHY** 56

**Annexure I** – PWD ACT, 1995 The Persons with Disabilities 58

**Annexure II** – The Right of Children of Free and Compulsory  
Education ACT 2009 81

**Annexure III** – Assessment Guidelines (MHRD) 99

## **UNIT 1 : INTRODUCTION TO INCLUSIVE EDUCATION**

**Dr. Pratibha Sharma and Dr. Rajashree Pradhan**

- 1.1 Introduction
- 1.2 Objectives
- 1.3 Appreciating the diversity
- 1.4 Understanding the children with special needs
- 1.5 Concept of Inclusive Education
- 1.6 Definition of disability and ICF classification
- 1.7 Legislation
- 1.8 Facilities, concessions and allowances
- 1.9 Implications for Inclusive education
- 1.10 Schemes
- 1.11 Use of BaLA in Inclusive Education
- 1.12 Education Policies for children with special needs
- 1.13 Role of SCERT
- 1.14 Role of General Teacher
- 1.15 Conclusion

### **1.1 INTRODUCTION**

Education is one of the inputs to ensure the quality of life of an individual. Every child has the right to education irrespective of age, gender, background, socio-economic status, race, caste, creed, religion and ability. The National Policy on Education (NPE) 1986 in the section on “Education for Equality” has emphasized the need for removal of disparities and to equalize educational opportunity by attending the specific needs of those who had been denied so far. For achieving equalization of educational opportunity children of remote or nomadic population, children from linguistic, ethnic or cultural minorities, girl child, street and working children, children with disabilities, children affected by HIV/AIDS should have access to quality education comparable to other children.

Our classrooms are diverse in terms of the types of children we teach and the ways the learners learn. Diverse classrooms have benefits for all learners and teachers. Children have different experiences, skills, knowledge, values and abilities. All children contribute and bring some ingredients to the teaching learning process of the classroom. We live in a society of increasing diversity where success will come to those who learn to work and live cooperatively with others. Every school has to accept inclusion as a basic value.

*Inclusive education means* including not only children with disabilities in the class room but all children with diverse background and abilities. Actually getting these children into our classroom is only half of the challenge. The other half is in meeting all of their different learning needs as well as in giving special attention to those children who are usually excluded from the classroom or from participating/learning in the classroom. Children learn in a different ways because of hereditary factors, experience, environment and their personalities. Consequently, we need to use a variety of teaching methods and activities to meet the different leaning needs of our children.

The basic concept that giving equal opportunity and access to all children does not mean treating everyone the same, this will not act to address the diverse needs. Equality of educational opportunity requires an understanding of the conditions for success where children with diverse



needs will be given more support or additional provision in order to have an equal chance access to success and achievement in general classroom. In order to ensure that this happens, we need to foster inclusive classrooms in inclusive schools.

## 1.2 OBJECTIVES

After completion of this unit you will be able to:

1. Appraise yourself with the existing diversity and understand the children with special needs.
2. Familiarize yourself with the concept of Inclusive Education and be able to reflect and discuss it with fellow teachers.
3. Familiarize yourself with different categories children of with special needs.
4. Acquaint yourself with the legislation facilities and national policies for children with special needs.
5. Understand your role as a general teacher for making inclusion a success.

## 1.3 APPRECIATING THE DIVERSITY

The major issue underlying inclusion is the acceptance of diversity. We all need to learn that diversity is an asset not a liability. The concept of diversity encompasses acceptance and respect. It means understanding that each individual is unique and recognizing our individual difference as reality and diverse abilities as one of the dimensions of human diversity. It is the exploration of these differences in a safe, positive and nurturing environment. It is about understanding each other and moving beyond simple tolerance to embracing and celebrating the rich dimensions of diversity contained within individual. The pedagogic treatment should be as per the individual needs, their personal learning styles and environmental consequences they are facing.



### Reflection

- Do you feel that addressing the diverse needs of learners is the responsibility of the teacher?
- If yes, so how would you accommodate the diverse learners in your classroom practice with all the constraints?

## 1.4 UNDERSTANDING THE CHILDREN WITH SPECIAL NEEDS

Many persons have excelled in different walks of life despite having a disability. The problems of the disabled are not the problems that are exclusively confined to them only. Since the society has not accepted and cared for them, their problem has assumed larger and alarming proportions. Our social attitudes, stereotypes and prejudices have led to this state of indifference.

People's attitudes have been particularly important; as attitudes have changed, so have the services that have been provided. In prehistoric and early historic societies the need for survival of the people without impairments took precedence over the survival of those with impairments who often were allowed to die at birth or during infancy in an attempt to make others free from the burden of their care. During middle ages, the forces of superstition determined the fate of disabled who either were considered demons or punished severely (including death or segregation from society), or at times were treated with kindness and revered as possessed with supernatural powers. Subsequently

these people were looked upon more sympathetically and were kept protected in segregated settings. In the modern times, the emergence of scientific understanding and availability of treatment of various impairments led to disability reduction and helped these people to improve functionally. Finally, during last few decades the human society talked about need to give them equal rights as human being by including them in every aspect of life and society.

## 1.5 CONCEPT OF INCLUSIVE EDUCATION

The philosophy of inclusion is a paradigm shift and a move from segregation through mainstreaming and integration to inclusion. Thus the journey of inclusion indicates a process rather than an event; the process reflecting occurrence of significant changes brought about by new ways of thinking, new ways of operating in the classroom, and adapting to the constantly changing thinking attitude and social conditions.

Integration was used to denote the physical placement of students with disabilities into mainstream schools, without any change in the schools where the students were admitted, 'Inclusion' on the other hand is a much broader concept.

Inclusion as a social and educational philosophy believes that all people are valuable members of mainstream society, whatever their differences and diversities may be in education. This implies that all children irrespective of their abilities and disabilities socio-economic background religion or ethnic, language or cultural background, religion and gender go together to the same school. It is the philosophy that aims to improve the quality of education for all children in a classroom. It reflects on human rights and social justice. It is a way to reach out all the children. It does not look at whether children are able to follow the regular educational system but looks at teachers and schools in terms of how they can adapt educational programmes to individual needs.

Any discussion about the definition of inclusive education needs to use the Salamanca Statement and Framework of Action (UNESCO, 1994) as a reference point. The Statement re-affirms the right to education of every individual, as enshrined in the 1948 Universal Declaration of Human Rights, and renews the pledge made by the world community at the 1990 World Conference on Education for All to ensure the right to education for all, regardless of individual differences. The Statement also mentions the 1993 UN Standard Rules on the Equalization of Opportunities which states that the education of disabled children should be an integral part of the education system. There is however, no reference to the Convention on the Rights of the Child.

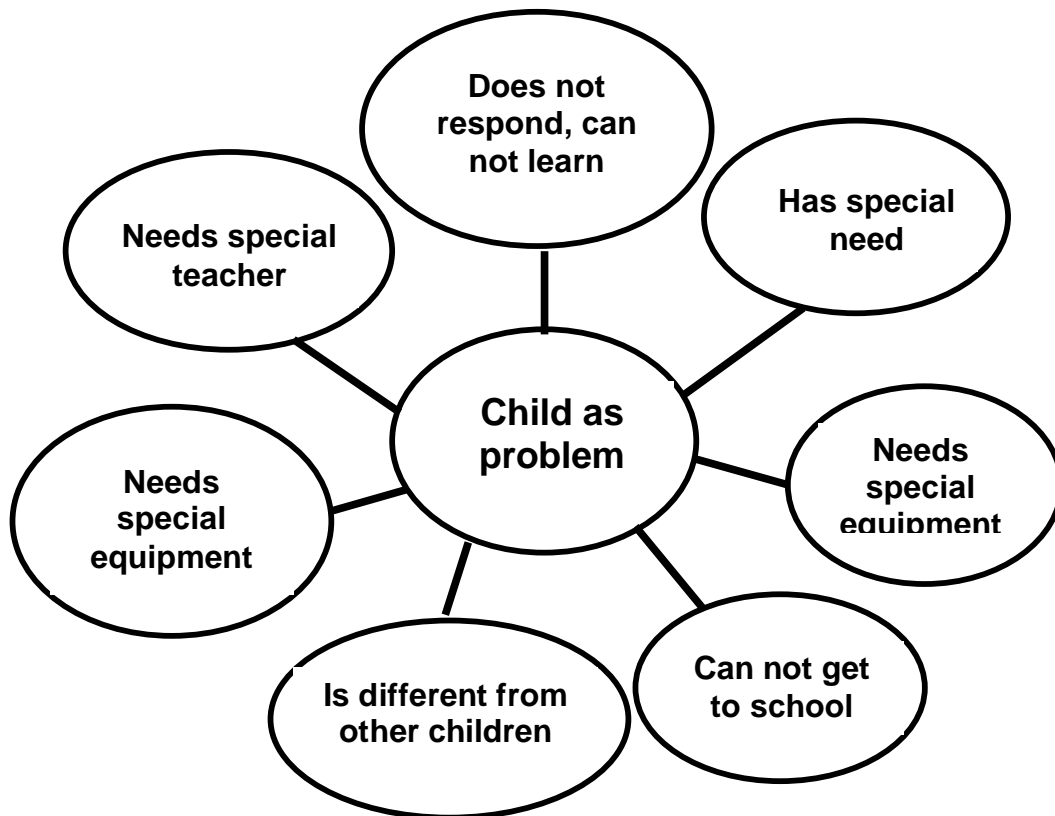
- Every child has a fundamental right to education, and must be given the opportunity to achieve and maintain an acceptable level of learning,
- Every child has unique characteristics, interests, abilities and learning needs,
- Education system should be designed and educational programmes implemented to take into account the wide diversity of these characteristics and needs,
- Regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; moreover, they provide an effective education to the majority of children and improve the efficiency and ultimately the cost effectiveness of the entire education system.

The definition of inclusion is clearly broader than just disability, as the Framework spells out the many different categories of children who may be excluded from the education.

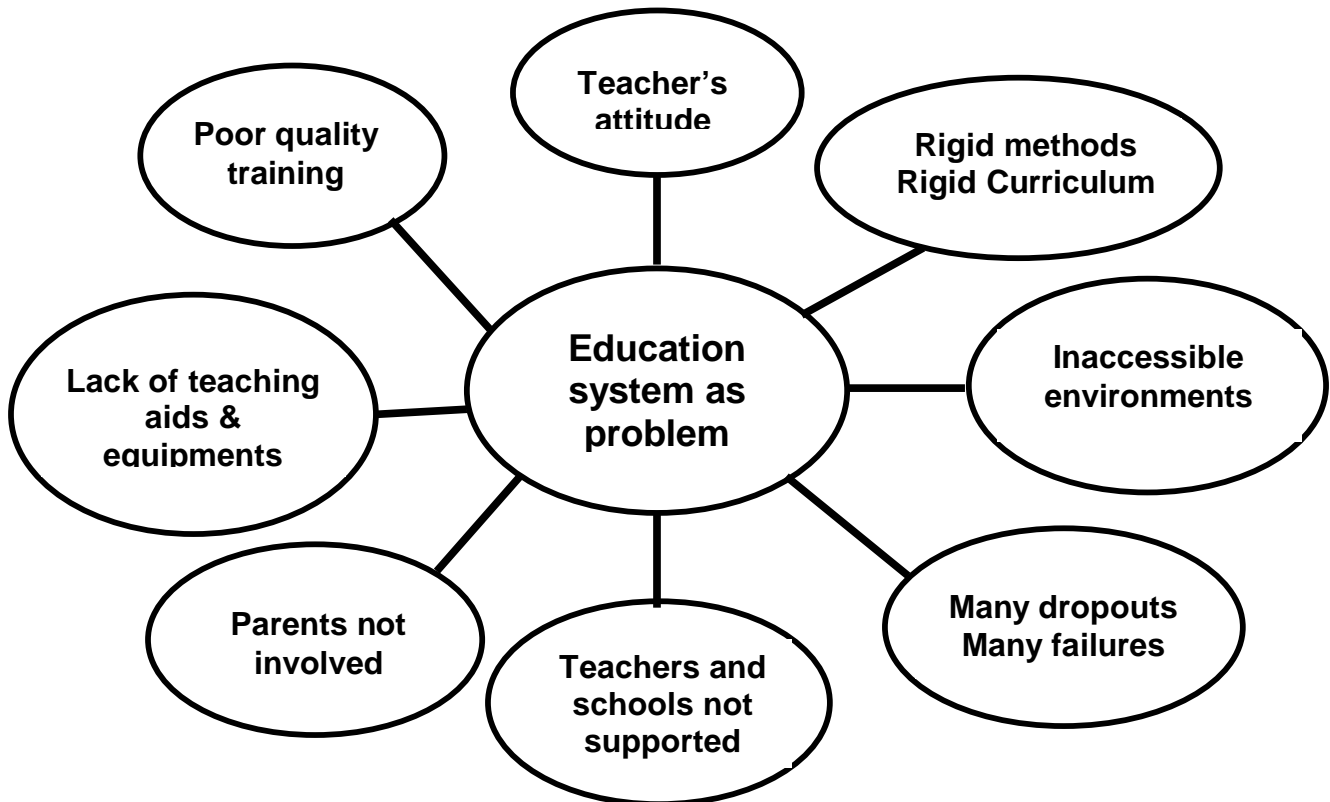
- The guiding principle that informs this framework is that: Schools should accommodate **all children** regardless of their physical, intellectual, social and emotional, linguistic or other conditions. This should include disabled and gifted children, street and working children,

children from remote and nomadic populations, children from linguistic, ethnic or religious minorities, and children from other disadvantaged or marginalized areas or groups.

## Integrated Education



## Inclusive Education



*The difference between the concept of integration and inclusion is that while the former expects that the child's individual difficulty are the root cause of any difficulties in the school, the latter challenges the present day educational system as promoting exclusion. Therefore 'inclusion' actually challenges us to examine the barriers within the educational system and look for ways in which to promote participation and positive learning outcomes of all learners.*



### Reflection

**Differentiate the concept of Inclusion and integration with example of your experience as a general teacher**

The above sections have focused on clarifying the broad concept of inclusive education and made reference to catering to needs of all children. However, many professionals including teachers, we have interacted with have shared the challenges of dealing with children with disabilities. In the section that follows we have tried to address their issues.

## 1.6 DEFINITION OF DISABILITY AND ICF CLASSIFICATION

The shifting approaches to disability have translated into very diverse policies and practices. The various models of disability impose differing responsibilities on the states, in terms of action to be taken, and they suggest significant changes in the way disability is understood.

**Impairment:** this word refers to an abnormality in the way organs or systems function. Impairment usually refers to a medical or organic condition, e.g. short-sightedness, heart problems, cerebral palsy or hearing problems.

**Disability:** this is the functional consequence of impairment. A child with spina bifida who, because of this impairment cannot walk without the assistance of calipers and crutches, has a disability. However, a person with short sightedness who is provided with correcting glasses may see very well and thus has impairment but no disability.

**Handicap:** this is the social or environmental consequence of a disability. Many people with a disability do in principle not feel handicapped. Society often makes them handicapped by creating barriers of rejection, discrimination, prejudice and physical access, preventing them from making choices and decisions that affect their lives, e.g. if a child who uses a wheelchair cannot enter the community school, (s)he will have a handicap in making use of the school. When the school is made accessible to users of wheelchairs, this handicap disappears. Handicaps do often reveal the lack of flexibility of resources and attitudes of a community in which the person is living.

### **International Classification of Functioning (ICF)**

World Health Organization (WHO) in 2001 approved International Classification of Functioning (ICF) which is extremely appropriate for heterogeneous population of different cultures, age groups and gender. In ICF, all three dimensions, functioning, disability and health conditions of an individual are viewed as interactive and dynamic. The basic concepts of ICF are:

- Ø Body structure and function
- Ø Activities (related to task) and participation of the individual in different life situations
- Ø Contextual factors in terms of personal and environmental



#### **Reflection**

**Differentiate between Impairment, Disability and Handicap with an example of any single disability**

## **1.7 LEGISLATIONS**

Many legislations have been enacted for the benefit of people with disabilities. Teachers and other stake holders should be aware of the legislations, schemes, concessions and reservation so that they can help the children with disabilities and their parents for availing the benefits of legal provisions.

### **1.7.1 Mental Health Act 1987**

This gives provisions for rehabilitation and treatment of people with mental health problems.

### **1.7.2 Rehabilitation Council of India Act, 1992**

This Act was passed in 1992 for the purpose of constituting the Rehabilitation Council of India (RCI) for regulating the training, training of rehabilitation professional and for maintenance of a Central Rehabilitation Register. It also deals with the development of manpower for providing rehabilitation services. It was amended as the Rehabilitation Council of India (Amendment) Act 2000 which provides for monitoring the training of Rehabilitation professional and personnel, promoting research in Rehabilitation and Special Education as additional objectives of the Act.

### **1.7.3 Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995**

The Act elaborates the responsibility of Central and State Govt. local bodies to provide services, facilities and equal opportunities to persons with disabilities. This Act provides for both preventive and promotional aspect of rehabilitation like education, employment, and vocational training, reservation, research and manpower development, allowance for the disabled employees and establishment of homes for persons with severe disabilities etc.

#### **Main Provisions of the Act:**

- Prevention and early detection of disabilities
- Education
- Employment
- Non-discrimination
- Research and manpower development
- Affirmative action
- Social security
- Grievance redressal

#### **Educational provisions under Persons with Disabilities Act:**

- Every child with disability shall have the right to free education till the age of 18 years in integrated or special school set up.
- Appropriate transportation, removal of architectural barrier and restructuring of examination system shall be ensured for the benefit of children with disabilities.
- Children with disabilities shall have the right to free books, scholarships, uniform and other learning material.
- Special schools for children with disabilities shall be equipped with vocational training facilities.
- Non-formal education shall be promoted for children with disabilities.
- Teacher training institutions shall be established to develop requisite power.

The Persons with Disabilities Act (1995) recognizes the following disabilities:

1. Blindness
2. Low Vision
3. Leprosy Cured
4. Hearing Impairment
5. Locomotor Disability
6. Mental Retardation
7. Mental Illness

#### **Definitions of various disabilities as per PWD Act (1995)**

**Blindness** refers to a condition where a person suffers from any of the following conditions, namely:-

- i. total absence of sight; or
- ii. visual acuity not exceeding 6/60 or 20/200 (Snellen) in the better eye with correcting lenses; or
- iii. limitation of the field of vision subtending an angle of 20 degree or worse

**Hearing impairment** means loss of sixty decibels or more in the better ear in the conversational range of frequencies.

**Leprosy cured person** means any person who has been cured of leprosy but is suffering from-

- i. loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;
- ii. manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;
- iii. extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation

**Locomotor disability** means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy.

**Mental illness**" means any mental disorder other than mental retardation.

**Mental retardation** means a condition of arrested or incomplete development of mind of a person which is specially characterized by sub normality of intelligence.

**Person with low vision** means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device.

#### 1.7.4 National Trust Act, 1999

National Trust Act is meant for the Welfare of persons with Autism, CP, MR and Multiple Disabilities. It has provisions for legal guardianship for above mentioned four categories of persons with disabilities. The objectives of the trust act is to enable and empower persons with disabilities to live as independently and as fully as possible within and as close to the community to which they belong.

The National Trust Act of 1999 includes the following disabilities in addition to Mental Retardation which have not been covered under Persons with Disabilities Act:

**Autism** means a condition of uneven skill development primarily affecting the communication and social abilities of a person, marked by repetitive and ritualistic behaviour.

**Cerebral palsy** means a group of non-progressive conditions of a person characterized by abnormal motor control and posture resulting from brain insult or injuries occurring in the pre-natal, peri-natal or infant period of development.

**Multiple disabilities** refer to a combination of two or more disabilities as defined above.

Thus, the Government of India treats a total of 10 above mentioned conditions as disabilities. However, in developed countries many other conditions such as learning disability, epilepsy, tuberculosis, cancer, AIDS, drug dependence, ulcer, asthma, etc have been considered as disabilities.

Though the cases of learning disabilities are now being identified in higher numbers in schools, this disability has not been covered under any of the Acts

## 1.8 FACILITIES, CONCESSIONS AND ALLOWANCES AVAILABLE TO PERSONS WITH DISABILITIES

### **1.8.1 Travel Concessions**

Travel concessions for journey by train are upto 75 per cent available to the persons with visual, locomotor, hearing and mental retardation. Similarly, by air, concessions up to 50 per cent are admissible to persons with visual and locomotor impairment.

### **1.8.2 Communication**

(a) Postage

'Blind Literature' are exempted from the payment of postage.

(b) Telecommunication

For the blind persons there is a provision for 50 per cent rental rebate on telephone connection.

(c) Preference in Allotment of STD/PCO

Educated unemployed persons with disabilities are given preference in allotment of STD/PCO booths.

### **1.8.3 Customs concessions**

Aids, appliances, devices such as Brailers, canes, calipers, wheel chairs etc. are exempted from custom duty for individuals as well as institutions.

### **1.8.4 Conveyance allowance**

Special conveyance allowance is admissible to persons with visual impairment and locomotor impairment working in Govt. organizations.

### **1.8.5 Children's educational allowance**

Provision has been made for the reimbursement of tuition fee of children with disabilities to the parents working in Govt. organizations.

### **1.8.6 Income Tax concessions**

Persons with disabilities can claim rebate on the Income Tax under relevant clause as applicable to persons with disabilities.

### **1.8.7 Award of Dealerships/Agencies by Oil Companies**

Reservation has been made for the award of dealership of Kerosene, LPG etc. for persons with disabilities.

### **1.8.8 Reservation of jobs and other facilities**

(i) Three Per cent reservations in Government jobs

Three per cent jobs are reserved for persons with disabilities (1 per cent each for the hearing impaired, locomotor impaired, and visually impaired) in Govt. jobs.

(ii) Posting of handicapped candidates

As per the decision of the Government of India, persons with disabilities should be posted as near as possible to their native place.

## **1.9 SCHEMES**

### **1.9.1 Integrated Education for Disabled Children (IEDC)**



In 1974 Government of India launched the scheme under the Ministry of Social Justice and Empowerment, which was later shifted to Ministry of Human Resource Development. The scheme intends to provide educational opportunities to students with disabilities in regular schools and facilitate their retention through resource support in the schools. Children with disabilities in the age group of 15-18 years are provided free education under different heads. Assistance for all the items are covered in the scheme on 100% basis but assistance for the programme would be conditional on prior creation of technically qualified staff as laid down in the Scheme.

### **1.9.2 Scheme of Inclusive Education for Disabled Children at Secondary Stage (IEDSS)**

#### **Aim of IEDSS is to**

- Enable all students with disabilities completing eight years of elementary schooling an opportunity to complete four years of secondary schooling (classes IX to XII) in an inclusive and enabling environment.
- Provide educational opportunities and facilities to students with disabilities in the general education system at the secondary level (classes IX to XII).
- Support the training of general school teachers to meet the needs of children with disabilities at the secondary level.

#### **Objectives of IEDSS is that-**

- Every child with disability will be identified at the secondary level and his educational need assessed.
- Every student in need of aids and appliances, assistive devices, will be provided the same
- All architectural barriers in schools are removed so that students with disability have access to classrooms, laboratories, libraries and toilets in the school.
- Each student with disability will be supplied learning material as per his/ her requirement
- All general school teachers at the secondary level will be provided basic training to teach students with disabilities within a period of three to five years.
- Students with disabilities will have access to support services like the appointment of special educators, establishment of resource rooms in every block.
- Model schools are set up in every state to develop good replicable practices in inclusive education.

#### **Target Group**

The scheme will cover all children of age 14+ passing out of elementary schools and studying in secondary stage in Government, local body and Government-aided schools, with one or more disabilities as defined under the Persons with Disabilities Act (1995) and the National Trust Act (1999) in the age group 14+ to 18+ (classes IX to XII), namely

- 1) Blindness
- 2) Low vision
- 3) Leprosy cured
- 4) Hearing impairment

- 5) Locomotor disabilities
- 6) Mental retardation
- 7) Mental Illness
- 8) Autism
- 9) Cerebral Palsy

It may eventually cover (i) Speech impairment (ii) Learning Disabilities, etc. Girls with disabilities will receive special focus and efforts would be made under the scheme to help them gain access to secondary schools, as also to information and guidance for developing their potential.

This is a centrally sponsored scheme under which the Central Government will assist the States/Union Territories and autonomous bodies of stature in the field of education in its implementation on the basis of the criteria laid down.

**The Scheme will include assistance for two kinds of components:**

**1. Student-oriented components-**

It is proposed to provide assistance to States/ Union Territories / Autonomous bodies @ Rs.3000/- per disabled child per annum for specified items, on the pattern of SSA which provides assistance @ Rs.1200/- per disabled child per annum for the elementary level. (This rate was fixed in 2001-2002). This amount of Rs.3000/- per disabled child per annum may be spent on the following components:-

- (i) Identification and assessment of children with disabilities. The assessment team may include an interdisciplinary expert team of special educators, clinical psychologists, therapists, doctors and any other professional support based on the students' needs.
- (ii) Provision of aids and appliances to all students with disabilities needing them.
- (iii) Access to learning material ensuring that each disabled student will have access to learning material as per his/her requirement like Braille textbooks, audiotapes, talking books etc.
- (iv) Provision of facilities like transport facilities, hostel facilities, scholarships, books, uniforms, assistive devices, support staff (readers, amanuensis).
- (v) Stipend for girl students with disabilities should be given @ Rs.200 per month at the secondary level.
- (vi) The use of ICT: Computers provided to students in secondary schools will also be made accessible to those with disabilities. The scheme will provide for the purchase of appropriate technology by way of special software such as Screen Reading software like JAWS, SAFA, etc. for the visually impaired and speech recognition software for the hearing.
- (vii) Development of teaching learning material: The scheme will cover the expenses incurred on organizing the mobilization of such support as certified by the School Principal/Educational Administrators. Financial assistance under this scheme will be available for purchase/production of instructional materials for the disabled and also for purchase of equipment required therefore.
- (viii) External support from an interdisciplinary team of experts such as educational psychologists, speech and occupational therapists, physiotherapists, mobility instructors and medical experts has to be coordinated at the local level.

**2. Other components (e.g. those relating to infrastructure, teacher training, awareness generation, etc.)-**

Costs of non-beneficiary-oriented components like teacher training, construction and equipping of resource rooms, creating model schools, research and monitoring, etc. will be covered separately. These components would be as follows:-

- (i) Removal of architectural barriers to ensure that students with disabilities have access to each classroom, laboratory, library and toilet in the school.
- (ii) Training of special/ general school teachers:- Special teachers to be trained through regular programmes run by the National Institutes/Apex Institutes of RCI or under any other programme of the States. There should be a component of in-service training for resource teachers to equip them with handling of other disability area.
- (iii) Orientation of principals, educational administrators: This training will include developing strategies for management of inclusive education.
- (iv) Strengthening of training institutions and assistance to existing organization/NGOs to develop teacher's training programme in inclusive schooling and for educational interventions for specific disabilities.
- (v) Provision of resource rooms and equipment for the resource rooms in one school per block/urban cluster. Norms in terms of size, accessible features will be developed with the support of relevant agencies at the Central and State level.
- (vi) Appointment of special educators: Support from special educators will differ at the secondary level from that at the elementary level. Ideally every school where disabled children are enrolled should have the services of at least one special teacher.
- (vii) Development of some existing schools as Model Inclusive Schools so as to accelerate the process of education of children and youth with disabilities with initiatives from parents, teachers, community and respective governments.
- (viii) Administration, Research & Development, and Monitoring & Evaluation: Every year 5% of the funds available at the Central level will be earmarked for administration, innovative and R&D projects and monitoring and evaluation.
- (ix) Environment Building Programmes up to Rs.10,000/- per programme at local level.

**Other support:** At the secondary level, all children with disabilities included under the general education system may not require adaptations in the teaching learning process and evaluation procedures. However there may be some who would require some adaptations. The States/UTs/ Autonomous bodies can take the support of special teachers, SCERTs, DIETs, Special Schools, Resource Centres, Non-Governmental Organizations, State Boards and any other community institutions available at the local level for this purpose.

**Adaptations in Examination procedures** The existing evaluation procedures can be reviewed at the State level and modified accordingly. Provision for alternative modes of examination for children and youth with disabilities should be considered and provided by the Boards of Examination. This is being visualized mainly as a process of issuing appropriate orders and notifications by the Boards concerned. Separate budget as such is not planned under the scheme.

**1.9.3 Sarva Shiksha Abhiyan (SSA)** launched by the Government has the goal of eight years of elementary schooling for all children including children with disabilities in the age group of 6-14 years by 2010. SSA has adopted a more pragmatic approach to implement the programme of inclusive education.

SSA framework clearly states that "SSA will ensure that every child with special needs, irrespective of the kind, category and degree of disability, is provided education in an appropriate environment. SSA will adopt zero rejection policy so that no child is left out of the education system. It will also

support a wide range of approaches, options and strategies for education of children with special needs.



#### Reflection-

- **What are the various interventions you would like to make within IEDSS for addressing the requirement of children with special needs in your classroom?**
- **How do you plan to address parents in PTM at secondary level to communicate its relevance for attitudinal shift?**

### 1.10 Use of BaLA in Inclusive Education

In its efforts to provide quality education in Government Schools, the Department of Education, Government of NCT of Delhi, has taken an innovative initiative in the name of “**Building as Learning Aid (BaLA)**”.

BaLA is about innovatively treating the space and the built elements to make the existing school architecture more resourceful with higher educational value in a child friendly manner. BaLA is a way to holistically Plan and use the school Infrastructure. It incorporates the ideas of activity based learning, child friendliness and inclusive education for children with special needs (CWSN). At the core, it assumes that the architecture of school can be a resource for the teaching-learning processes.

#### **Salient Features of using BaLA in inclusive setting:**

- ⊗ Buildings are all barrier free with provision of ramps.
- ⊗ All classrooms have proper size with double door, window and verandah.
- ⊗ Child friendly elements are introduced for access to schools, toilets, drinking water arrangement.
- ⊗ There is provision of toilet for CWSN.
- ⊗ BaLA ideas are introduced in class room, verandahs, open space, play ground, compound.
- ⊗ There is even a provision for earthquake resistance and fire safety measures.

It is an innovative way to conceive and use the various building components like the floor, wall, door, window or even spaces like corridor and open space in such a way that it also helps children and teachers in the process of teaching—learning apart from serving their usual function.

For e.g. All the colors of the rainbow will be found on the ceiling fans. However, students would be surprised to find that when the fan rotates only white would be visible. This would help teach students the concept of VIBGYOR and that white light comprises seven colors. Multi sensory approach of learning like this is very useful for CWSN.

### 1.11 EDUCATION POLICIES FOR CHILDREN WITH SPECIAL NEEDS

Difference educational policies have been made from time to time for making different educational provisions for children with special needs.

As early as 1944, the Central Advisory Board of Education (Sargent Report) made provisions for mainstreaming education of students with disabilities as far as possible.

#### 1.11.1 National Policy on Education

Outlining the steps for ensuring equal education opportunity for the handicapped, the NPE states that the objective should be “to integrate the physically and mentally handicapped with the general community as equal partners, to prepare them for normal growth and to enable them to face life with courage and confidence. It has envisaged- the following measures:

1. Wherever it is feasible, the education of children with motor handicaps and other mild handicaps will be common to that of others.
2. Special schools with hostel will be provided, as far as possible at district headquarters, for the severely handicapped children.
3. Adequate arrangements will be made to give vocational training to the disabled.
4. Teachers’ training programme will be reoriented, in particular for teachers of primary classes to deal with the special difficulties of the handicapped children; and
5. Voluntary efforts for the education of the disabled will be encouraged in every possible manner.

The Revised Programme of Action 1992, stressed upon the inclusion of the educational needs of students with disabilities in planning for UEE.

### **1.11.2 National Policy for Persons with Disabilities**

The National Policy for Persons with Disabilities was released by the Ministry of Social Justice & Empowerment in February 2006. It has been realized that every child with disability has access to appropriate pre-school, primary and secondary level education by 2020. The major highlights of the Policy document with regard to the education of persons with disabilities are as under:

- Make schools (buildings, approaches, toilets, playgrounds, laboratories, libraries etc.) barrier free and accessible for all types of disability.
- Medium and method of teaching will be suitably adapted to the requirements of most disability conditions.
- Technical/supplementary/specialized system of teaching/learning will be made available within the school or at a common center easily accessible to a cluster of schools.
- Teaching/learning tools and aids such as educational toys, Braille/talking books, appropriate software etc. will be made available. Incentives will be given to expand facilities for setting up of general libraries, e-libraries, Braille-libraries and talking books libraries, resource rooms etc.
- National Open School and distance learning programmes will be popularized and extended to other parts in the country.
- Sign language, Alternative and Augmentative Communications (AAC) and other modes as a viable medium in interpersonal communication will be recognized, standardized and popularized.
- Schools will be located within easy traveling distance. Alternatively, viable travel arrangements will be made with the assistance of the community, State and NGOs.
- Parent-teacher counselling and grievance redressal system will be set up in the schools.
- There will be separate mechanism to review annually the intake and retention of the girl child with disability at primary, secondary and higher levels of education.
- Many children with disabilities, who cannot join inclusive education system, would continue to get educational services from special schools. Special schools shall be appropriately re-

modeled and reoriented based on technological development. These schools will also help and prepare children with disabilities to join mainstream inclusive education.

- In some cases due to the nature of disability (its type and degree), personal circumstances and preferences, home-based education will be provided.
- Course curriculum and evaluation system for children with various disabilities shall be developed keeping in view their capabilities. Examination system will be modified to make it disabled friendly by exemptions such as learning mathematics, learning only one language, etc. Further, facilities like extra time, use of calculators, use of Clarke's tables, scribes etc. would be provided based on the requirement.
- Model schools of inclusive education will be set up in each State/U.T. to promote education of persons with disabilities.
- In the era of knowledge society, computers play a very important role. Efforts will be made so that every child with disability gets suitably exposed to the use of computers.
- Children with disabilities up to the age of 6 years will be identified and necessary interventions made so that they are capable of joining inclusive education.
- Educational facilities will be provided in psychosocial rehabilitation centres for mentally ill persons.
- Many schools discourage enrollment of students on account of their disability due to lack of awareness about the capabilities of disabled persons. Programmes will be taken for sensitization of teachers, principals and other staff members in all schools.
- Special Schools presently being supported by the ministry of Social Justice and Empowerment will incrementally become resource centres for inclusive education. Ministry of Human Resource Development shall open new special schools depending upon the requirement.
- Adult learning/leisure centers for adults with severe learning difficulties will be promoted.
- Three percent reservation for persons with disabilities in admission to higher educational institutions shall be enforced. Universities, colleges and professional institutions will be provided financial support to establish Disability Center to take care of educational needs of students with disabilities. They will also be encouraged to make classrooms, hostels, cafeterias and other facilities in the campus accessible to students with disabilities.
- Include a module in induction and inservice training programmes of teachers on issues relating to management of children with disabilities.
- The ministry of Human Resource Development will be the nodal Ministry to coordinate all matters relating to the education of persons with disabilities.



#### **Reflection**

- **In the light of the policies/legislations what action do you need to take in your own teaching in the classroom?**
- **What problems, if any do you anticipate?**

### **1.12 EDUCATION OF CHILDREN WITH SPECIAL NEEDS (NCF 2005)**

The national curriculum framework for school education (NCFSE) (2000), brought out by the NCERT, recommended inclusive school for all without specific reference to pupil with SEN as away of providing quality education to all learners.

Though in India there is no formal or official definition of inclusion, but the draft scheme on Inclusive Education uses the following definition:

Inclusive Education means all learners, young people-with or without disabilities being able to learn together in ordinary preschool provisions, schools, and community educational settings with appropriate network of support service (Draft of Inclusive Education Scheme, MHRD, 2003)

National Curriculum Framework (2005) A policy of inclusion needs to be implemented in all schools and throughout our education system. The participation of all children needs to be ensured in all spheres of their life in and outside the school. Schools need to become center that prepare children for life and ensure that all children, especially the differently able children from marginalized sections, and children in difficult circumstances get the maximum benefit of this critical area of education (NCF 2005, P85)

### **NCF - 2005**

Recommendations of **National Focus Group on Education of Children with Special Needs (NCF-2005)** are as follows:

- Make all early education and care programmes (from 0-6 years) sensitive and responsive to the special needs of children, including training of Anganwadi workers in identification of needs of the children with disabilities, use of age appropriate play and learning materials and the counseling of parents.
  - Make all schools inclusive by:
    - Enforcing without exception the neighborhood school policy.
    - Removing physical barriers
    - Reviewing barriers created by admission procedures (screening, identification, parental interaction, selection and evaluation), this should include private schools.
    - Building the capacity of teachers to function in an inclusive setting.
    - Making the curriculum flexible and appropriate to accommodate the diversity of school children including those with disability in both cognitive and non-cognitive areas.
    - Making support services available in the form of technology (including ICT), teaching-learning materials and specialists.
    - Involving parents, family, and the community at all stages of education.
- Correlate the style of teaching to the learning styles of all children.
- Regard all special teachers in a given school as full-fledged members of the school community.
- Make all curriculum-related policies and programmes inclusive in nature to effectively address issues related to the education of children with SEN.
- Develop strengths and abilities of all children rather than highlighting limitations.
- To nurture all aspects of the personality, viz., cognitive, affective, and connotative – games, dance, drama, music, and art and craft must be given equal importance and value.
- No child with disabilities should be asked to produce certificates either for admission, examination, getting support facilities / scholarships, etc.
- Introduce sign language, Braille, and finger Braille as a third language for all children.
- Interpret Special Education Needs (SEN) more broadly and do not restrict its interpretation to the definitions given in the PWD Act.

### **1.13 ROLE OF SCERT**

SCERT being the apex organization in the field of school education at the state level, the responsibility of providing training to school teachers, development of textbooks, training manuals, teacher's handbook, development of teaching learning materials (TLMs) providing resources and



undertaking research in various areas lies with it. Under the aegis of SCERT nine DIETs are functioning in different districts of Delhi which conduct training programmes for primary/elementary (both pre-service and in-service) teachers, heads of schools, community leaders and NGO personnel, develop teaching learning material for primary and elementary level, and undertake action research in their respective districts.

Both SCERT and DIET have a significant role in promoting inclusive education at State and district level respectively. The main functions to be performed by SCERT and DIETs are summarized as follows:

### **Training**

- SCERT will conduct programmes for the faculty members of SCERT and DIETs, administrative officials from the Directorate of Education, MCD, NDMC, EVG counselors and personnel from IEDC cell, NGO personnel, and Principals and teachers and special teachers from secondary and senior secondary schools.
- SCERT will make suitable modification in current pre-service curriculum for equipping the perspective teachers to work in an inclusive classroom.
- DIETs will undertake training of primary/elementary teachers, community leaders, heads of schools, NGO personnel, and education officers at Zone and district level. At the same time, inclusive education component will be incorporated in pre-service (ETE) curriculum as a compulsory subject.

### **Material development**

#### **SCERT:**

- SCERT will review the school textbooks in the context of NCF 2005 and will develop new textbook structurally & functionally designed for inclusive teaching for addressing the diversified needs of learners in an inclusive classroom.
- It will develop training modules for different persons, i.e. administrative personnel, teachers, principals, NGO personnel, and community leaders, who are the main stakeholders of education possible.
- It will also develop necessary support system for making inclusive education possible.
- It will develop Educational Data Management Information System (EDMIS) regarding the educational status of children with special needs in the state.
- A state level resource centre will be established to assist/guide the senior secondary schools in planning the inclusive education system and developing the infrastructure for the same. This resource centre will be utilized for orientation, sensitization and training purpose as well as for documentation and information dissemination.

#### **DIETs:**

- In the same line DIETs will also help in the development of textbooks, training manuals, and teaching learning material for inclusive classroom.
- It will develop District Educational Data Management Information System (DEDMIS) regarding the educational status of children with special needs with respect to inclusive education at district level and institutions involved in this.
- A resource centre will be established at the district level to guide / assist the primary and elementary school in planning and setting the resource centre at cluster and school level.

## Research

- Both SCERT and DIETs will carry out research in the area of inclusive education for the development and testing of innovative techniques and the effectiveness of the strategies deployed from time to time with an overall goal of making inclusive education a success.

## Others

### SCERT:

- SCERT will plan and coordinate all the activities with respect to inclusive education at the state level.
- SCERT will make linkages with state and national level agencies engaged in education of children with special needs for policy development advocacy and resources mobilization.

### DIET:

- SCERT will plan and coordinate all the activities with respect to inclusive education through proper monitoring mechanisms at the district level.
- They will establish linkages with different institutions, schools and persons for resource support.
- Networking with different institutions will be established by the DIETs by assigning specific roles and responsibilities.

## 1.14 ROLE OF GENERAL TEACHER

Teacher who is the most decisive element in the classroom plays a significant role to make the process of inclusion a reality. It is his/her personal philosophy that creates the climate of the classroom. She is the constant source of inspiration for children to achieve success. It is their manner, attitude, beliefs and values which project their behaviour and interaction style with the learners ultimately affecting the learner's self esteem and their success. It is the teacher whose responsibility is to create learning friendly environment that stimulate and motivate the children to use their potentialities to maximum.

To reduce or remove the barriers to learning and participation of students requires insight into where these barriers may come from and why and when they arise. It is important for a teacher to be aware of the socio-economic and family background of students to understand non-academic factors that influence learning. Many factors that affect learning can not be immediately altered, but understanding of these factors will enable teachers to see student's failure in a different perspective and create learning environment conducive for learning.

Consider this a personal and professional challenge. However, teachers need to reflect on what happens inside the classroom, teaching is generally a group activity, while learning is more an individual activity and not all students learn at the same pace or in the same way. Teachers need to consider this. In addition to the above the general teachers shall be sensitized with regard to the **following basic principles** needed for facilitating the inclusive education:

1. Every student has an inherent right to education on the basis of equality of opportunity
2. No student is excluded from, or discriminated within education on grounds of race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, birth, poverty or other status
3. All students can learn and benefit from education
4. schools adapt to the needs of students, rather than students adapting to the needs of the school

5. The students views are listened to and taken seriously
6. Individual differences between students are a source of richness and diversity and not a problem
7. The diversity of needs and pace of development of students are addressed through a wide and flexible range of responses.



#### **Reflection-**

**What are the most important messages that have emerged from this chapter?  
Can these messages be incorporated into the working of your school?**

### **1.15 CONCLUSION**

Inclusion is really about practical changes that we can make so that children with diverse needs can succeed in our classroom and school. In order to meet the diverse learning needs of the pupil's teacher should teach knowledge, skills, understanding, in a ways that suit their pupil's abilities. Maximizing of learning for all children by taking into account the diverse needs should be the mission of every school and teacher should be equipped to help the learner to provide opportunity to learn effectively which is right of all children. Inclusion is all kinds of practices of good teaching. What good teachers do is to think and develop ways to reach out to all children.

Inclusive education should not be considered merely a special approach that shows us how a few chosen learners – e.g. children with disabilities – can be integrated in the mainstream education, but it should be considered a paradigm shift in the overall societal attitude and approach towards children with all diversities. This attitude should lead to transform the regular education system in order to respond to different learners in a constructive and positive way. Such attitude and resultant endeavours should be collective journey wherein everyone in the society joins.

#### **Successful inclusion requires**

- I – Infrastructure**
- N – National policy**
- C – Changing attitude / Capacity building**
- L – Leadership / Legislation**
- U – Understanding**
- S – Sensitization / Awareness**
- I – Initiative / involvement of all parents**
- O – Optimism**
- N – Networking with different organization**

### **UNIT 2: IDENTIFICATION AND ASSESSMENT**

**Dr. Rajashree Pradhan and Ms. Niharika Nigam**

- 2.1 Introduction
- 2.2 Objectives
- 2.3 Concept of Assessment
- 2.4 Purpose of Assessment

- 2.4.1 Assessment for identification
- 2.4.2 Assessment for teaching
- 2.5 Continuous and Comprehensive Evaluation (Ncf-2005)
- 2.6 Portfolio Assessment of Children With Special Needs
- 2.7 Assessment and Feedback
- 2.8 Provisions of CBSE for Assessment of Students with Disabilities.
- 2.9 Conclusions

## 2.1 INTRODUCTION

It is a common experience that children in our classroom learn in different ways because of diverse background, experience, hereditary factors, abilities and their personalities. Some children learn pretty fast while others have some learning difficulties which require additional resource support and effort from teacher to learn and perform. Teachers need to use a variety of teaching methods and activities to meet the diverse learning needs of the children after identifying and assessing them as early as possible. As teachers fail to assess them properly, many children who enter the school dropout from school.

**The early identification and assessment of children with special needs arising out of disability is essential to:**

- **Prevent deterioration in disability conditions.**
- **Provide appropriate aids and appliances to overcome disability effects.**
- **Prepare them for education through early stimulation programmes which improve their educability.**
- **Prevent secondary disabilities, disturbances and disorders.**

## 2.2 OBJECTIVES

After studying the unit you will be able to -

- Understand the concept of assessment and importance of assessment in Inclusive education.
- Know the different methods used to assess children's learning.
- Understand the different features of continuous and comprehensive evaluation.
- Differentiate between assessment of learning and assessment for learning.
- Design the portfolio assessment of child with special needs.

## 2.3 CONCEPT OF ASSESSMENT

Assessment is a way of observing, collecting information and then making decisions based on that information. The word assessment suggests a complete image about an individual's strengths and weaknesses in sensory, motor, academic, occupational, and recreational and other related areas. Consequently a more complete picture of a child's development and achievement can be created. It is a useful tool for a teacher to monitor the student's progress in the classroom.

Assessment refers to the process of gathering and analyzing information in order to make instructional, administrative and/or guidance decisions about or for an individual. (Wallace, Larsen and Elksnin, 1992)

The basic processes involved in assessment are measurement and evaluation. Measurement includes all the information teachers gather as part of the assessment process while evaluation includes the process of making decision on the basis of measurement. Effective teachers use a range of measurement tools to capture different aspects of student learning. Measurement may be formal and informal. Formal measurement involves the process of systematically gathering information through tests and quizzes whereas informal measurement gathered information through teachers' observation of students' varying skill in different areas.

## **2.4 PURPOSE OF ASSESSMENT**

**Assessment is made for two purposes:**

- **Assessment for identification of children who have learning difficulty and thereby to determine additional resource support**
- **Assessment for teaching to determine what and how a child should be taught**

### **2.4.1 Assessment for Identification**

Assessment for identification begins with the general teacher through his/her regular classroom observations. General teacher plays a significant role in identifying children who have one or other learning difficulty.

The assessment process should always be four fold. It should focus on the child's learning characteristics, the learning environment that the school is providing for the child, the task and the teaching style. This means looking carefully at such matters i.e. classroom organization, teaching materials, teaching style and differentiation in learning in order to decide how these can be developed so that child is enabled to learn effectively.

#### **2.4.1.1 Common Classroom Problems in Students**

A teacher plays a significant role in assessing her student's weak and strong areas. The teacher should be very vigilant while observing the problems of students in the class. Common problems reported in the classroom are:

1. Disturbs other children of the class.
2. Does not copy down the information in the notebook.
3. Has problem copying from blackboard or when dictated.
4. Lacks initiative.
5. Does not take interest in the studies.
6. Is lethargic.
7. Forgets and does not pay attention to task at hand.
8. Needs reminders to complete a task.
9. Does not complete his home work.
10. Uses abusive language.
11. Engages in other activities while the teacher is in the class.



### Reflection

**What others common problems you encounter in your daily classroom situation?  
How do you tackle with it.?**

Above-mentioned problems can occur with students having special needs. Before labeling and referring a child for special education, the teacher should be able to overrule any other cause of such problems by consulting the pediatrician, school counselor, special educator, speech therapist and social worker.

For example the problem of not being able to copy from the board can be because of weakness of eyes, the problem can be sorted by consulting the ophthalmologist and restructuring the sitting arrangement. A child can be lethargic in the class if his health, sleep and family situation is not in good shape that can deal with proper care by consulting parents.

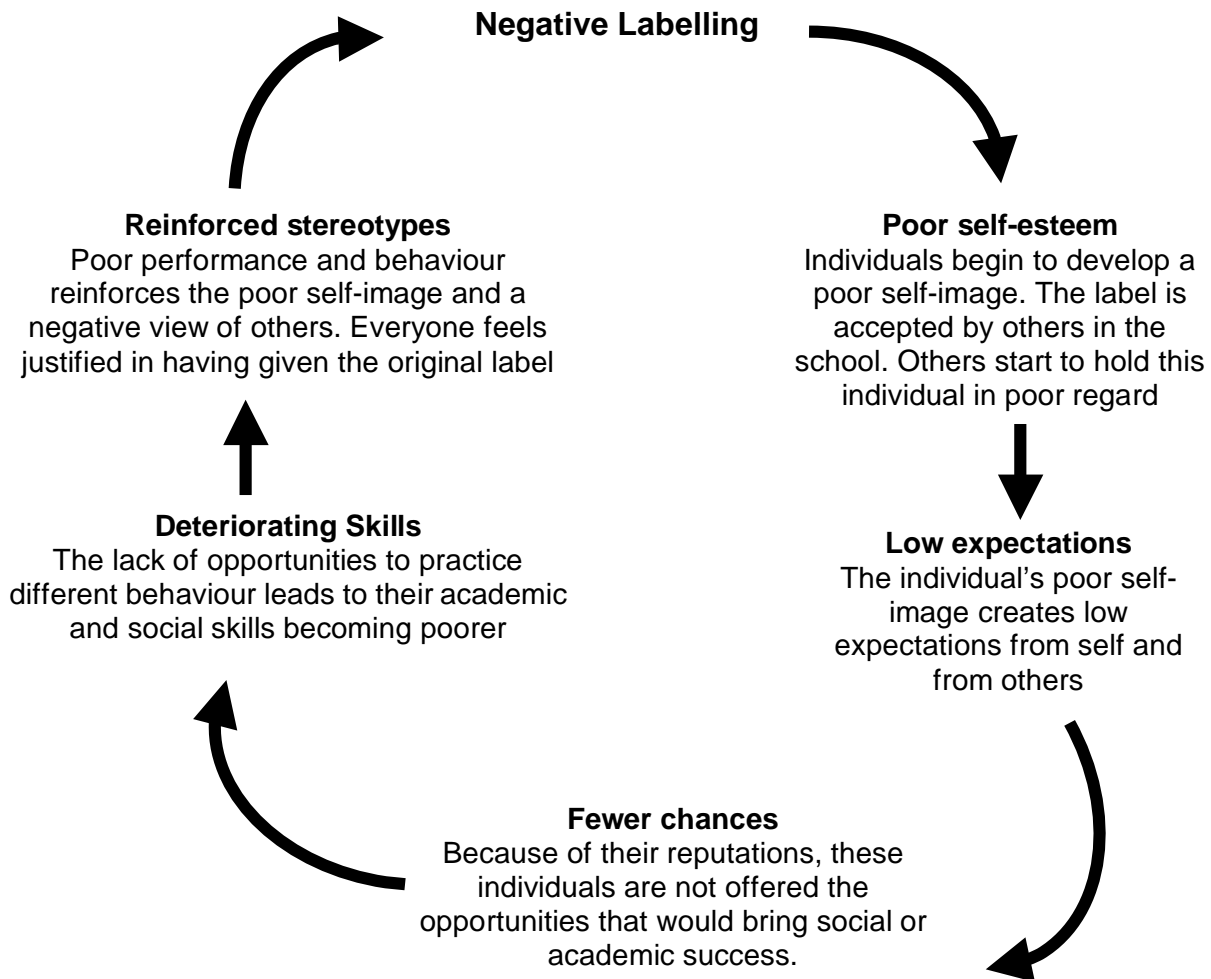
No doubt assessment of children with special needs is a challenging task. It requires utmost care and attention by providing equal access to resource support for facilitating the pupil's learning.

The main objective of assessment for identification is raising the awareness of the teacher, the child and their parents, caregivers and other relevant people but not labeling the child. As we know labeled children are stigmatized.

#### **2.4.1.2 Effects of Negative Comments and Labeling**

One common classroom occurrence is negative comments given to individual pupil. Often negative comments are given in the form of labeling based on physical appearance, habits, behaviour, ability and religious belief which affects pupils' self-esteem and automatically affects pupils' learning which initiate a vicious circle of failure. It is also found that the greatest source of self-esteem in children is the use of comparison among the peers. A label can thus become a self-fulfilling prophecy. Even if the pupils are assigned label incorrectly they may start behaving according to the assigned label because people expected them to do.

## Effects of Negative Labeling



Source : Department for Education and Skills,2002(London)



### Reflection

***Do you use these strategies for raising the pupil's self-esteem?  
If yes what are results/impact?***

### 2.4.1.3 ASSESSMENT GUIDELINES

#### Assessment Guidelines

Assessment guidelines have been developed by MHRD for assessing children with different disabilities and made available to all state departments for identification/screening of different children with special needs. These guidelines have also been provided to all schools in Delhi and have been uploaded in DOE website. Those who have no or poor access of internet, can refer to Appendix for the guidelines.

All schools have also been given the special notes that children screened and found to belong to any category of disability will not be labeled as children with special needs or disabled. It is only functional assessment of the child by the teacher for the purpose of referral to doctors/experts for further diagnosis and remediation. Hence, utmost confidentiality shall be maintained by teachers and Principal of the school regarding each child screened in the school.

#### 2.4.2 Assessment for Teaching

The purpose of assessment is to improve teaching/learning process and materials, and to be able to review the objectives that have been identified. Needless to say that this does not mean that test and examinations have to be conducted frequently. On the contrary, routine activities and exercises can be employed effectively to assess learning. It provides useful information for planning what to teach (content) and how to teach (method). It includes all the process involved in making decisions about students' learning progress. In addition to facilitating teachers decision making about learning progress through a systematic information gathering the classroom assessment for teaching accomplishes two other important goals 1) increasing learning and 2) increasing motivation.

Effective teachers generally assess children regularly not just at the beginning and end of the year. There are different types of assessment – depending on the time, length and purpose of assessment.

**Types of Assessment:** There are two types of assessment each serves a different and distinct purpose i.e. *Assessment for learning (Formative Assessment)* and *Assessment of learning (Summative Assessment)*.

**Assessment for learning** happens all the time and the main objective is to improve the pupils' learning whereas Assessment of learning is at the end of the year or key stage and the main objective is to measure what children can do.

**Formative Assessment:** Effective or formative assessment is a key factor in raising the pupils' standard of achievement. Formative assessment or Assessment for learning is that, it:

- Is embedded in the teaching and learning process of which it is an essential part;
- Shares learning goals with pupils;
- Helps pupils to know and to recognise the standards to aim for;
- Provides feedback which leads pupils to identify what they should do next to improve;
- Has a commitment that every pupil can improve;
- Involves both teacher and pupils reviewing and reflecting on pupils' performance and progress;
- Involves pupils in self-assessment.



#### Reflection

**How do you accommodate assessment for learning for improving the pupils' learning?**

**Summative Assessment:** The summative assessment is carried out at the end of the year or keystage or when a pupil is leaving the school in order to make judgement about his performance. It




also provides information how successfully the objectives of the year have been met and how well the children are progressing. Summative assessment helps the school for setting the target for future year.

**Continuous assessment:** Continuous assessment means making observations continuously to identify what a child knows, what he or she understands and what he or she can do. These observations are made many times during the year. At the same time it should be comprehensive. It ensures that ALL children have opportunities to succeed in school. The teacher can adapt his or her planning and instruction to the needs of learners so that all will have the chance to learn and succeed.

In continuous assessment, all learners have the chance to show what they know and can do in different ways according to their different styles of learning. It can tell you which children are lagging behind in their understanding of particular topics. You can then design new learning opportunities for those particular children. The continuous feedback that children receive by this process helps them to know if they are learning well, as well as what actions they need to take to make progress. It can help you to talk with parents and caregivers about the strengths and weaknesses of the child so that they can participate in an integrated programme, such as one that links classroom activities with those in the home. Usually, the results of end-of-year exams arrive too late for parents to help a child who might not be learning well.

To be effective teachers must be skillful in using various assessment strategies and tools such as observation, portfolios and performance tasks and more importantly, teachers must have a deep understanding of the formative assessment process and understand its close relationship to instructional scaffolding. They must be able to use insights from assessment to plan and revise instruction thereby explicitly helps student how to improve. It happens all the time in classroom. This involves both the teacher and the pupil in the process of continual reflection and review about progress.



**Reflection**  
**What difficulties do you face for assessing the children with special needs?**  
**How do you overcome it?**

In recommendations of **National Focus Group on Education of Children with Special Needs (NCF-2005)** Quinn and Ryba (2000) have suggested collaborative forms of assessment for inclusive classrooms. According to them collaboration between and consultation with the student, parents, caregivers and other relevant people enable educators to gain a good understanding of students' strengths and needs. They summarize the difference between traditional assessment, methods and collaborative forms of assessment are as follows:

**Traditional/Collaborative Assessment**

Traditional Assessment	Collaborative Assessment
<ul style="list-style-type: none"> <li>• Based on a medical model</li> </ul>	<ul style="list-style-type: none"> <li>• Based on an ecological model</li> </ul>

<ul style="list-style-type: none"> <li>• Focuses on deficits within the student of the student</li> </ul>	<ul style="list-style-type: none"> <li>• Focuses on abilities, strengths, and needs</li> </ul>
<ul style="list-style-type: none"> <li>• Assessment procedures are unrelated to the curriculum and learning context</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment procedures are related to the curriculum and context of learning.</li> </ul>
<ul style="list-style-type: none"> <li>• Hierarchical expect model – there is inequality between the student and the ‘examiner’</li> </ul>	<ul style="list-style-type: none"> <li>• Team members are seen as equal in human dignity</li> </ul>
<ul style="list-style-type: none"> <li>• One-shot assessment approach</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment is a continuous process</li> </ul>
<ul style="list-style-type: none"> <li>• Student is viewed as passive recipient of the assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Student is viewed as active participant and collaborator</li> </ul>
<ul style="list-style-type: none"> <li>• Focus is on the learning products or outcomes achievements of the student</li> </ul>	<ul style="list-style-type: none"> <li>• Focus is on the learning process and</li> </ul>
<ul style="list-style-type: none"> <li>• The assessment is carried out by a specialist working in isolation</li> </ul>	<ul style="list-style-type: none"> <li>• Parents and other relevant people are consulted and involved in the assessment.</li> </ul>

According to open file on Inclusive Education (UNESCO 2001) Appropriate Assessment enables,

- Students who are talented and gifted to move at their natural learning pace.
- Students who progress more slowly than their peers to move at their own pace whilst still being part of the content of themes and lessons.
- Students experiencing specific learning problems to receive creative and effective support to maximize their success.

#### **Simple Tips for Teachers for Assessment:**

- Observe the learner
- Use variety of ways to collect the information about learner’s learning and progress in subjects and cross-curricular boundaries
- Collect information continuously and record the same
- Notice each learner’s way of responding and learning and the time it takes to do so
- Ask questions and discuss work.
- Design the assessment activities.
- Report on an ongoing continuous basis and be sensitive to every learner responses.
- Provide feedback that will lead to positive action and help the learner to do better.

#### **2.5 CONTINUOUS AND COMPREHENSIVE EVALUATION**

Assessment of a student should not only focus on academic area but also emphasize learning in whole wide range of situation and environment. According to the recommendations of **National Focus Group on “Examination reform” (NCF-2005)**, emphasis has been given to school based assessment. Under this school based assessment it has mentioned for a continuous and comprehensive evaluation system which should be simple felxible and implementably to reduce stress on children and space for the teacher for creative teaching and provide a tool for diagnosis and for producing learners with greater skill.

### **Features of Continuous and Comprehensive Evaluation (NCF-2005):**

- The '*continuous*' aspect of CCE takes care of 'continual' and 'periodicity' aspect of evaluation.
- Continual means assessment of students in the beginning of instruction and assessment during the instructional process (formative) is done informally using many techniques by the class teacher.
- Periodicity means assessment of performance done frequently at the end of unit/term (summative)
- The '*comprehensive*' component of CCE takes care of assessment of all round development of the child's personality. It includes assessment in scholastic and co-scholastic aspect of pupil's growth.
- Assessment in *scholastic area* is done informally and formally using multiple techniques of evaluation and periodically the diagnostic evaluation takes place at the end of unit/term test
- Assessment in *co-scholastic area* is done using multiple techniques on the basis of identified criteria, while assessment in life skills is done on the basis of indicators of assessment checklist.

*Source: Examination Reforms NCF 2005 NCERT*

#### **2.5.1 Assessment of scholastic and co scholastic areas:**

The desirable behaviour related to the learner's knowledge, understanding, application, evaluation, analysis and creating in subjects and the ability to apply it in unfamiliar situations are some of the objectives in scholastic domain.

The desirable behaviour related to the learners life skills, attitudes, interests, values, co-curricular activities and physical health are described as skills to be acquired in co- scholastic areas.

##### ***Scholastic areas:***

- Assessment of scholastic areas should reflect upon the child's ability to relate these subjects to the present day and future needs.
- It should be based on how much the child has been able to integrate the knowledge of various subjects.
- Assessment should be based on the child's understanding of the subject in any language by using the three-language formula. (Hindi, English, mother tongue)
- Assessment of reading writing, listening and speech contributes to child's progress in curricular areas.
- In Mathematics child should be assessed by his ability to think and reason, to visualize and handle abstractions, to formulate and solve problems.
- Science should enable children to examine and analyze everyday experience.
- Assessment of issues related to environment should be assessed on the basis of exposure to a wide range of activities involving outdoor project work.
- Assessment of social science will include significant themes, such as water, gender justice and sensibilities towards marginalized groups.

##### ***Co-scholastic areas***

- This plays a special significance for students with special education needs

- Assessment should be based on four major spheres viz. music, dance, visual arts and theatre.
- Assessment should judge a student's ability to express oneself in different forms.



### Reflection

**How could you integrate your classroom teaching for making continuous comprehensive evaluation?**

## 2.5.2 Techniques of Assessment

There are different techniques of assessment for assessing the children with special needs. The use of proper assessment techniques plays a significant role in the whole process of assessment. The process of assessment constitutes three important components. These are not discrete or independent elements and in practice, overlap and even occur simultaneously. They are:

- Information gathering
- Review
- Action

There are different methods of gathering information in the classroom which seems to be relevant and feasible for teachers in ordinary schools. They are discussion, question, written notes, observation, schedules or checklists, anecdotal records etc.

Information gathered through different methods, activities and sources should be analyzed and reviewed by all those involved. It is a collaborative process.

Gathering and reviewing assessment information is pointless if it does not lead to some form of action. This is the stage which requires a lot of flexibility and the demand for teacher is so vital.

Authentic assessment means involving the child in evaluating his or her own achievements. Authentic assessments are performance-based, realistic, and instructionally appropriate. Observation, along with talking with children about their learning, can take place at any time.

**Observation** – During systematic observation, young children should be observed when they are working alone, in pairs, in small groups, at various times of the day, and in various contexts. Observations can include the following.

**Anecdotal records** – These are factual, non-judgmental notes of children's activities. They are useful for recording spontaneous events.

**Questions** – A useful method of gathering information is to ask children direct, open-ended questions. Open-ended questions, such as "I'd like you to tell me about...", help you to assess the child's ability to express himself or herself verbally. In addition, asking children about their activities often gives insights into why they behave as they do.

### Recommendation of National Policy for Persons with Disabilities:

It has also been mentioned in the National Policy for Persons with Disabilities under the Section on Education that course curriculum and evaluation system for children with various disabilities shall be developed keeping in view their capabilities. Examination system should be modified to make it disable friendly by examples such learning mathematics and learning one language. Further facilities like use of calculator, tables, scribes etc. should be provided based on requirement.

## 2.6 PORTFOLIO ASSESSMENT OF CHILDREN WITH SPECIAL NEEDS

One method of authentic assessment is to create and review a portfolio of the child's work. Portfolios are purposeful collection of student work that is revised against preset criteria. They are cumulatively connected and occur over a period of time. They can provide a motion picture of learning progress i.e., what the child has learned and how he or she has learned it. Portfolios are intended to document and reflect student growth. This document can be used as basis for communicating with parents revising the child's progress and provides necessary feedback. Moreover, the portfolio should follow the child if he or she moves to different school.

### 2.6.1 Entries in the Portfolio

Samples of work that can be placed in portfolios can include: written samples such as essays, stories, reports, illustration, pictures, maps and diagrams, as well as worksheets other assignments, graphs. Children's non-curricular activities can also be recorded, such as taking responsibility, in classroom activity.

You as a general teacher can select samples that demonstrate specific aspects of a child's work. You can also invite children to select those samples from their work that they want to put in their portfolio for their parents to sign. The whole range of work is given to the child's family for review. When children are advanced to a new grade level, teachers may pass on specific sections of the children's portfolios to their new classroom teachers. This will help these teachers to become familiar with the varied talents and needs of their new students.

Each portfolio entry should be dated and the context of the piece be given. The context might be stated like this- '*This was a piece of unaided free writing. Only the theme was given and some basic vocabulary. Thirty minutes were given for this task*'.

### 2.6.2 Using the Portfolio in Evaluation

The material in a portfolio should be organized in chronological order. The teacher can evaluate the child's achievements. Appropriate evaluation always compares the child's current work to his or her earlier work. Portfolios are not meant to be used to compare children with each other. They are used to document an individual child's progress over time. The teacher's conclusions about a child's achievements, abilities, strengths, weaknesses, and needs should be based on the full range of that child's development as documented by the items in the portfolio and his/her own knowledge about how the child is learning.

Using portfolio to assess children provides teachers with a built-in system for planning parent teacher meeting.



#### **Reflection**

**What could you use the portfolio assessment of child with special need for evaluation?**

## 2.7 ASSESSMENT AND FEEDBACK

A good evaluation and assessment system can become integral part of learning process and benefit both the learners themselves and the educational system by giving credible feedback. Before giving feedback, it is important that a safe, secure, and trusting relationship exists between the teacher and the child. Children benefit from opportunities for formal feedback through group and class sessions. Negative feedback is illustrated by: "Why can't you improve your spelling? You're always making mistakes." Negative feedback reduces children's self-esteem and does not lead to improved

learning. Positive feedback acknowledges strengths, identifies weaknesses, and shows how improvement can be made through constructive comments. An effective feedback is one that is specific, immediate and task focused. It should act as scaffolding instead of the complete solution of the problem.

### Characteristics of Effective Feedback

- Feedback is more effective if it focuses on the task and is given regularly while it is still relevant.
- Feedback is most effective when it confirms that the pupils are progressing well and when it stimulates the correction of errors or other improvements in a piece of work.
- Suggestions for improvement should act as “scaffolding”, that is, pupils should be given as much help as possible in using their knowledge. They should not be given the complete solutions as soon as they have difficulties.



#### **Reflection**

**Enlist 5 characteristics of effective feedback with examples.**

## **2.8 PROVISIONS OF CBSE FOR ASSESSMENT OF STUDENTS WITH DISABILITIES**

CBSE has also extended some facilities for the students with special needs.

1. The persons with disabilities (Dyslexic, Blind, Spastic and candidates with Visual Impairment) have the option of studying one compulsory language as against two. The language opted by them should be in consonance with the overall spirit of the three Language Formula prescribed by the board. Besides one language they can offer any four of the following subjects: Mathematics, Science, and Technology, Social Science, Another language, Music, Painting, Home Science and Introductory Information Technology.
2. From the 2002 Examination, alternate questions in lieu of questions requiring special skills based on visual inputs have been provided in Mathematics and Science for Secondary School Examination (Class X)
3. Blind, Physically Handicapped and Dyslexic students are permitted to use an amanuensis. The amanuensis must be a student of class lower than the one for which the candidate is taking the examination.
4. The visually handicapped students appearing from Delhi were provided question papers with enlarged print for 2003 examination
5. Disabled students are allowed an extra one hour (60 minutes) for each paper of external examination.
6. Board does not give relaxation in minimum marks prescribed by it.
7. They are also exempted from examination in the third language.
8. The board gives equal status to the Physiotherapy exercises with that of Physical and Health Education course of the Board.
9. Special provisions of sitting arrangement on ground of such children as far as possible have been recommended.

10. Physically challenged children will specifically indicate their category and also state whether they have been provided with a writer in the column provided in the Main Answer Book.
11. The Regional Officers at one nodal center evaluate answer books of such candidates. The Center Superintendent in separate envelopes sends these answer books to the Regional Nodal Centers.
12. Separate question papers in Science and Mathematics at secondary (class X) level have been provided for blind students w.e.f. 2003 examination.
13. Assistant Superintendents for the blinds are teachers from the schools for blinds. As far as possible, teachers of the same subjects are not appointed on the day of examination. One invigilator is from outside the school.
14. Asst. Superintendents supervising the physically challenged children who have been granted one hour extra are paid remuneration @ Rs. 50/- + Rs. 20/-.
15. An amanuensis is paid @ Rs. 100/- per day/per paper daily by the Centre Superintendent from the center charges amount.



### **Reflection**

**As a teacher what more provision would you suggest / recommend to CBSE for assessment of children with special needs.**

## **2.9 CONCLUSION**

To make education more child centric, there should be a paradigm shift in assessment process from academic performance to comprehensive development of child personality and thereby equip him/her to face real life challenges successfully and effectively.

## **UNIT -3 CURRICULUM ADAPTATION AND INTERVENTION**

**Dr. Swati Sanyal**

- 3.1 Introduction
- 3.2 Objectives
- 3.3 Concept of Curriculum
- 3.4 Concept of Curriculum Adaptation
- 3.5 Guidelines for Curriculum Adaptation
- 3.6. Optimal Learning Environment for Children with Special Needs
  - 3.6.1 Optimal learning environment for students with hearing impairment
  - 3.6.2 Optimal learning environment for students with Visual impairment
  - 3.6.3 Optimal learning environment for students with Intellectual impairment
  - 3.6.4 Optimal learning environment for students with locomotors impairment
- 3.7 Conclusions

### **3.1 INTRODUCTION**

Teaching is a highly complex, purposed activity and is intended to help pupils move forward so that they can add to their knowledge, understanding and skills.

Effective teaching leads to effective learning. Effective teaching is that which promotes and supports effective learning in a systematic and sustained fashion. Effective teachers must succeed in managing the classroom environment in order to maximize opportunities for all pupils to learn. A pupil can certainly learn many things outside the school and without the support of teachers but the purpose of systematic teaching is to foster the learning of important skills knowledge and attitudes which would otherwise not occur or would happen less rapidly. In this sense all teaching should be about accelerating pupil's learning. Planning is fundamental for creating an effective learning environment and ensuring the pupil's progress. The purpose of planning is to bring together learners and curriculum in such a way that learning will take place.

*Inclusive education requires changes in all aspects of schooling i.e. curriculum, buildings, school organisation, pedagogy, assessment, staffing, school ethos and extra curricular activities (UNESCO, 1994).*

### **3.2 OBJECTIVES**

After going through this chapter the general teachers will be able to:

- Understand the concept and need for curriculum adaptation for students with disabilities and use it for determining suitable pedagogy.
- Adapt physical and psychosocial environment according to the needs of various disabilities.
- Provide for an optimal learning environment within the regular classroom.
- Acquaint themselves with different types of assistive devices used by students with various disabilities.
- Learn about the basic care of the devices.

### **3.3 CONCEPT OF CURRICULUM**

What comes to your mind when the word "curriculum" is uttered? Do you equate curriculum to syllabus? Many would do so. But there is a difference between the two. Curriculum does not mean only the academic subjects taught in schools, but includes the sum total of experiences that a pupil receives through a variety of activities in the school, in the classroom, library, laboratory, play grounds, in informal contact between teachers and pupils. Syllabus basically means a concise statement or the contents of a treatise, the subjects of a series of lectures. Curriculum is the heart of the schooling, the education process. The curriculum as defined by Prof. William Davis is 'a systematic organization of instructional content and related activities designed to provide students with a sequence of meaningful learning experiences.' The curriculum is a list of planned learning experiences offered to the students under the direction of the school.

Sometimes teachers still equate curriculum with a syllabus and they are likely to limit their planning to a consideration of the content or the body of knowledge they wish to transmit. In order to avoid such confusion and understand the concept of curriculum let us consider a few important aspects of a curriculum which a teacher needs to bear in mind.

- A curriculum is always pre-planned.
- A curriculum is meant for education in a particular society and children of particular age-group.
- The goals of a curriculum are reflected in the set of educational objectives that are mentioned in it.



- A curriculum facilitates planning of instruction by a teacher.
- Because of the individual differences in the classroom there would be a gap between the intended curriculum and the transacted curriculum and the teacher's role is critical in providing flexible but meaningful alternatives.

### 3.4 CONCEPT OF CURRICULUM ADAPTATION

While most of the educational systems claim that their curriculum is appropriate for all, this is never the case until some form of curriculum adaptation takes place. *According to the **National Focus Group on Education of Children with Special Needs NCF 2005** inclusive curriculum means one curriculum for all students rather than a separate curriculum for students without **SEN** and another for students with Special Educational Needs (SEN). According to Quinn and Ryba (2000) an inclusive curriculum is recognition that under the principle of social justice, participation in education should not involve discrimination on the basis of gender, ethnicity, indigenous group, socioeconomic status, and ability or disability. An inclusive curriculum recognizes the need that schools be organized, with individual differences of students in mind and allow for scope and flexibility to enable all students to achieve their goals.*

*Curriculum adaptations* are modifications that relate specifically to instruction and content of a curriculum. Further there could be adjustments or modifications to:

1. Teaching and learning environment
2. Teaching and learning strategies
3. Teaching learning support material that enhances a learner's performance or allows at least partial participation in a learning activity
4. Learning programmes
5. Level of support
6. Assessment

Adaptations usually require more of teacher's effort and time than simply changing instructional methods or access as in an accommodation. An adaptation is a goal-driven process. In order to decide on an adaptation you as a general teacher would first of all need to specify intended goals for individual students with disability. For this you may have to check from the special teacher about the student's Individualised educational plan goals. You will need to know whether the student has an adapted curriculum planned by the special teacher with different goals than his typically developing classmates, or whether the student simply needs modification to the general education curriculum, such as extra time on tests.

In an inclusive class the general teacher should take an analytical approach, observing how students learn and making changes to the learning environment or materials if needed.

**For curricular adaptation, the key to success is being a really good observer of learners-getting to know their learning styles and seeing what works for each student. Creativity and flexibility are also important attributes.**

An example provided by King-Sears (2001) may clarify the concept of adaptation further. A mathematics teacher may instruct a student with disability to work on mastering division of mixed fractions with like denominators while other students work toward mastering division of mixed fractions with unlike denominators. In this case the conceptual difficulty that the student with a disability needs to acquire slightly changes although the content knowledge of mathematics, namely the concepts of division and fraction remain same.

### 3.5 GUIDELINES FOR CURRICULUM ADAPTATION

Adaptation in curriculum is required to provide same learning experiences to the children with special needs studying in regular schools. The nature of the adaptation depends on the nature and level of the disability. The following principles should be considered for adapting the curriculum for the disabled studying in regular schools:

- The adaptation should not change the original concept of the curriculum used because the objectives of adaptation is to provide some learning experiences to both normal and disabled children.
- For providing same experiences, compensatory activities should be planned in such a way that the child gets a holistic picture of the concepts taught in the regular classes. The objective of the instructional material should remain same for both normal and disabled children.
- Modification in the instructional material should not disturb the majority of normal children studying in IED classes. The teacher has to be alert in providing modifications in the learning experiences in such a way that it motivates both normal and disabled learners.

In an inclusive set up a general teacher is expected to work in collaboration with special teacher. Therefore with the guided help from the special teacher, you can also make appropriate adaptations for individual student with special needs. Although the decisions regarding modification and adaptation are jointly taken, it becomes crucial that you make the final decision as you are the primary implementer. You must therefore remember that any adaptation to be effective it must FLOW:


- Fit into the classroom environment
- Lend themselves in meeting individual student needs
- Optimize understanding for each student
- Work well with activity planned for the lesson.

You have already learnt about nature and characteristics of students with various disabilities. While you appreciate and respect diversity, you may also be a little apprehensive about being able to provide appropriate instructions to the varied group together in a classroom. Before you start getting into the process of curricular adaptation disability wise, you would probably do better if you understand the basic adjustments that could be done in regular classroom. Several components in the curriculum are actually flexible enough to allow for adaptation. Examples of these flexible features include:

- Activities can be flexible.
- The context can be made relevant to the learner's needs.
- More time can be provided for assessment and execution of a task.
- Classroom can be modified to make it accessible for a student with a physical impairment.
- The learning programme can be structured to meet the needs of the specific learners.
- The level of complexity of lesson content could be adjusted for a student with intellectual impairment.
- Learners can communicate using sign language, Braille, assistive devices or any other communication method.
- Assessment standards can be broken into finer components.

- Expectations can be adapted to the abilities of the learner within the framework of high expectations.

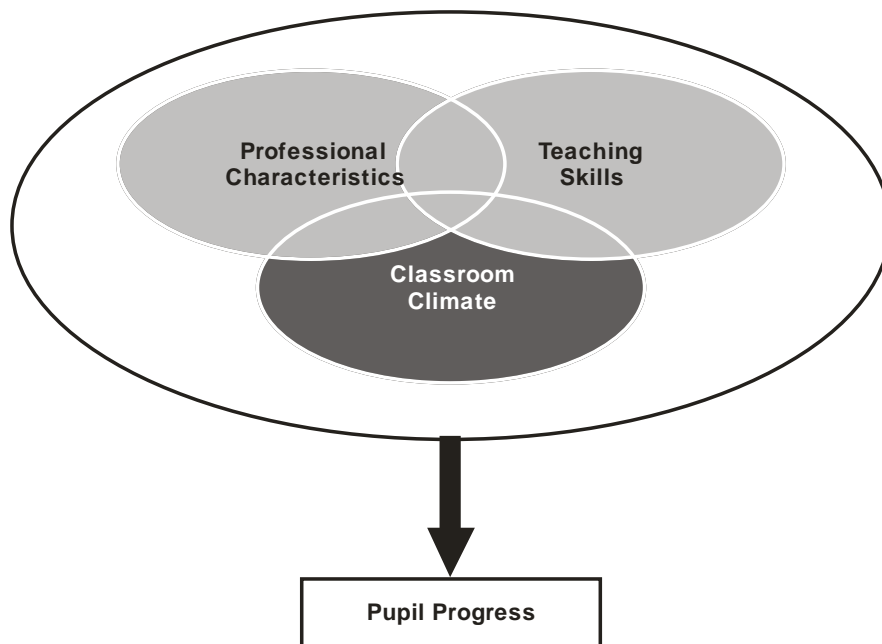
*One very important fact needs to be borne in mind that curriculum adaptations are not intended to lower the educational standards. Curriculum is adapted to make education first and foremost accessible and secondly to see to it that no learner is unfairly prejudiced and disadvantaged.*



**Reflection**  
**What do you understand by curriculum adaptation? Write three factors to be taken care of?**  
**What are the factors you would like to consider while making curriculum adaptations in your subjects?**

ble for

the whole range of tasks that teachers do and the behaviors and attitudes they exhibit to ensure optimal learning environment .It is the responsibility of teacher to create an optimal learning environment to meet the pupils with diverse needs through the application of professional knowledge organizational and interpersonal skills that are directed towards the effective promotion of pupils learning.



**Professional Characteristics:** The underlying dispositions and patterns of behaviour that drive what teachers do-these are related to fundamental values, commitments and attitudes. Teachers do really make a difference. There are different teacher’s style i.e. the manner in which the teacher present oneself and respond to people behaviour will affect pupil’s self-esteem and their attitude to work and their success. The following table depicts different teacher personality type and corresponding pupils’ responses:

**Table-1**

Teacher Type	Teacher Behaviour	Pupil Response
Non-assertive	<ul style="list-style-type: none"> <li>• Passive</li> <li>• Inconsistent</li> </ul>	<ul style="list-style-type: none"> <li>• Frustration</li> <li>• Tries to manipulate</li> </ul>

	<ul style="list-style-type: none"> <li>• Reacts to behaviour</li> <li>• Does not plan to manage behaviour</li> <li>• Does not have routines</li> <li>• Does not communicate boundaries to the pupils</li> <li>• Can be led by pupils e.g. 'This is the way we ALWAYS do it'.</li> </ul>	<ul style="list-style-type: none"> <li>• Escalated situations to find what the 'limits' are</li> <li>• Has no respect for the teacher</li> <li>• Demonstrates anger.</li> <li>• Answers back</li> </ul>
Hostile	<ul style="list-style-type: none"> <li>• Aggressive response to pupils</li> <li>• Rigid</li> <li>• Authoritarian</li> <li>• Threatening</li> <li>• Doesn't listen to pupils</li> <li>• Not fair and consistent with all pupils</li> <li>• Expects some pupils to misbehave and often 'labels' them</li> <li>• Confrontational</li> <li>• Sarcastic with pupils</li> </ul>	<ul style="list-style-type: none"> <li>• Fear of making mistakes</li> <li>• Anxious</li> <li>• Low self esteem</li> <li>• Feels victimized because teacher treats them differently</li> <li>• Feelings of hurt</li> <li>• Doesn't take chances with approach to work</li> <li>• Confrontational.</li> </ul>
Nurturer	<ul style="list-style-type: none"> <li>• Identifies boundaries</li> <li>• States expectations, both academic and behavioural</li> <li>• Fair and consistent</li> <li>• Listens to pupils</li> <li>• Values pupils' opinions.</li> <li>• Good model of behavior, e.g. polite.</li> <li>• Humorous 'with' children not 'at' them.</li> <li>• Praises both achievement and effort</li> </ul>	<ul style="list-style-type: none"> <li>• Understands boundaries</li> <li>• Feels valued</li> <li>• Trusts</li> <li>• Expresses opinion freely</li> <li>• Feels safe and secure</li> <li>• Not frightened of making mistakes</li> <li>• Is more likely to behave positively</li> </ul>

Due to the different teacher's style the teacher in the classroom can make a big difference on how people feel about themselves in relation to their learning. Low self-esteem produce the children motivation to learn and can have damaging effects on their cognitive and social development. Lack of motivation and effort is related to the lack of a clear sense of self-efficiency. Motivation, self-esteem and self-efficacy can link together in important ways to help us understand the different ways learners may respond to the demands and opportunities of the classroom.

**Teaching skills:** the 'micro-behaviour' of the specific skills of teaching-these can be identified and learned. The various components of teaching skills are:

- **Expectation** – Effective teachers communicate clear and consistent expectations with an appropriate level of challenge to all pupils and he/she varies his/her motivational strategies according to the pupil's capability and provide opportunity for them to take responsibility for their own learning.
- **Planning** – Effective teachers should have a clear plan and objective for each lesson. They communicate these clearly to the pupils at the start of the session. They focus on pupil's learning outcomes. They keep the necessary material and resources ready for the class. Learning activities assigned to the pupils should have clear instructions.

- **Methods and Strategies** - Effective teachers use a variety of teaching strategies and techniques. They actively involve all pupils and interact a lot with the pupils and monitor that understanding. They keep pupils engaged on tasks in class through small groups and individual activities.
- **Pupil management:** Effective teacher have a clear strategy for pupil management so that every pupil feels safe and secure and maximum time is focused on learning.
- **Time and resource management:** Effective teacher make judicious use of planned time by allocating their time fairly among all pupils. They also make proper use of teaching aids to enhance the pupil's learning. Teaching aids are devices presenting units of knowledge through auditory or visual stimuli or both with the view to help learning. They concretize the knowledge to be presented and help in making a learning experience appear real, living and vivid.

**Education Administrators should keep in mind the following points for TLM:**

- a) School Budget allocation for TLM
- b) Justification from the teachers regarding the need of TLM for CWSN
- c) Analyzing the need for TLM for CWSN
- d) Speeding the process of repairing the TLM
- e) Making a staff responsible regarding the maintenance of TLM
- f) Maintenance of stock register for TLM
- g) For Field trips, time should be allocated annually.
- h) Making provisions for Resource persons visits

**Types of teaching learning materials (TLM)**

1. Printed aids	2. Visual aids	3. Audio aids	4. Audio Visual aids
<ul style="list-style-type: none"> <li>• Periodicals</li> <li>• Books</li> <li>• Newspapers</li> </ul>	<ul style="list-style-type: none"> <li>• Slide</li> <li>• Filmstrips</li> <li>• Model</li> <li>• Graphs/charts</li> <li>• Pictorial materials</li> <li>• Globes/maps</li> </ul>	<ul style="list-style-type: none"> <li>• Tape recordings</li> <li>• Phonograph discs</li> <li>• Radio</li> </ul>	<ul style="list-style-type: none"> <li>• Motion pictures</li> <li>• Television</li> <li>• Dramatization</li> <li>• Field trips and Excursion</li> </ul>



**Reflection**

**What are the different aspects of teaching learning material you would like to monitor during your observation of classroom teaching?**


- § **Assessment** : Effective teacher may use a range of assessment methods to monitor pupil's progress, give feed back and encourage pupil to judge their own success.
- § **Homework:** Effective teacher ensures that homework is integrated with the class work and each tailored to individual needs and is marked regularly and constructively.

While monitoring the classroom teaching the educational administrator should assess the teaching skills of the teacher and provide feedback accordingly. He should judgment by considering the extent to which the teachers.

- § Teachers' knowledge and understanding
- § Effectiveness of teachers' planning.
- § Management of pupils.
- § Teaching of basic skills.
- § Use of time, support staff and resources.
- § Effectiveness of teaching methods.
- § Teachers' expectations.
- § Quality and use of ongoing assessment.
- § Use of homework.

At the same time the administrator should look in terms of effective learning to the extent to which pupils:

- acquire new knowledge or skills, develop ideas and increase their understanding;
- apply intellectual, physical or creative effort in their work; are productive and work at a good pace;
- show interest in their work, are able to sustain concentration and think and learn for themselves;
- understand what they are doing, how well they have done and how they can improve



**Reflection**

**How could you judge the effectiveness of teaching methodology used by the teacher?**

§ **Classroom climate:** An 'output measure' of the collective perceptions of pupils about working in a particular teacher's classroom- this relates very strongly to pupils' motivation to learn and work to the best of their ability.

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<b>Key dimensions of classroom climate.</b>	
<u>Clarity</u>	How each lesson relates to the broader subjects, as well as clarity regarding the aims and objectives of the school.
<b>Order</b>	Discipline, order and civilized behaviour are maintained in the classroom.
<b>Standards</b>	A clear set of standards as to how pupils should behave and what each pupil should do and try to achieve, with a clear focus on higher rather than minimum standards.
<b>Fairness</b>	The degree to which there is an absence of favoritism, and a consistent link between rewards in the classroom and actual activities.
<b>Participation</b>	The opportunity for pupils to participate actively in the class by discussion, questioning, giving out materials, and other similar activities.

<b>Support</b>	Feeling emotionally supported in the classroom, so that pupils are willing to try new things and learn from mistakes.
<b>Safety</b>	The degree to which the classroom is a safe place, where pupils are not at risk from emotional or physical bullying, or other fear-arousing factors.
<b>Interest</b>	The feeling that the classroom is an interesting and exciting place to be, where pupils feel stimulated to learn.
<b>Environment</b>	The feeling that the classroom is a comfortable, well-organized, clean and attractive physical environment.

Source: Department for Education and Skills, 2002 (London)



#### Reflection

**Construct/ Prepare checklist of the key dimensions of classroom climate for children with diverse needs.**

**Think of the ways in which you could bring some aspects of these dimensions in your own practice and reflect further.**

### 3.6.1 Providing an Optimal Learning Environment for students with Hearing Impairment

Children with hearing impairment due to their auditory deficits face difficulty in learning the processes involved in forming an abstract concept. For that they need varied learning experiences through setting the physical environment, creating a positive psychosocial environment and effective classroom management.



#### Reflection

**What do you understand by curriculum adaptation? Write three factors to be taken care of?**

**What are the factors you would like to consider while making curriculum adaptations in your subjects?**

#### 3.6.1.1 Setting up the Physical Environment

It is important to consider setting up the physical environment for students with hearing impairment in terms of:

- **Creating a positive listening environment**

You need to manage noise in the classroom so that the students could attend to the sounds useful for learning in the classroom. Classroom noise affects all children but its impact is greater on students with Hearing impairment.

You can also try to dampen the ambient noise in the classroom by using curtains or by putting on the wall the students' art work on thermocol sheets. You may also close the door of the classroom to minimize the noise while teaching.

- **Positioning the student in the classroom**

Positioning of the student with hearing impairment is important for optimal learning. Make the student seat in front of the class, where he can see you, lip read you clearly. He should also be able to see the blackboard from that position. Also talk face to face, sitting or bending to the same level in a one - to -one exchange with the student. Some research studies have

suggested making the child sit in the middle of the classroom so that he can be benefited with the whole classroom interaction.

### **3.6.1.2 Creating a Positive Psycho-Social Environment**

A positive classroom environment influences the student's learning as well as his emotional well being. The greatest problem a student with Hearing impairment faces is that of communication and this often detaches him from the social world and affects his self esteem. Your attitude towards this student will go a long way in creating positive psychosocial environment in the classroom. The peer group will imitate you and accept the student. Few useful strategies for adaptation of psycho-social environment are given below:

- Do not make him feel different by focusing too much attention on him. Demonstrate sensitivity in dealing with issues relating to hearing impairment.
- Encourage the peer group to communicate with their friend who is hearing impaired.
- Set high realistic expectations for achieving his full potential.
- Hearing impaired students may have a different concept of personal space. This needs to be understood by the other students. At the same time the student with Hearing impairment should also be taught not to encroach into other's personal spaces.
- Actively engage the student in sharing his ideas and thoughts.
- Demonstrate acceptance and value his ideas through visual and tactile methods as well as using speech.

### **3.6.1.3 Classroom Management**

- Always attract the child's attention by calling his name before asking a question or giving an instruction.
- Step forward out of the crowd to make focus easier.
- Do not stand with your back to the light; this will make your face movements in shadow.
- While speaking, write down on the board so that the child can see.
- Cut down background noise and provide good lighting.
- Face the hearing impaired child while speaking. Make minimal movement and keep hands away from face.
- Keep instructions short and simple.
- Present one source of information at a time, because it is difficult for the student to focus on what you are saying as well as looking at a book or note taking.
- Draw attention to any change of topic that occurs throughout a discussion.
- Write any new work and summary of main points on the board.
- Explain his problems to classmates and suggest how they can be helpful.

## **3.6.2 Provide an Optimal Learning Environment for Students with Visual Impairment**

Children with Visual impairment due to the sensory deficit of vision have three basic limitations in terms of the range and variety of experience, the ability to get about and the control of environmental



and self in relation to it. For this the teacher has to provide learning experiences in smaller units and step by step fashion for teaching the essential attributes of the concept.



### Reflection

**What are the existing classroom barriers which should be modified for the children with visual impairment in your class?**

#### 3.6.2.1 Setting up the Physical Environment

Visual impairment poses certain challenges in the area of independent mobility and orientation in a new place. While designing an inclusive school, a few points regarding accessibility will be really helpful in setting up a proper physical environment.

- Try and avoid many levels.
- All staircases must have railings.
- Tactile markings at the top and bottom of every staircase and the entrance of every room.
- Lighting must be bright and uniform but without glare.
- Make the student sit at the front and near to the board.
- While writing down on the board, speak it out so that the child can listen.
- Doors and windows are not to be kept half open.
- The sitting and work space should be accessible and clutter free.
- Provide for switch boards near this student's seat for table lamp, tape-recorder and computer etc.
- Provide specific and adequate space for keeping aids and appliances and also the Braille books.

#### 3.6.2.2 Creating a Positive Psycho-social Environment

The attitude of the society towards visual impairment affects largely the self concept and adjustment process of the visually impaired person in the society. Your attitude towards this student is a very crucial factor in modifying the attitude of other children and also in enabling the visually impaired child to develop positive self esteem. Research has indicated that students with visual impairment lag behind their peers without impairments in social skills development (Eric, Dignan and Brown, 1991). Without the benefit of certain visual cues, some students may not have learnt behavior appropriate in social situations. For successful integration you will have to teach social skills to your visually impaired students. In order to ensure positive psycho-social environment the following adaptations may be done.

- First of all show respect to your student who is visually impaired and have a realistic expectation of his abilities.
- Address him by his name and do not use non verbal communications with him.
- Provide help only when required.
- Encourage other students to involve him in all activities.
- Do not make fun or tease the student.
- Mediate while teaching skills which he will not be able to learn by imitation.

- Give proper attention towards developing social competencies.
- Help to reduce or eliminate level of anxiety, insecurity and fear of failure.

### **3.6.2.3 Classroom management**

- Make the student physically oriented with the classroom.
- Provide the student with his own resource material in tactual form or in large print.
- Use the student's name to provide attention.
- Give clear instructions and descriptions as gestures and facial expressions will not be seen or be misread.
- Read out loudly what you have written on the board.
- Control noise in the classroom so that he can hear you better.
- Provide concrete material / experiences while teaching.
- The student will lack opportunities for incidental learning, so you will have to mediate to give him the same opportunities to learn.
- Encourage him to explore the environment using his remaining senses.
- Give him opportunities to show his abilities in front of the class.
- Involve him in all activities with other students including co curricular activities.
- Remind the student to wear glasses if prescribed and keep them clean.

### **3.6.3 Providing an Optimal Learning Environment for students with Intellectual Impairment (mental retardation)**

Children with intellectual impairment due to their limited intellectual capacity they require more repetition on the instructional material.

If you have a child with intellectual impairment in your class you should not underestimate his ability. You will be required to pay a lot of individual attention to him and make efforts to bring him to class level. Manipulation of environment is also very essential in meeting the special needs of students with intellectual impairment. This involves-

1. Alteration of physical environment
2. Alteration of social environment.

#### **3.6.3.1 Alteration of physical environment**

For alteration in physical environment you have to do the following in a planned way:

- Make the classroom cheerful and bright and rich with information.
- Make the student sit in an area where distraction is less.
- Adopt best friend system.
- Give him enough space to move.
- Provide him a secure and safe environment.
- Make him aware of the daily time table.

### 3.6.3.2 Alteration of the social environment

- Do not underestimate the student and ridicule him.
- Make sure that his classmates are not teasing or bullying him.
- Use praise as reinforcement.
- Alter the social environment through parental guidance, peer sensitization, public awareness programme and teacher training programme.

### 3.6.3.3 Classroom management

When the target group for curriculum planning is intellectually impaired students then one has to consider developing appropriate content and the process of curriculum and not simply adapting the curriculum meant for other students of the same age group. They often find it difficult to cope with the regular curriculum most of which is abstract. They may often demand a functional curriculum. You may follow the guidelines given below for everyday class management.

- The child needs more repetition
- He needs more time to understand
- Present material in a concrete form.
- Focus on activities of adaptive skill areas.
- Any verbal instruction / direction must be very brief and consistent.
- Divide tasks into small meaningful steps and present them to the student sequentially.
- Provide feedback.
- Use lot of reinforcement.
- Provide as many actual demonstrations as possible in specific skill areas. The activities must be carried out in naturally occurring sequences and timeframe. Lunch time may be chosen to teach the student washing of hands.
- Use multisensory approach.
- Great deal of patience would be required to teach a simple task. So do not hit the student under any circumstances. The child will not learn if he is frightened.
- Adaptation in evaluation is also an important area to be considered. Various options for alternative evaluation procedures could be adopted like dividing the test into sections and allowing extra time or making the child understand the question asked.



#### **Reflection**

**How do you teach your subject?**

### 3.6.4 Providing an optimal learning environment for students with locomotor impairments

Though children with locomotor impairment do not have learning problems but the teachers have to be careful about their participation in various classroom activities both academic and non-academic areas.

The challenges that students with locomotor impairment face in school are primarily that of accessibility. In most cases they would not require many adaptations in the curricular content but they may require adjustment in various other activities in the school.

You may be familiar with the concept of “Universal Design”. Universal design puts high value on both diversity and inclusiveness. Universal design means ‘design for all’. In this approach the product and buildings all should be accessible and usable by everyone, including persons with disabilities.

In order to adapt the physical environment of the school the basic guidelines of universal design may be adopted to make student with locomotor impairment enjoy all physical facilities in the school. Requirements of such a good design are-

- Safety
- Accessibility
- Usability
- Affordability
- Sustainability
- Aesthetics

***Sarva Shiksha Abhiyan and IEDSS both have specially allocated fund for making schools barrier free.***

In order to adapt the physical environment the following design elements need to be considered.

Doors and Thresh holds

- The width of the accessible entrance door should not be less than 90 cm. which is wide enough for a wheelchair to pass. A student using crutches will also be able to move freely.
- All thresh holds (i.e. iron gates, collapsible grill or any other gates) should be embedded in the ground. This will help not only wheelchair users but also persons with visual impairments

Staircases and steps

A flight of stairs

- Should have uniform risers and goings.
- Should have no open risers.
- Stairs should be adequately illuminated.

Handrails

- Should be continuous on both sides even at landing.
- Should be at the height of 80-90 cm from the ground.

Ramp with landing

- A landing at least 1.5 m long is required after every 10m.
- A ramp suitable for wheelchair users and people with other mobility impairments should not be steeper than 1:12 otherwise it s difficult to move wheelchair or walk up/down.

## Switches

- To be within the reach of the wheelchair user.

## Accessible toilet

- Provide a door of clear opening of at least 900 mm.
- Provide facility of the western seat.

## Creating a positive psycho-social environment

- School planners and designers should always consider ways of maintaining the dignity of students with disabilities
- Accommodation should avoid separating them from peers in instructional settings.
- Over sympathy should not to be shown.
- The other students should be encouraged to cooperate with this student.
- The peer group should be sensitized enough so that they do not manhandle crutches or wheelchairs.
- Other students should also be made aware of the requirements of artificial limbs and not make fun of their friend using such limb.
- The peer group may also be trained to push a wheel chair.

### **3.6.4.1 Classroom management**

- The architectural barriers in the school need to be removed.
- The student should get opportunity to take part in assembly, P.T. and other activities of the school.
- The height of his desk should be in accordance with his wheel chair.
- If the student uses crutches space should be provided to keep it close to him.
- If the student has problem in hands he may be provided with adaptive pen or scribe may be allowed during written assignments. The written work could be replaced by oral work.
- More time may be provided to complete the task.

<b>Methods/ Activities</b>	<b>I Often</b>	<b>Not very often</b>	<b>What need to do</b>
Encouraging students to use practical material			
Link questions to health or community activities			
Use a class corner			
Check learning materials			

From the foregoing discussion it may have been clear that curriculum adaptation does not focus exclusively on learning objectives and contents. It also sets out all the access alterations required for curriculum development, like the environmental, material and personal conditions that improve the teaching process. It may seem to some of you that teaching students with SEN is a complex task. Actually there are many simple modifications which can be considered to assist students with

disabilities in the classroom. Many of them are not time consuming, well within the control of a general teacher and can make world of difference. Few such strategies are given below:

- When independent work is presented, try to give it to the students in small segments. For example, worksheet could be folded in half. The students can finish one by one. This prevents the student from feeling rushed or anxious with the amount of work.
- Allow extra time for students who have difficulty. Also reducing the assignments is helpful.
- You may also find out from the special teacher the objectives which have been written in the I.E.P of the student and make your plans accordingly. For example, the whole class might be expected to write a paragraph about something you have taught, the student with intellectual impairment may write only three facts. The student with visual impairment may write in Braille and be allotted additional time for that.
- If you present information both in visual and auditory mode it will help all learners.
- Providing concrete material and opportunity to learn by manipulating concrete objects are another strategy beneficial for all.
- Have a large variety of multi-level reading books in your classroom.
- You can put some of your text books in cassettes. This will help visually impaired students and also students who have reading difficulties due to various reasons.
- Use story maps and graphic organizers to assist students with writing task.
- Provide cognitive support for content and activities:
  - ◆ Summarize big ideas.
  - ◆ Provide scaffolding for learning and generalization.
  - ◆ Build fluency through practice.
  - ◆ Provide assessments for background knowledge.

### **3.7 CONCLUSION**

An inclusive programs for students with disabilities increase in number, general education teachers will need to understand the effect that disabilities have on students. Such understanding will allow them to make appropriate accommodations and adaptations to design inclusive education for students with disabilities. The research studies reviewed have shown that 4 factors influence the effectiveness of curriculum modification and adaptation. These factors are: (1) individual needs, (2) Subject specific needs, (3) teacher's role and school support, and (4) use of technology.

#### **Individual Needs**

When teachers adapt the curriculum they first need to analyze and assess educational contexts and determine the method of adaptation based on individual student needs.

#### **Subject specific needs**

The goals of adapted curriculum are influenced not only by the particular student's unique needs but also by the particular way of knowledge building associated with the content area.

#### **Teacher's role and school support**

MacMackin et al. (1997) point out that many general and special education teachers are interested in meeting the diverse needs of students, but do not know how to make appropriate adaptations and modifications. The provision of orientations to an encouragement of the practice of curriculum

adaptation is needed. In order to do a successful adaptation the teachers need an extensive amount of support at the school level.

### **Use of technology**

If used appropriately technology can contribute to the effectiveness of curriculum adaptation. Research studies have shown that the selection and the practice of technology, such as software, computer games, the internet and multimedia need to follow the students IEP and can help in curriculum adaptation. Teachers also need to recognize that computer experience may vary greatly among the students with disabilities. So they need to obtain the information about individual students to incorporate technology.

## UNIT 4 - GUIDANCE AND COUNSELLING

Dr. Padmanabh Vasudev

- 4.1 Introduction
- 4.2 Objectives
- 4.3 Concepts of Guidance & Counselling
- 4.4 Counselling to Parents
- 4.5 Counselling to Students with Special Needs
- 4.6 Counselling o Peers
- 4.7 Maintenance of Records About Children with Special Needs
- 4.8 Liasion with Colleagues
- 4.9 Liasion with Principal
- 4.10 Liasion with Parents
- 4.11 Liasion with Community
- 4.12 Liasion with Other Institutions/ NGOs
- 4.13 Conclusion

### 4.1 INTRODUCTION

Can you remember a child in your class who is very shy, unusually timid, does not like to participate in any of the class activities, never raises his or her hand in the class, does not talk with his or her peers, never comes to teacher for anything and is very low in his/her achievement/performance.

One of the reasons for this behavior may be that he/she has low self-esteem. This child is not confident in his/her abilities or he/she may think that he/she is not a valuable class member. Studies have shown that a close relationship exists between how children see themselves and their learning performance. It is found that a child whose self-esteem is lowered by negative feedback (criticism) soon learns that it is better not to try. Rather than failing, the child just avoids the task. Children can show emotional disturbance, social deviance, physical abnormalities for which they need proper caring and counseling for healthy development of their personality as a whole. It is the general teacher who equips the children with diverse needs and backgrounds to face the real life challenges more courageously and help them to become productive members of society.

### 4.2 OBJECTIVES

After studying this you will be able to -

- Appraise yourself with the concept of Guidance and Counselling.
- Identify your role in counselling the children with diverse needs, their parents and peers.
- Know/understand the importance of the record maintenance for the use of planning effective strategies.
- Establish a proper linkage/networking with different organizations for effective implementation.

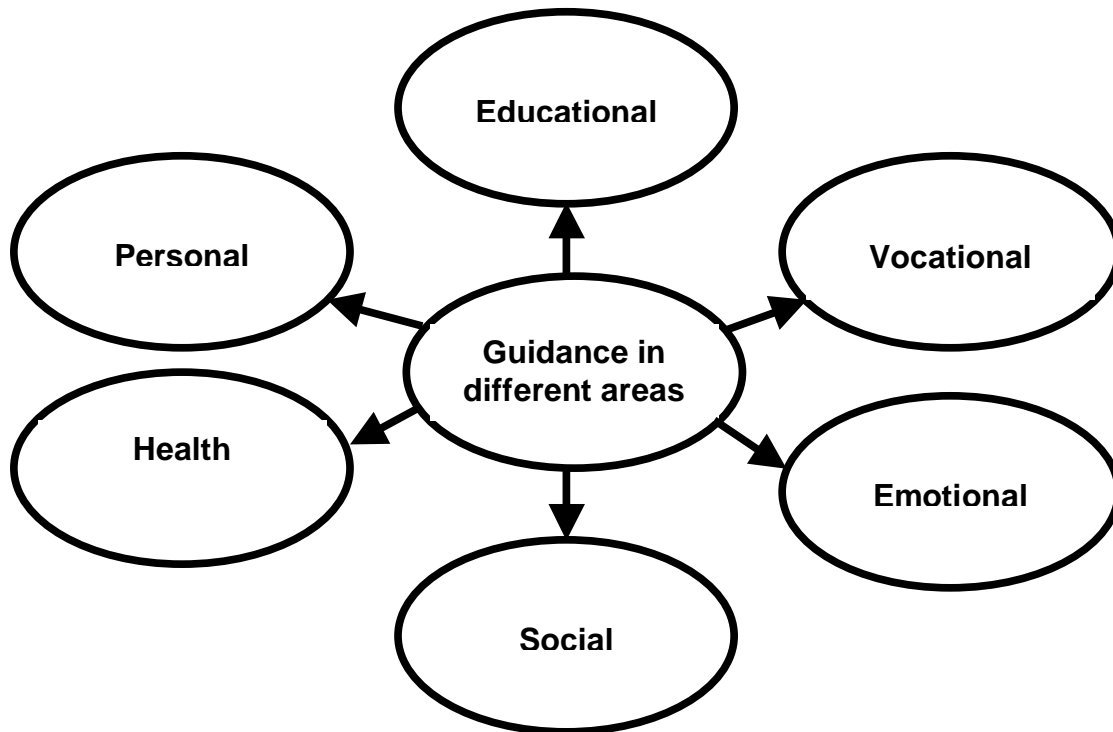
### 4.3 CONCEPT OF GUIDANCE AND COUNSELLING

Every one of us needs guidance in all spheres of life for one or other reason. Guidance is a process of helping the individual through their own efforts to discover and develop their potentialities for



personal happiness and social usefulness. It helps a person in solving his or her problems and promotes the growth and development of individual in self-direction. The most accepted definition of guidance today is “a process of helping an individual to equip himself to know his needs, assess his potentialities, develop the purposes, formulate the plans of actions and proceed to realize these under the most favorable conditions provided by the environment”.

Guidance services may be needed for various personal, psychological and sociological reasons. If guidance services are not provided properly it may result into wastage of time, money and energy.



**Fig. 1 Areas of Guidance**

Counselling is one of the services of guidance programme. It is often referred to as the heart of guidance programme. According to Hahn and McLeon, counseling is a process which takes place in a one-to-one relationship between an individual troubled by problem with which he can not cope alone and a professional worker whose training and experience have qualified him to help others reach solutions to various types of personal problems.

#### **4.4 COUNSELLING TO PARENTS**

Disabled children's quality of life is affected by unequal access to education, communication, employment, leisure activities, housing and health care. Disabled children and their families suffer from social exclusion, poverty, segregation, discrimination and inadequate provision of support services. There are many situational variables which influence the parents' level of involvement in their child's education. Greater is the student's disabilities; greater will be the demands on the parent's time and energy. Not all parents' needs can be met through parent involvement activities. Sometimes the parents' needs are beyond the scope of teacher's abilities. In that case teacher should counsel the parents by referring parents to appropriate professionals or agencies. Sometimes parents may not want to get involved in their child's education because they are hostile and angry about school situation. Teacher must respond back by encouraging and positive communication. Parents of students with special needs are often the driving force behind the push for inclusive education.

General teachers can counsel the parents by the following:

- Welcoming parents into the classroom and the school by involving parents in transacting curricula and need based physical and mental exercises
- Converting myths of parents of students with special needs into reality e.g. a myth that their child will be teased or harmed and not be safe in the class room/ school
- Making parents understand that their children with special needs have to be able to generalize what they learn at home and bring that to school and vice versa
- Discussing and improving individual education plans with parents.
- Assisting the parents in understanding the matters related to the child disability with clear, direct and concrete information.

#### **4.5 COUNSELLING TO STUDENTS WITH SPECIAL NEEDS**

There are different ways in which children learn. Knowing these different ways will help us to develop learning activities for creating a learning friendly classroom.

If we can observe, discover and discuss the ways by which children in our classroom learn we can guide them to learn better and to gain better/greater understanding from teaching.

When children learn, they may use several pathways to help themselves to understand and remember. Therefore it is important for us to use different teaching strategies that convey a mix of these learning pathways and counsel them as and when they require. The general teachers should treat all students with the following:

- unbiased attitude,
- non threatening, non labeling and non comparing entity,
- non directive approach, and
- involve all students in academic and co-curricular activities

#### **4.6 COUNSELLING TO PEERS**

A significant resource for helping the children with special needs is to learn successfully through the help of peer group. Teachers may use different approaches for creating and promoting supportive pupils interactions in inclusive setting.



#### **Reflection**

**How can you design/plan peer tutoring for assisting the children with special needs in your class?**

#### **4.7 MAINTENANCE OF RECORDS OF CHILDREN WITH SPECIAL NEEDS**

General Teachers will maintain the following records:

- Details of students with special needs e.g. name, father's name, mother's name, date of birth, class, section, residential address, contact no., details of the family, socio-economic status of the family, any other significant incident/event in the family related to the disability

- Medical history of the students with special needs e.g. birth details whether normal or operated delivery, timely or delayed milestones of development, ailment-usual/chronic, family history of prevalent diseases, if any
- Social accomplishments e.g. relationship building, number of friendships, relationship with teachers, neighbours', relatives etc.
- Educational record of the students with special needs e.g. admission number and date, achievement in each class attended, co-curricular activities, achievements in sports, creative arts, etc.
- Psychological test records along with interpretation
- Medical assessment record along with aids and appliances recommended and provided, surgeries performed
- Monetary or non-monetary facilities provided
- Parental collaborations/community participation



### Reflection

**What sort of difficulties do you face for maintaining the records? How do you overcome it?**

#### 4.8 LIAISON WITH COLLEAGUES

All the teachers / school staff must begin to think of it as "our" children, "our" class, "our" school. The facets of this collaboration can be visualized as an effective team of teachers working together as equal partners in interactive relationships, with both involved in all aspects of planning, teaching, and assessment.

- Areas for collaboration will include curricula and instruction, assessment and evaluation, and classroom management and behavior
- The team for arriving at decisions must include a special education teacher, a general teacher (if the child is, or may be, participating in the regular education environment), the parents, one counsellor and Head of school of counselling activity:

The team will brainstorm on topics e.g. diversity, special needs, parental involvement, facilities required in the school. The general teacher should make constant liaison with other teacher and the staff in the following ways:

- Sharing information about students with special needs
- Involving colleagues in observing various activities e.g. educational, sports, social, familial, community participation
- Conducting problem solving and brain storming sessions to improve inclusion

#### 4.9 LIAISON WITH PRINCIPAL OF SCHOOL

General teachers are more aware of the student competencies on the basis of observation and they can:

- Apprise administrators regarding various factors impeding inclusive education, who can facilitate cross-disciplinary collaboration by removing the barriers to change and restructure the school.

- Assist the administrators and head of the school for scheduling the day to day management of all aspects of school functioning including the provision of support system for children with special need for effective planning.
- Assist the administrators for framing various policies rules for identification assessment and provision for resource support for children with special needs.

The general teacher should make constant liaison and apprise the Principal of school and administrators in following ways:-

- Making plans
- For funding and budgeting
- Mobilizing the resources
- Arranging assessment camp
- Organizing appropriate management procedures for various provision for children with special needs
- Preparing list of materials and equipments
- Seeking feedback for various activities.
- Facilitation of arrangement for various services
- Permission to implement intervention
- Supervisory instructions
- Collaborating with parents, community leaders and NGO's
- Finalizing terms of medical and psychological experts



### **Reflection**

**What difficulties do you encounter while liaisoning with administrators/ head of the school? How do you overcome it?**

#### **4.10 LIAISON WITH PARENTS**

Teachers must assume that parents represent the children's best interest and they can improve the quality of decision made by the teacher. Then only the teacher can make true collaboration with parents. Shea & Bauer (1985) suggests the following characteristics for an effective parent-teacher partnership.

1. Self-awareness, developed through self-insight and self-acceptance.
2. Expertise, developed in teachers by training and experience, and in parents by experience with their child
3. Emotional control, management of anger and frustration
4. Compassion and empathy, feeling "with" instead of "for" another
5. Patience and acceptance of self and the student
6. Honesty in actions and words
7. Advocacy for child and parent.

Proper liaison with parents can be made by the following:

- Gaining more information
- Sharing more information
- Involving parents in classroom, sports, other activities
- Helping parents in behaviour modification arranging support services to augment, supplement, or support the educational program



### **Reflection**

**Write strategies you would like to follow for developing the partnership with the parents of children with special needs and school.**

#### **4.11 LIAISON WITH COMMUNITY**

In addition to family community plays a big role in the children's achievement in school. Clearly the challenges of education are the ones, which neither school nor families can meet alone. They must support each other, thereby the children reap the benefits – they learn more, they enjoy school and the learning process. To develop a two-way relationship, it is not only important for the community to become involved in the school, but the school has to be responsive to the needs of the community. For better understanding of the community the teacher should -

- Know the people of the community by associating with them. You need to know the culture of people and how the people are interacting among each other.
- Be open minded, friendly and sensitive to local culture.
- Try to meet the key informants, community leaders in different community celebrations, occasions.
- Have a thorough knowledge of community resources available, so that information sharing can be productive.

All teachers have the responsibility to:

- Work with community leaders to find out which children are not in school, why children are not coming to school regularly and devise ways to bring them into school.
- Prepare the pupils to interact with community as part of the curriculum such as through field trips or special activities and events.
- Invite parents and members of the community to be involved in the classroom and school.

The general teacher understands the role of the community in education and develops and maintains collaborative relationships with colleagues, parents/guardians, and the community to support student learning and well-being.

### **Activity**

- **Make a list of strategies that should be adopted by schools to develop community links**
- **Compare the list created in your group with those developed by others**
- **Discuss the implications.**

#### 4.12 LIAISON WITH OTHER INSTITUTIONS AND NGO'S

Non-governmental organization working for children with special needs has a unique and important contribution for supporting the school and parents in facilitating the inclusive education. So, general teacher should involve the external agencies in the following ways:-

- Arranging assessment for students with special needs
- Acquiring facilities for the students with special needs
- Sharing professional knowledge
- Arranging teacher training
- Collaborating for surveys, bridge courses, resource rooms



#### Reflection

**Write the ways for accessing the non-governmental organisation for getting support for children with special needs.**

#### 4.13 CONCLUSION

General Teachers' endeavor to contribute towards the success of inclusive education is not limited to identification of children with special needs and to work with them. Instead they have a much wider role and an array of activities to perform for achievement of the goal of inclusive education. They need to provide guidance and counseling not only to children with special needs but also to their peers and parents to ensure the creation of a facilitative and enriching psychosocial environment. They have to spare some time from their busy schedule for maintaining records of the children with special needs in their class for better exchange and flow of useful information about these children from one to other professional/agency providing help to these children since beginning till late adolescence, or even till later. The teachers have to work collaboratively with the other stakeholders to synergize the efforts and resources. They need to liaise actively with parents of these children, community leaders, NGOs and agencies working in the field, and lastly with their own colleagues, principal and administrators in the school. The teachers will discover that working collectively may appear a challenge to begin with, but is likely to continue as a rewarding experience ultimately.

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**PWD ACT, 1995**  
**THE PERSONS WITH DISABILITIES**

(EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) ACT, 1995

PUBLISHED IN PART II, SECTION 1 OF THE  
EXTRAORDINARY GAZETTE OF INDIA  
MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(Legislative Department)

New Delhi, the 1st January, 1996/Pausa 11, 1917 (Saka)

The following Act of Parliament received the assent of the President on the 1st January, 1996, and is hereby published for general information:- No.1 OF 1996

[1st January 1996]

An Act to give effect to the Proclamation on the Full Participation and Equality of the People with Disabilities in the Asian and Pacific Region.

WHEREAS the Meeting to Launch the Asian and Pacific Decade of Disabled Persons 1993-2002 convened by the Economic and Social Commission for Asia and Pacific held at Beijing on 1st to 5th December, 1992, adopted the Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and Pacific Region;

AND WHEREAS India is a signatory to the said Proclamation; AND WHEREAS it is considered necessary to implement the Proclamation aforesaid.

Be it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:-

**Preliminary**

**1.**

1. This Act may be called the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
  2. It extends to the whole of India except the State of Jammu and Kashmir.
  3. It shall come into force on such date as the Central Government may, by notification, appoint.
2. In this Act, unless the context otherwise requires, -
- a. "appropriate Government" means, -

- i. in relation to the Central Government or any establishment wholly or substantially financed by that Government, or a Cantonment Board constituted under the Cantonment Act, 1924, the Central Government;
  - ii. in relation to a State Government or any establishment wholly or substantially financed by that Government, or any local authority, other than a Cantonment Board, the State Government;
  - iii. in respect of the Central Coordination Committee and the Central Executive Committee, the Central Government;
  - iv. in respect of the State Coordination Committee and the State Executive Committee, the State Government;
- b. "blindness" refers to a condition where a person suffers from any of the following conditions, namely:-
- i. total absence of sight; or
  - ii. visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses; or
  - iii. limitation of the field of vision subtending an angle of 20 degree or worse;
- c. "Central Coordination Committee" means the Central Coordination Committee constituted under sub-section (1) of section 3;
- d. "Central Executive Committee" means the Central Coordination Committee constituted under sub-section (1) of section 9;
- e. "cerebral palsy" means a group of non-progressive conditions of a person characterised by abnormal motor control posture resulting from brain insult or injuries occurring in the pre-natal, peri-natal or infant period of development;
- f. "Chief Commissioner" means the Chief Commissioner appointed under sub-section (1) of section 57;
- g. "Commissioner" means the Commissioner appointed under sub-section (1) of section 60;
- h. "competent authority" means the authority appointed under section 50;
- i. "disability" means -
- i. Blindness;
  - ii. low vision;
  - iii. leprosy-cured;
  - iv. hearing impairment;
  - v. locomotor disability;
  - vi. mental retardation;
  - vii. mental illness;
- j. "employer" means,
- k. in relation to a Government, the authority notified by the Head of the Department in this behalf or where no such authority is notified, the Head of the Department; and
- l. in relation to an establishment, the chief executive officer of that establishment;
- m. "establishment" means a corporation established by or under a Central, Provincial or State Act, or an authority or a body owned or controlled or aided by the Government or a local authority or a Government company as defined in section 617 of the Companies Act, 1956 and includes Departments of a Government;
- n. "hearing impairment" means loss of sixty decibels or more in the better ear in the conversational range of frequencies;

- o. "institution for persons with disabilities" means an institution for the reception, care, protection, education, training, rehabilitation or any other service of persons with disabilities;
- p. "leprosy cured person" means any person who has been cured of leprosy but is suffering from-
  - i. loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;
  - ii. manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;
  - iii. extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation, and the expression "leprosy cured" shall be construed accordingly;
- q. "locomotor disability" means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy;
- r. "medical authority" means any hospital or institution specified for the purposes of this Act by notification by the appropriate Government;
- s. "mental illness" means any mental disorder other than mental retardation;
- t. "mental retardation" means a condition of arrested or incomplete development of mind of a person which is specially characterised by subnormality of intelligence;
- u. "notification" means a notification published in the Official Gazette;
- v. "person with disability" means a person suffering from not less than forty per cent of any disability as certified by a medical authority;
- w. "person with low vision" means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device;
- x. "prescribed" means prescribed by rules made under this Act;
- y. "rehabilitation" refers to a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric or social functional levels;
- z. "special Employment Exchange" means any office or place established and maintained by the Government for the collection and furnishing of information, either by keeping of registers or otherwise, respecting -
  - i. persons who seek to engage employees from amongst the persons suffering from disabilities;
  - ii. persons with disability who seek employment;
  - iii. vacancies to which person with disability seeking employment may be appointed;
- aa. "state Coordination Committee" means the State Coordination Committee constituted under sub-section (1) of section 13;
- bb. "state Executive Committee" means the State Executive Committee constituted under sub-section (1) of section 19.

#### The Central Coordination Committee

1. The Central Government shall by notification constitute a body to be known as the Central Coordination Committee to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.
2. The Central Coordination Committee shall consist of -

- a. the Minister in charge of the Department of Welfare in the Central Government, Chairperson, ex officio;
  - b. the Minister of State in-charge of the Department of Welfare in the Central Government, Vice-Chairperson, ex officio;
  - c. Secretaries to the Government of India in-charge of the Departments of Welfare, Education, Woman and Child Development, Expenditure, Personnel, Training and Public Grievances, Health, Rural Development, Industrial Development, Urban Affairs and Employment, Science and Technology, Legal Affairs, Public Enterprises, Members, ex officio;
  - d. Chief Commissioner, Member, ex officio;
  - e. Chairman Railway Board, Member, ex officio;
  - f. Director-General of Labour, Employment and Training, Member, ex officio;
  - g. Director, National Council for Educational Research and Training, Member, ex officio;
  - h. three Members of Parliament, of whom two shall be elected by the House of the People and one by the Council of States, Members;
  - i. three persons to be nominated by the Central Government to represent the interests, which in the opinion of that Government ought to be represented, Members;
  - j. Directors of the -
    - i. National Institute for the Visually Handicapped, Dehradun;
    - ii. National Institute for the Mentally Handicapped, Secundrabad;
    - iii. National Institute for the Orthopaedically Handicapped, Calcutta;
    - iv. Ali Yavar Jung National Institute for the Hearing Handicapped, Mumbai, Members, ex officio;
  - k. four Members to be nominated by the Central Government by rotation to represent the States and the Union territories in such manner as may be prescribed by the Central Government: Provided that no appointment under this clause shall be made except on the recommendation of the State Government or, as the case may be, the Union territory;
  - l. five persons as far as practicable, being persons with disabilities, to represent non-governmental organisations or associations which are concerned with disabilities, to be nominated by the Central Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the Central Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;
  - m. Joint Secretary to the Government of India in the Ministry of Welfare dealing with the welfare of the handicapped, Member-Secretary, ex officio.
3. The office of the Member of the Central Coordination Committee shall not disqualify its holder for being chosen as or for being a Member of either House of Parliament.
4. (1) Save as otherwise provided by or under this Act a Member of Central Coordination Committee nominated under clause (i) or clause (1) of sub-section (2) of section 3 shall hold office for a term of three years from the date of his nomination;
- Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.
- (2) The term of office an ex officio Member shall come to an end as soon as he ceases to hold the office by virtue of which he was so nominated.
  - (3) The Central Government may if it thinks fit remove any Member nominated under clause (i) or clause (1) of sub-section (2) of section 3, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.

- (4) A Member nominated under clause (i) or clause (1) of sub-section (2) of section 3 may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant.
  - (5) A casual vacancy in the Central Coordination Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.
  - (6) A Member nominated under clause (i) or clause (1) of sub-section (2) of section 3 shall be eligible for renomination.
  - (7) Members nominated under clause (i) and clause (1) of sub-section (2) of section 3 shall receive such allowances as may be prescribed by the Central Government.
5. (1) No person shall be a Member of the Central Coordination Committee, who-
    - a. is, or at any time has been, adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or
    - b. is of unsound mind and stands so declared by a competent court, or
    - c. is or has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude, or
    - d. is or at any time has been convicted of an offence under this Act, or
    - e. has so abused in the opinion of the Central Government his position as a Member as to render his continuance in the Central Coordination Committee detrimental to the interests of the general public.
  - (2) No order of removal shall be made by the Central Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.
  - (3) Notwithstanding anything contained in sub-section (1) or sub-section (6) of section 4, a Member who has been removed under this section shall not be eligible for renomination as a Member.
6. If a Member of the Central Coordination Committee becomes subject to any of the disqualifications specified in section 5, his seat shall become vacant.
  7. The Central Coordination Committee shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by the Central Government.
  8. (1) Subject to the provisions of this Act, the function of the Central Coordination Committee shall be to serve as the national focal point on disability matters and facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities.
  - (2) In particular and without prejudice to the generality of the foregoing, the Central Coordination Committee may perform all or any of the following functions, namely:-
    - a. review and coordinate the activities of all the Departments of Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to persons with disabilities;
    - b. develop a national policy to address issues faced by persons with disabilities;
    - c. advise the Central Government on the formulation of policies, programmes, legislation and projects with respect to disability;
    - d. take up the cause of persons with disabilities with the concerned authorities and the international organisations with a view to provide for schemes and projects for the disabled in the national plans and other programmes and policies evolved by the international agencies;

- e. review in consultation with the donor agencies their funding policies from the perspective of their impact on persons with disabilities;
  - f. take such other steps to ensure barrier free environment in Public places, work places, public utilities, schools and other institutions;
  - g. monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities;
  - h. to perform such other functions as may be prescribed by the Central Government.
9. (1) The Central Government shall constitute a Committee to be known as the Central Executive Committee to perform the functions assigned to it under this Act.
- (2) The Central Executive Committee shall consist of -
- a. the Secretary to the Government of India in the Ministry of Welfare, Chairperson, ex officio;
  - b. the Chief Commissioner, Member, ex officio;
  - c. the Director-General for Health Services, Member, ex officio;
  - d. the Director-General, Employment and Training, Member, ex officio;
  - e. six persons not below the rank of a Joint Secretary to the Government of India, to represent the Ministries or Departments of Rural Development, Education, Welfare, Personnel Public Grievances and Pension and Urban Affairs and Employment, Science and Technology, Member, ex officio;
  - f. the Financial Adviser, Ministry of Welfare in the Central Government, Member, ex officio;
  - g. advisor (Tariff) Railway Board, Member, ex officio;
  - h. four members to be nominated by the Central Government, by rotation, to represent the State Governments and the Union territories in such manner as may be prescribed by the Central Government;
  - i. one person to be nominated by the Central Government to represent the interest, which in the opinion of the Central Government ought to be represented, Member;
  - j. five persons, as far as practicable, being persons with disabilities, to represent non-governmental organisations or associations which are concerned with disabilities, to be nominated by the Central Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the Central Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes:
  - k. Joint Secretary to the Government of India in the Ministry of Welfare dealing with the welfare of the handicapped, Member-Secretary, ex officio.
- (3) Member nominated under clause (i) and clause (j) of sub-section (2) shall receive such allowances as may be prescribed by the Central Government.
- (4) A Member nominated under clause (i) or clause (j) of sub-section (2) may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant.
10. (1) The Central Executive Committee shall be the executive body of the Central Coordination Committee and shall be responsible for carrying out the decisions of the Central Coordination Committee:

- (2) Without prejudice to the provisions of sub-section (1), the Central Executive Committee shall also perform such other functions as may be delegated to it by the Central Coordination Committee.
11. The Central Executive Committee shall meet at least once in three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by the Central Government.
12. (1) The Central Executive Committee may associate with itself in such manner and for such purposes as may be prescribed by the Central Government any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.
- (2) A person associated with the Central Executive Committee under sub-section (1) for any purpose shall have the right to take part in the discussions of the Central Executive Committee relevant to that purpose, but shall not have a right to vote at a meeting of the said Committee, and shall not be a member for any other purpose.
- (3) A person associated with the said Committee under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the said Committee, as may be prescribed by the Central Government.

#### The State Coordination Committee

13. (1) Every State Government shall, by notification, constitute a body to be known as the State Coordination Committee to exercise the powers conferred on, and to perform the function assigned to it, under this Act.
- (2) the State Coordination Committee shall consist of -
- a. The Minister in-charge of the Department of Social Welfare in the State Government, Chairperson, *ex officio*;
  - b. the Minister of State in-charge of the Department of Social Welfare, if any, Vice-Chairperson, *ex officio*;
  - c. Secretaries to the State Government in-charge of the Departments of Welfare, Education, Woman and Child Development, Expenditure, Personnel Training and Public Grievances, Health, Rural Development, Industrial Development, Urban Affairs and Employment, Science and Technology, Public Enterprises, by whatever name called, Members, *ex officio*;
  - d. Secretary of any other Department which the State Government considers necessary, Member, *ex officio*;
  - e. Chairman Bureau of Public Enterprises (by whatever name called) Member, *ex officio*;
  - f. five persons, as far as practicable, being persons with disabilities, to represent non-governmental organisations or associations which are concerned with disabilities, to be nominated by the State Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;
  - g. three Members of State Legislature, of whom two shall be elected by the Legislative Assembly and one by the Legislative Council, if any;

- h. three persons to be nominated by that State Government to represent agriculture, industry or trade or any other interest, which in the opinion of State Government ought to be represented, Members, *ex officio*;
  - i. the Commissioner, Member, *ex officio*;
  - j. Secretary to the State Government dealing with the welfare of the handicapped, Member-Secretary, *ex officio*.
- (3) Notwithstanding anything contained in this section, no State Coordination Committee shall be constituted for a Union territory and in relation to a Union territory, the Central Coordination Committee shall exercise the functions and perform the functions of a State Coordination Committee for the Union territory: Provided that in relation to a Union territory, the Central Coordination Committee may delegate all or any of its powers and functions under this sub-section to such person or body of persons as the Central Government may specify.
14. (1) Save as other wise provided by or under this Act, a Member of a State Coordination Committee nominated, Under clause (f) or clause (h) of sub-section (2) of section 13 shall hold office for a term of three years from the date of his nomination: Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.
- (2) The term of office of an *ex officio* Member shall come to an end as soon as he ceases to hold the office by virtue of which he was so nominated.
- (3) The State Government may, if it thinks fit, remove any Member nominated under clause (f) or clause (h) of sub-section (2) of section 13, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.
- (4) A Member nominated under clause (f) or clause (h) of sub-section (2) of section 13 may, at any time, resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant.
- (5) A casual vacancy in the State Coordination Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.
- (6) A Member nominated under clause (f) and clause (h) of sub-section (2) of section 13 shall be eligible for renomination.
- (7) Members nominated under clause (f) and clause (h) of sub-section (2) of section 13 shall receive such allowances as may be prescribed by the State Government.
15. (1) No person shall be a Member of the State Coordination Committee, who -
- a. is, or at any time, has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or
  - b. is of unsound mind and stands so declared by a competent court, or



- c. is or has been convicted of an offence which in the opinion of the State Government involves moral turpitude, or
  - d. is or at any time has been convicted of an offence under this Act, or
  - e. has so abused, in the opinion of the State Government his position as a member as to render his continuance in the State Coordination Committee detrimental to the interests of the general public.
- (2) No order of removal shall be made by the State Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.
  - (3) Notwithstanding anything contained in sub-section (1) or sub-section (6) of section 14, a Member who has been removed under this section shall not be eligible for renomination as a Member.
16. If a Member of the State Coordination Committee becomes subject to any of the disqualifications specified in section 15, his seat shall become vacant.
17. The State Coordination Committee shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.
18. (1) Subject to the provisions of this Act, the function of the State Coordination Committee shall be to serve as the state focal point on disability matters and facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities.
- (2) In particular and without prejudice to the generality of the foregoing function the State Coordination Committee may, within the State perform all or any of the following functions, namely:-
- a. review and coordinate the activities of all the Departments of Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to persons with disabilities;
  - b. develop a State policy to address issues faced by persons with disabilities;
  - c. advise the State Government on the formulation of policies, programmes, legislation and projects with respect to disability;
  - d. review, in consultation with the donor agencies, their funding policies from the perspective of their impact on persons with disabilities;
  - e. take such other steps to ensure barrier free environment in public places, work places, public utilities, schools and other institutions;
  - f. monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities;
  - g. to perform such other functions as may be prescribed by the State Government.
19. (1) The State Government shall constitute a committee to be known as the State Executive Committee to perform the functions assigned to it under this Act

The State Government shall constitute a committee to be known as the State Executive Committee to perform the functions assigned to it under this Act.

(2) The State Executive Committee shall consist of -

- a. the Secretary, Department of Social Welfare, Chairperson, *ex officio*;
- b. the Commissioner, Member, *ex officio*;
- c. nine persons not below the rank of a Joint Secretary to the State Government, to represent the Departments of Health, Finance, Rural Development, Education, Welfare, Personnel Public Grievances, Urban Affairs Labour and Employment, Science and Technology, Members, *ex officio*;
- d. one person to be nominated by the State Government to represent the interest, which in the opinion of the State Government ought to be represented, Member;
- e. five persons, as far as practicable being persons with disabilities, to represent non-governmental organisations or associations which are concerned with disabilities, to be nominated by the State Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;
- f. Joint Secretary dealing with the disability division in the Department of Welfare, Member-Secretary, *ex officio*.

(3) Members nominated under clause (d) and clause (e) of sub-section (2) shall receive such allowances as may be prescribed by the State Government.

(4) A Member nominated under clause (d) or clause (e) may at any time resign his office by writing under his hand address to the State Government and the seat of the said Member shall thereupon become vacant.

20. (1) The State Executive Committee shall be the executive body of the State Coordination Committee and shall be responsible for carrying out the decisions of the State Coordination Committee.

(2) Without prejudice to the provisions of sub-section (1), the State Executive Committee shall also perform such other functions as may be delegated to it by the State Coordination Committee.

21. The State Executive Committee shall meet at least once in three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by the State Government.

22. (1) The State Executive Committee may associate with itself in such manner and for such purposes as may be prescribed by the State Government any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the State Executive Committee under sub-section (1) for any purpose shall have the right to take part in the discussions of the State Executive Committee relevant to that purpose, but shall not have a right to vote at a meeting of the said Committee, and shall not be a member for any other purpose.

(3) A person associated with the said Committee under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the said Committee, as may be prescribed by the State Government.

23. In the performance of its functions under this Act, -

- a. the Central Coordination Committee shall be bound by such directions in writing, as the Central Government may give to it; and
- b. the State Coordination Committee shall be bound by such directions in writing, as the Central Coordination Committee or the State Government may give to it: Provided that where a direction given by the State Government is inconsistent with any direction given by the Central Coordination Committee, the matter shall be referred to the Central Government for its decision.

24. No act or proceeding of the Central Coordination Committee, the Central Executive Committee, a State Coordination Committee or a State Executive Committee shall be called in question on the ground merely on the existence of any vacancy in or any defect in the constitution of such Committees.

#### Prevention and Early Detection of Disabilities

25. Within the limits of their economic capacity and development, the appropriate Governments and the local authorities, with a view to preventing the occurrence of disabilities, shall -

- a. undertake or cause to be undertaken surveys, investigations and research concerning the cause of occurrence of disabilities;
- b. promote various methods of preventing disabilities;
- c. screen all the children at least once in a year for the purpose of identifying "at-risk" cases;
- d. provide facilities for training to the staff at the primary health centres;
- e. sponsor or cause to be sponsored awareness campaigns and disseminate or cause to be disseminated information for general hygiene, health and sanitation;
- f. take measures for pre-natal, perinatal and post-natal care of mother and child;
- g. educate the public through the pre-schools, primary health centres, village level workers and anganwadi workers;
- h. create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted.

#### Education

26. The appropriate Governments and the local authorities shall -

- a. ensure that every child with a disability has access to free education in an appropriate environment till he attains the age of eighteen years;
- b. endeavour to promote the integration of students with disabilities in the normal schools;
- c. promote setting up of special schools in Government and private sector for those in need of special education, in such a manner that children with disabilities living in any part of the country have access to such schools;

- d. endeavour to equip the special schools for children with disabilities with vocational training facilities.
27. The appropriate Governments and the local authorities shall by notification make schemes for -
    - a. conducting part-time classes in respect of children with disabilities who having completed education up to class fifth and could not continue their studies on a whole-time basis;
    - b. conducting special part-time classes for providing functional literacy for children in the age group of sixteen and above;
    - c. imparting non-formal education by utilizing the available manpower in rural areas after giving them appropriate orientation;
    - d. imparting education through open schools or open universities;
    - e. conducting class and discussions through interactive electronic or other media;
    - f. providing every child with disability free of cost special books and equipments needed for his education.
  28. The appropriate Governments shall initiate or cause to be initiated research by official and non-governmental agencies for the purpose of designing and developing new assistive devices, teaching aids, special teaching materials or such other items as are necessary to give a child with disability equal opportunities in education.
  29. The appropriate Governments shall set up adequate number of teachers' training institutions and assist the national institutes and other voluntary organisations to develop teachers' training programmes specialising in disabilities so that requisite trained manpower is available for special schools and integrated schools for children with disabilities.
  30. Without prejudice to the foregoing provisions, the appropriate Governments shall by notification prepare a comprehensive education scheme which shall make provision for -
    - a. transport facilities to the children with disabilities or in the alternative financial incentives to parents or guardians to enable their children with disabilities to attend schools;
    - b. the removal of architectural barriers from schools, colleges or other institutions imparting vocational and professional training;
    - c. the supply of books, uniforms and other materials to children with disabilities attending school;
    - d. the grant of scholarship to students with disabilities;
    - e. setting up of appropriate fora for the redressal of grievances of parents regarding the placement of their children with disabilities;
    - f. suitable modification in the examination system to eliminate purely mathematical questions for the benefit of blind students and students with low vision;
    - g. restructuring of curriculum for the benefit of children with disabilities;
    - h. restructuring the curriculum for benefit of students with hearing impairment to facilitate them to take only one language as part of their curriculum.
  31. All educational institutions shall provide or cause to be provided amanuensis to blind students and students with or low vision.

## Employment

32. Appropriate Governments shall -
- a. identify posts, in the establishments, which can be reserved for the persons with disability;
  - b. at periodical intervals not exceeding three years, review the list of posts identified and update the list taking into consideration the developments in technology.
33. Every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three per cent for persons or class of persons with disability of which one per cent each shall be reserved for persons suffering from -
- (i) blindness or low vision;
  - (ii) hearing impairment;
  - (iii) locomotor disability or cerebral palsy,
- in the posts identified for each disability:
- Provided, that the appropriate Government may, having regard to the type of work carried on in any department or establishment, by notification subject to such conditions, if any, as may be specified in such notification, exempt any establishment from the provisions of this section.
34. (1) The appropriate Government may, by notification, require that from such date as may be specified, by notification, the employer in every establishment shall furnish such information or return as may be prescribed in relation to vacancies appointed for persons with disability that have occurred or are about to occur in that establishment to such Special Employment Exchange as may be prescribed and the establishment shall thereupon comply with such requisition.
- (2) The form in which and the intervals of time for which information or returns shall be furnished and the particulars, they shall contain shall be such as may be prescribed.
35. Any person authorised by the Special Employment Exchange in writing, shall have access to any relevant record or document in the possession of any establishment and may enter at any reasonable time and premises where he believes such record or document to be, and inspect or take copies of relevant records or documents or ask any question necessary for obtaining any information.
36. Where in any recruitment year any vacancy under section 33, cannot be filled up due to non-availability of a suitable person with disability or, for any other sufficient reason, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with disability is not available, it may first be filled by interchange among the three categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability:

Provided that if the nature of vacancies in an establishment is such that a given category of person can not be employed, the vacancies may be interchanged among the three categories with the prior approval of the appropriate Government.

37. (1) Every employer shall maintain such record in relation to the person with disability employed in his establishment in such form and in such manner as may be prescribed by the appropriate government.
- (2) The records maintained under sub-section (1) shall be open to inspection at all reasonable hours by such persons as may be authorised in this behalf by general or special order by the appropriate Government.
38. (1) The appropriate Governments and local authorities shall by notification formulate schemes for ensuring employment of persons with disabilities, and such schemes may provide
  - a. the training and welfare of persons with disabilities;
  - b. the relaxation of upper age limit;
  - c. regulating the employment;
  - d. health and safety measures and creation of a non-handicapping environment in places where persons with disabilities are employed;
  - e. the manner in which and the persons by whom the cost of operating the schemes is to be defrayed; and
  - f. constituting the authority responsible for the administration of the scheme.
39. All Government educational institutions and other educational institutions receiving aid from the Government, shall reserve not less than three per cent seats for persons with disabilities.
40. The appropriate Governments and local authorities shall reserve not less than three per cent in all poverty alleviation schemes for the benefit of persons with disabilities.
41. The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide incentives to employers both in public and private sectors to ensure that at least five per cent of their work force is composed of persons with disabilities.

#### Affirmative Action

42. The appropriate Governments shall by notification make schemes to provide aids and appliances to persons with disabilities.
43. The appropriate Governments and local authorities shall by notification frame schemes in favour of persons with disabilities, for the preferential allotment of land at concessional rates for -
  - a. house;
  - b. setting up business;
  - c. setting up of special recreation centres;
  - d. establishment of special schools;
  - e. establishment of research centres;
  - f. establishment of factories by entrepreneurs with disabilities.

#### Non-Discrimination

44. Establishments in the transport sector shall, within the limits of their economic capacity and development for the benefit of persons with disabilities, take special measures to-
- a. adapt rail compartments, buses, vessels and aircrafts in such a way as to permit easy access to such persons;
  - b. adapt toilets in rail compartments, vessels, aircrafts and waiting rooms in such a way as to permit the wheel chair users to use them conveniently.
45. The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide for -
- a. installation of auditory signals at red lights in the public roads for the benefit of persons with visual handicap;
  - b. causing curb cuts and slopes to be made in pavements for the easy access of wheel chair users;
  - c. engraving on the surface of the zebra crossing for the blind or for persons with low vision;
  - d. engraving on the edges of railway platforms for the blind or for persons with low vision;
  - e. devising appropriate symbols of disability;
  - f. warning signals at appropriate places.
46. The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide for -
- a. ramps in public building;
  - b. adaptation of toilets for wheel chair users;
  - c. braille symbols and auditory signals in elevators or lifts;
  - d. ramps in hospitals, primary health centres and other medical care and rehabilitation institutions.
47. (1) No establishment shall dispense with, or reduce in rank, an employee who acquires a disability during his service:  
Provided that, if an employee, after acquiring disability is not suitable for the post he was holding, could be shifted to some other post with the same pay scale and service benefits:  
Provided further that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.
- (2) No promotion shall be denied to a person merely on the ground of his disability:  
Provided that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, as may be specified in such notification, exempt any establishment from the provisions of this section.

#### Research And Manpower Development

48. The appropriate Governments and local authorities shall promote and sponsor research, *inter alia*, in the following areas: -
- a. prevention of disability;

- b. rehabilitation including community based rehabilitation;
  - c. development of assistive devices including their psycho-social aspects;
  - d. job identification;
  - e. on site modifications in offices and factories.
49. The appropriate Governments shall provide financial assistance to universities, other institutions of higher learning, professional bodies and non-governmental research-units or institutions, for undertaking research for special education, rehabilitation and manpower development.

#### Recognition of Institutions for Persons with Disabilities

50. The State Government shall appoint any authority as it deems fit to be a competent authority for the purposes of this Act.

51. Save as otherwise provided under this Act, no person shall establish or maintain any institution for persons with disabilities except under and in accordance with a certificate of registration issued in this behalf by the competent authority:

Provided that a person maintaining an institution for persons with disabilities immediately before the commencement of this Act may continue to maintain such institution for a period of six months from such commencement and if he has made an application for such certificate under this section within the said period of six months, till the disposal of such application.

52. (1) Every application for a certificate of registration shall be made to the competent authority in such form and in such manner as may be prescribed by the State Government.

(2) On receipt of an application under sub-section (1), the competent authority shall make such enquiries as it may deem fit and where it is satisfied that the applicant has complied with the requirements of this Act and the rules made thereunder it shall grant a certificate of registration to the applicant and where it is not so satisfied the competent authority shall, by order, refuse to grant the certificate applied for :

Provided that before making any order refusing to grant a certificate the competent authority shall give to the applicant a reasonable opportunity of being heard and every order of refusal to grant a certificate shall be communicated to the applicant in such manner as may be prescribed by the State Government.

(3) No certificate of registration shall be granted under sub-section (2) unless the institution with respect to which an application has been made is in a position to provide such facilities and maintain such standards as may be prescribed by the State Government.

(4) A certificate of registration granted under this section,

- a. shall, unless revoked under section 53, remain in force for such period as may be prescribed by the State Government.
- b. may be renewed from time to time for a like period; and



- c. shall be in such form and shall be subject to such conditions as may be prescribed by the State Government.
  - (5) An application for renewal of a certificate of registration shall be made not less than sixty days before the period of validity.
  - (6) The certificate of registration shall be displayed by the institution in a conspicuous place.
53. (1) The competent authority may, if it has reasonable cause to believe that the holder of the certificate of registration granted under sub-section (2) of section 52 has -
- a. made a statement in relation to any application for the issue or renewal of the certificate which is incorrect or false in material particulars; or
  - b. committed or has caused to be committed any breach of rules or any conditions subject to which the certificate was granted, it may, after making such inquiry, as it deems fit, by order, revoke the certificate:  
 Provided that no such order shall be made until an opportunity is given to the holder of the certificate to show cause as to why the certificate should not be revoked.
- (2) Where a certificate in respect of an institution has been revoked under sub-section (1), such institution shall cease to function from the date of such revocation:  
 Provided that where an appeal lies under section 54 against the order of revocation, such institution shall cease to function -
- a. where no appeal has been preferred immediately on the expiry of the period prescribed for the filing of such appeal, or
  - b. where such appeal has been preferred, but the order of revocation has been upheld, from the date of the order of appeal.
- (3) On the revocation of a certificate in respect of an institution, the competent authority may direct that any person with disability who is an inmate of such institution on the date of such revocation, shall be -
- a. restored to the custody of her or his parent, spouse or lawful guardian, as the case may be, or
  - b. transferred to any other institution specified by the competent authority.
- (4) Every institution which holds a certificate of registration which is revoked under this section shall, immediately after such revocation, surrender such certificate to the competent authority.
54. (1) Any person aggrieved by the order of the competent authority refusing to grant a certificate or revoking a certificate may, within such period as may be prescribed by the State Government, prefer an appeal to that Government against such refusal or revocation.
- (2) The order of the State Government on such appeal shall be final.
55. Nothing contained in this Chapter shall apply to an institution for persons with disabilities established or maintained by the Central Government or a State Government.

### Institution for Persons with Severe Disabilities

56. (1) The appropriate Government may establish and maintain institutions for persons with severe disabilities at such places as it thinks fit.
- (2) Where, the appropriate Government is of opinion that any institution other than an institution, established under sub-section (1), is fit for the rehabilitation of the persons with severe disabilities, the Government may recognise such institution as an institution for persons with severe disabilities for the purposes of this Act:
- Provided that no institution shall be recognised under this section unless such institution has complied with the requirements of this Act and the rules made thereunder.
- (3) Every institution established under sub-section (1) shall be maintained in such manner and satisfy such conditions as may be prescribed by the appropriate Government.
- (4) For the purposes of this section "person with severe disability" means a person with eighty per cent. or more of one or more disabilities.

### The Chief Commissioner and Commissioners for Persons with Disabilities

- 57 (1) The Central Government may, by notification, appoint a Chief Commissioner for persons with disabilities for the purposes of this Act.
- (2) A person shall not be qualified for appointment as the Chief Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.
- (3) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the Chief Commissioner shall be such as may be prescribed by the Central Government.
- (4) The Central Government shall determine the nature and categories of officers and other employees required to assist the Chief Commissioner in the discharge of his functions and provide the Chief Commissioner with such officers and other employees as it thinks fit.
- (5) The officers and employees provided to the Chief Commissioner shall discharge their functions under the general superintendence of the Chief Commissioner.
- (6) The salaries and allowances and other conditions of service of officers and employees provided to the Chief Commissioner shall be such as may be prescribed by the Central Government.
58. The Chief Commissioner shall -
- a. coordinate the work of the Commissioners;
  - b. monitor the utilisation of funds disbursed by the Central Government;
  - c. take steps to safeguard the rights and facilities made available to persons with disabilities;
  - d. submit reports to the Central Government on the implementation of the Act at such intervals as that Government may prescribe.

59. Without prejudice to the provisions of section 58 the Chief Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to –
- a. deprivation of rights of persons with disabilities;
  - b. non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities, and take up the matter with appropriate authorities.
60. (1) Every State Government may, by notification appoint a Commissioner for persons with disabilities for the purposes of this Act.
- (2) A person shall not be qualified for appointment as a Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.
  - (3) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the Commissioner shall be such as may be prescribed by the State Government.
  - (4) The State Government shall determine the nature and categories of officers and other employees required to assist the Commissioner in the discharge of his functions and provide the Commissioner with such officers and other employees as it thinks fit.
  - (5) The officers and employees provided to the Commissioner shall discharge their functions under the general superintendence of the Commissioner.
  - (6) The salaries and allowances and other conditions of service of officers and employees provided to the Commissioner shall be such as may be prescribed by the State Government.
61. The Commissioner within the State shall -
- a. coordinate with the departments of the State Government for the programmes and schemes for the benefit of persons with disabilities;
  - b. monitor the utilization of funds disbursed by the State Government;
  - c. take steps to re-guard the rights and facilities made available to persons with disabilities;
  - d. submit reports to the State Government on the implementation of the Act as such intervals as that Government may prescribe and forward a copy thereof to the Chief Commissioner.
62. Without prejudice to the provisions of section 61 the Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to -
- a. deprivation of rights of persons with disabilities;
  - b. non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities, and take up the matter with the appropriate authorities.

63. The Chief Commissioner and the Commissioners shall, for the purpose of discharging their functions under this Act, have the same powers as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely :-
- a. summoning and enforcing the attendance of witnesses;
  - b. requiring the discovery and production of any document;
  - c. requisitioning any public record or copy thereof from any court or office;
  - d. receiving evidence on affidavits; and
  - e. issuing commissions for the examination of witnesses or documents.
- (2) Every proceeding before the Chief Commissioner and Commissioners shall be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the Chief Commissioner, the Commissioner, the competent authority, shall be deemed to be a civil court for the purposes of section on 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.
64. (1) The Chief Commissioner shall prepare in such form and at such time for each financial year as may be prescribed by the Central Government an annual report giving a full account of his activities during the previous financial year and forward a copy thereof to the Central Government.
- (2) The Central Government shall cause the annual report to be laid before each House of Parliament along with the recommendations explaining the action taken or proposed to be taken on the recommendation made therein in so far as they relate to the Central Government and the reasons for non-acceptance, if any, of any such recommendation or part.
65. (1) The Commissioner shall prepare in such form and at such time for each financial year as may be prescribed by the State Government an annual report giving a full account of his activities during the previous financial year and forward a copy thereof to the State Government.
- (2) The State Government shall cause the annual report to be laid before each State Legislature along with the recommendations explaining the action taken or proposed to be taken on the recommendation made therein in so far as they relate to the State Government and the reasons for non-acceptance, if any, of any such recommendation or part.

#### Social Security

66. (1) The appropriate Governments and the local authorities shall within the limits of their economic capacity and development undertake or cause to be undertaken rehabilitation of all persons with disabilities.
- (2) For purposes of sub-section (1), the appropriate Governments and local authorities shall grant financial assistance to non-governmental organisations.

(3) The appropriate Governments and local authorities while formulating rehabilitation policies shall consult the non-governmental organisations working for the cause of persons with disabilities.

67. (1) The appropriate Government shall by notification frame an insurance scheme for the benefit of its employees with disabilities.

(2) Notwithstanding anything contained in this section, the appropriate Government may instead of framing an insurance scheme frame an alternative security scheme for its employees with disabilities.

The appropriate Governments shall within the limits of their economic capacity and development shall by notification frame a scheme for payment of an unemployment allowance to persons with disabilities registered with the Special Employment Exchange for more than two years and who could not be placed in any gainful occupation.

#### Miscellaneous

69. Whoever, fraudulently avails or attempts to avail, any benefit meant for persons with disabilities, shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to twenty thousand rupees or with both.

70. The Chief Commissioner, the Commissioners and other officers and staff provided to them shall be deemed to be public servants within the meaning or section 21 of the Indian Penal Code.

71. No suit, prosecution or other legal proceeding shall lie against the Central Government, the State Governments or the local authority or any officer of the Government in respect of anything which is done in good faith or intended to be done in pursuance of this Act and any rules or orders made thereunder.

72. The provisions of this Act, or the rules made thereunder shall be in addition to and not in derogation of any other law for the time being in force or any rules, order or any instructions issued thereunder, enacted or issued for the benefit of persons with disabilities.

73. (1) The appropriate Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely: -

- a. the manner in which a State Government or a Union territory shall be chosen under clause (k) of sub-section (2) of section 3;
- b. allowances which members shall receive under sub-section (7) of section 4;
- c. rules of procedure which the Central Coordination Committee shall observe in regard to the transaction of business in its meeting under section 7;
- d. such other functions which the Central Coordination Committee may perform under clause (h) of sub-section (2) of section 8;

- e. the manner in which a State Government or a Union territory shall be chosen under clause (h) of sub-section (2) of section 9;
- f. the allowances which the Members shall receive under sub-section (3) of section 9;
- g. rules of procedure which the Central Executive Committee shall observe in regard to transaction of business at its meetings under section 11;
- h. the manner and purposes for which a person may be associated under sub-section (1) of section 12;
- i. fees and allowances which a person associated with the Central Executive Committee shall receive under sub-section (3) of section 12;
- j. allowances which members shall receive under sub-section (7) of section 14;
- k. rules of procedure which a State Coordination Committee shall observe in regard to transaction of business in its meetings under section 17;
- l. such other functions which a State Coordination Committee may perform under clause (g) of sub-section (2) of section 18;
- m. the allowances which Members shall receive under sub-section (3) of section 19;
- n. rules of procedure which a State Executive Committee shall observe in regard to transaction of business at its meetings under section 21;
- o. the manner and purposes for which a person may be associated under sub-section (1) of section 22;
- p. fees and allowances which a person associated with the State Executive Committee may receive under sub-section (3) of section 22;
- q. information or return which the employer in every establishment should furnish and the Special Employment Exchange to which such information or return shall be furnished under sub-section (1) of section 34;
- r. the form and the manner in which record shall be maintained by an employer under sub-section (1) of section 37;
- s. the form and manner in which an application shall be made under sub-section (1) of section 52;
- t. the manner in which an order of refusal shall be communicated under sub-section (2) of section 52;
- u. facilities or standards required to be provided or maintained under sub-section (3) of section 52;
- v. the period for which a certificate of registration shall be valid under clause (a) of sub-section (4) of section 52;
- w. the form in which and conditions subject to which a certificate of registration shall be granted under clause (c) of sub-section (4) of section 52;
- x. period within which an appeal shall lie under sub-section (1) of section 54;
- y. the manner in which an institution for persons with severe disabilities shall be maintained and conditions which have to be satisfied under sub-section (3) of section 56;
- z. the salary, allowances and other terms and conditions of service of the Chief Commissioner under sub-section (3) of section 57;
- za. the salary, allowances and other conditions of service of officers and employees under sub-section (6) of section 57;
- zb. intervals at which the Chief Commissioner shall report to the Central Government under clause (d) of section 58;

- zc. the salary, allowances and other terms and conditions of service of the Commissioner under sub-section (3) of section 60;
- zd. the salary, allowances and other conditions of service of officers and employees under sub-section (6) of section 60;
- ze. intervals within which the Commissioner shall report to the State Government under clause (d) of section 61;
- zf. the form and time in which annual report shall be prepared under sub-section (1) of section 64;
- zg. the form and time in which annual report shall be prepared under sub-section (1) of section 65;
- zh. any other matter which is required to be or may be prescribed.

(3) Every notification made by the Central Government under the proviso to section 33, proviso to sub-section (2) of section 47, every scheme framed by it under section 27, section 30, sub-section (1) of section 38, section 42, section 43, section 67, section 68 and every rule made by it under sub-section (1), shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, notification or scheme, both Houses agree that the rule, notification or scheme should not be made, the rule, notification or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule, notification or scheme, as the case may be.

(4) Every notification made by the State Government under the proviso to section 33, proviso to sub-section (2) of section 47, every scheme made by it under section 27, section 30, sub-section (1) of section 38, section 42 section 43, section 67, section 68 and every rule made by it under sub-section (1), shall be laid, as soon as may be after it is made, before each House of State Legislature, where it consists of two Houses or where such legislature consists of one House before that House.

74. In section 12 of the Legal Services Authorities Act, 1987, for clause (d), the following clause shall be substituted, namely:-

"(d) a person with disability as defined in clause (i) of section 2 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995."



**भारत का राजपत्र**  
**The Gazette of India**

EXTRAORDINARY

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PART II - Section I

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 Separate paging is given to this Part in order that it may be filed as a separate compilation.
 

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**MINISTRY OF LAW AND JUSTICE****(Legislative Department)***New Delhi. the 27th August, 2009/Bhadra 5, 1931 (Saka)*

The following Act of Parliament received the assent of the President on the 26th August, 2009 and is hereby published for general information:-

**THE RIGHT OF CHILDREN TO FREE AND COMPULSORY****EDUCATION ACT, 2009**

No. 35 of 2009

*[26th August, 2009.]*

An Act to provide for free and compulsory education to all children of the age of six to fourteen years.

Be it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:-



**CHAPTER-I**  
**PRELIMINARY**

1. (1) This Act may be called the Right of Children to Free and Compulsory Education Act, 2009.

Short title,  
extent and  
commence-  
ment

(2) It shall extend to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions

2. In this Act, unless the context otherwise requires,-

(a) "appropriate Government" means-

(i) in relation to a school established, owned or controlled by the Central Government, or the administrator of the Union territory, having no legislature, the Central Government;

(ii) in relation to a school, other than the school referred to in subclause (i), established within the territory of-

(A) a State, the State Government;

(B) a Union territory having legislature, the Government of that Union territory;

(b) "capitation fee" means any kind of donation or contribution or payment other than the fee notified by the school;

(c) "child" means a male or female child of the age of six to fourteen years;

(d) "child belonging to disadvantaged group" means a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class or such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government, by notification;

(e) "child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification;

(f) "elementary education" means the education from first class to eighth class;

(g) "guardian", in relation to a child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court or a statute;

(h) "local authority" means a Municipal Corporation or Municipal Council or Zila Parishad or Nagar Panchayat or Panchayat, by whatever name called, and includes such other authority or body having administrative control over the school or empowered by or under any law for the time being in force to function as a local authority in any city, town or village;

(i) "National Commission for Protection of Child Rights" means the National Commission for Protection of Child Rights constituted under section 3 of the Commissions for Protection of Child Rights Act, 2005;

4 of 2006

(j) "notification" means a notification published in the Official Gazette;

(k) "parent" means either the natural or step or adoptive father or mother of a child;

(l) "prescribed" means prescribed by rules made under this Act;

(m) "Schedule" means the Schedule annexed to this Act;

(n) "school" means any recognised school imparting elementary education and includes-

(i) a school established, owned or controlled by the appropriate Government or a local authority;

(ii) an aided school receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;

(iii) a school belonging to specified category; and

(iv) an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;

(o) "screening procedure" means the method of selection for admission of a child, in preference over another, other than a random method;

(p) "specified category", in relation to a school, means a school known as Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School or any other school having a distinct character which may be specified, by notification, by the appropriate Government;

(q) "State Commission for Protection of Child Rights" means the State Commission for Protection of Child Rights constituted under section 3 of the Commissions for Protection of Child Rights Act, 2005.

4 of 2006

## CHAPTER-II

## RIGHT TO FREE AND COMPULSORY EDUCATION

3. (1) Every child of the age of six to fourteen years shall have a right to free and compulsory education in a neighbourhood school till completion of elementary education.

Right of child to free and compulsory education

(2) For the purpose of sub-section (1), no child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing the elementary education;

1 of 1996

Provided that a child suffering from disability, as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection and Full Participation) Act, 1996, shall have the right to pursue free and compulsory elementary education in accordance with the provisions of Chapter V of the said Act.

4. Where a child above six years of age has not been admitted in any school or though admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age;

Special provisions for children not admitted to, or who have not completed, elementary education

Provided that where a child is directly admitted in a class appropriate to his or her age, then, he or she shall, in order to be at par with others, have a right to receive special training, in such manner, and within such time-limits, as may be prescribed;

Provided further that a child so admitted to elementary education shall be entitled to free education till completion of elementary education even after fourteen years.

5. (1) Where in a school, there is no provision for completion of elementary education, a child shall have a right to seek transfer to any other school, excluding the school specified in sub-clauses (iii) and (iv) of clause (n) of section 2. for completing his or her elementary education.

Right of transfer to other school

(2) Where a child is required to move from one school to another, either within a State or outside, for any reason whatsoever, such child shall have a right to seek transfer to any other school, excluding the school specified in sub-clauses (iii) and (iv) of clause (n) of section 2, for completing his or her elementary education.

(3) For seeking admission in such other school, the Head-teacher or in-charge of the school where such child was last admitted, shall immediately issue the transfer certificate;

Provided that delay in producing transfer certificate shall not be a ground for either delaying or denying admission in such other school;

Provided further that the Head-teacher or in-charge of the school delaying issuance of transfer certificate shall be liable for disciplinary action under the service rules applicable to him or her.

## CHAPTER III

DUTIES OF APPROPRIATE GOVERNMENT, LOCAL  
AUTHORITY AND PARENTS

6. For carrying out the provisions of this Act, the appropriate Government and the local authority shall establish, within such area or limits of neighbourhood, as may be prescribed, a school, where it is not so established, within a period of three years from the commencement of this Act.

Duty of appropriate Government and local authority to establish school

Sharing of financial and other responsibilities

7. (1) The Central Government and the State Governments shall have concurrent responsibility for providing funds for carrying out the provisions of this Act.

(2) The Central Government shall prepare the estimates of capital and recurring expenditure for the implementation of the provisions of the Act.

(3) The Central Government shall provide to the State Governments, as grants-in-aid of revenues, such percentage of expenditure referred to in sub-section (2) as it may determine, from time to time, in consultation with the State Governments.

(4) The Central Government may make a request to the President to make a reference to the Finance Commission under sub-clause (d) of clause (3) of article 280 to examine the need for additional resources to be provided to any State Government so that the said State Government may provide its share of funds for carrying out the provisions of the Act.

(5) Notwithstanding anything contained in sub-section (4), the State Government shall, taking into consideration the sums provided by the Central Government to a State Government under sub-section (3), and its other resources, be responsible to provide funds for implementation of the provisions of the Act.

(6) The Central Government shall-

(a) develop a framework of national curriculum with the help of academic authority specified under section 29;

(b) develop and enforce standards for training of teachers;

(c) provide technical support and resources to the State Government for promoting innovations, researches, planning and capacity building.

Duties of appropriate Government

8. The appropriate Government shall-

(a) provide free and compulsory elementary education to every child;

Provided that where a child is admitted by his or her parents or

guardian, as the case may be, in a school other than a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or a local authority, such child or his or her parents or guardian, as the case may be, shall not be entitled to make a claim for reimbursement of expenditure incurred on elementary education of the child in such other school.

Explanation- The term "compulsory education" means obligation of the appropriate Government to-

(i) provide free elementary education to every child of the age of six to fourteen years; and

(ii) ensure compulsory admission, attendance and completion of elementary education by every child of the age of six to fourteen years;

(b) ensure availability of a neighbourhood school as specified in section 6;

(c) ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds;

(d) provide infrastructure including school building, teaching staff and learning equipment,

(e) provide special training facility specified in section 4;

(f) ensure and monitor admission, attendance and completion of elementary education by every child;

(g) ensure good quality elementary education conforming to the standards and norms specified in the Schedule;

(h) ensure timely prescribing of curriculum and courses of study for elementary education; and

(i) provide training facility for teachers.

**9. Every local authority shall-**

(a) provide free and compulsory elementary education to every child;

provided that where a child is admitted by his or her parents or guardian, as the case may be, in a school other than a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or a local authority, such child or his or her parents or guardian, as the case may be, shall not be entitled to make a claim for reimbursement of expenditure incurred on elementary education of the child in such other school;

Duties of local authority

(b) ensure availability of a neighbourhood school as specified in section 6;

(c) ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds;

(d) maintain records of children up to the age of fourteen years residing within its jurisdiction, in such manner' as may be prescribed;

(e) ensure and monitor admission, attendance and completion of elementary education by every child residing within its jurisdiction;

(f) provide infrastructure including school building, teaching staff and learning material;

(g) provide special training facility specified in section 4;

(h) ensure good quality elementary education conforming to the standards and norms specified in the Schedule;

(i) ensure timely prescribing of curriculum and courses of study for elementary education;

(j) provide training facility for teachers;

(k) ensure admission of children of migrant families;

(l) monitor functioning of schools within its jurisdiction; and

(m) decide the academic calendar.

**10.** It shall be the duty of every parent or guardian to admit or cause to be admitted his or her child or ward, as the case may be, to an elementary education in the neighbourhood school.

Duty of parents and guardian

**11.** With a view to prepare children above the age of three years for elementary education and to provide early childhood care and education for all children until they complete the age of six years, the appropriate Government may make necessary arrangement for providing free pre-school education for such children.

Appropriate Government to provide for pre-school education

## CHAPTER-IV

### RESPONSIBILITIES OF SCHOOLS AND TEACHERS

**12.** (1) For the purposes of this Act, a school,-

(a) specified in sub-clause (i) of clause (n) of section 2 shall provide free and compulsory elementary education to all children admitted therein;

(b) specified in sub-clause (ii) of clause (n) of section 2 shall provide free and compulsory elementary education to such proportion of children admitted therein as its annual recurring aid or grants so received bears to its annual recurring expenses, subject to a minimum of twenty-five per cent;

Extent of school's responsibility for free and compulsory education

(c) specified in sub-clauses (iii) and (iv) of clause (n) of section 2 shall admit in class I, to the extent of at least twenty-five per cent, of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion.

Provided further that where a school specified in clause (n) of section 2 imparts pre-school education, the provisions of clauses (a) to (c) shall apply for admission to such pre-school education.

(2) The school specified in sub-clause (iv) of clause (n) of section 2 providing free and compulsory elementary education as specified in clause (c) of sub-section (1) shall be reimbursed expenditure so incurred by it to the extent of per-child-expenditure incurred by the State, or the actual amount charged from the child, whichever is less, in such manner as may be prescribed;

Provided that such reimbursement shall not exceed per-child-expenditure incurred by a school specified in sub-clause (i) of clause (n) of section 2.

Provided further that where such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation.

(3) Every school shall provide such information as may be required by the appropriate Government or the local authority, as the case may be.

**13.** (1) No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure.

(2) Any school or person, if in contravention of the provisions of sub-section (1),-

(a) receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;

(b) subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.

**14.** (1) For the purposes of admission to elementary education, the age of a child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births, Deaths and Marriages Registration Act, 1886 or on the basis of such other document, as may be prescribed.

(2) No child shall be denied admission in a school for lack of age proof.

No  
capitation  
fee and  
screening  
procedure  
for  
admission

Proof of age  
for admis-  
sion

No denial of admission

**15.** A child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed;

Provided that no child shall be denied admission if such admission is sought subsequent to the extended period;

Provided further that any child admitted after the extended period shall complete his studies in such manner as may be prescribed by the appropriate Government.

Prohibition of holding back and expulsion

**16.** No child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education.

Prohibition of physical punishment and mental harassment to child

**17.** (1) No child shall be subjected to physical punishment or mental harassment.

(2) Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person.

No School to be established without obtaining certificate of recognition

**18.** (1) No school, other than a school established, owned or controlled by the appropriate Government or the local authority, shall, after the commencement of this Act, be established or function, without obtaining a certificate of recognition from such authority, by making an application in such form and manner, as may be prescribed.

(2) The authority prescribed under sub-section (1) shall issue the certificate of recognition in such form, within such period, in such manner, and subject to such conditions, as may be prescribed;

Provided that no such recognition shall be granted to a school unless it fulfils norms and standards specified under section 19.

(3) On the contravention of the conditions of recognition, the prescribed authority shall, by an order in writing, withdraw recognition :

Provided that such order shall contain a direction as to which of the neighbourhood school, the children studying in the derecognised school, shall be admitted; Provided further that no recognition shall be so withdrawn without giving an opportunity of being heard to such school, in such manner, as may be prescribed.

(4) With effect from the date of withdrawal of the recognition under sub-section (3), no such school shall continue to function.

(5) Any person who establishes or runs a school without obtaining certificate of recognition, or continues to run a school after withdrawal of recognition, shall be liable to fine which may extend to one lakh rupees and in case of continuing contravention, to a fine of ten thousand rupees for each day during which such contravention continues.



**19.** (1) No school shall be established, or recognised, under section 18, unless it fulfils the norms and standards specified in the Schedule.

Norms and standards for school

(2) Where a school established before the commencement of this Act does not fulfil the norms and standards specified in the Schedule, it shall take steps to fulfil such norms and standards at its own expenses, within a period of three years from the date of such commencement.

(3) Where a school fails to fulfil the norms and standards within the period specified under sub-section (2), the authority prescribed under sub-section (1) of section 18 shall withdraw recognition granted to such school in the manner specified under sub-section (3) thereof.

(4) With effect from the date of withdrawal of recognition under sub-section (3), no school shall continue to function.

(5) Any person who continues to run a school after the recognition is withdrawn, shall be liable to fine which may extend to one lakh rupees and in case of continuing contraventions, to a fine of ten thousand rupees for each day during which such contravention continues.

**20.** The Central Government may, by notification, amend the Schedule by adding to, or omitting therefrom, any norms and standards.

Power to amend Schedule

**21.** (1) A school, other than a school specified in sub-clause (iv) of clause (n) of section 2, shall constitute a School Management Committee consisting of the elected representatives of the local authority, parents or guardians of children admitted in such school and teachers;

School Management Committee

Provided that atleast three-fourth of members of such Committee shall be parents or guardians;

Provided further that proportionate representation shall be given to the parents or guardians of children belonging to disadvantaged group and weaker section.

Provided also that fifty per cent, of Members of such Committee shall be women.

(2) The School Management Committee shall perform the following functions, namely:-

(a) monitor the working of the school;

(b) prepare and recommend school development plan;

(c) monitor the utilisation of the grants received from the appropriate Government or local authority or any other source; and

School De-  
velopment  
Plan

(d) perform such other functions as may be prescribed.

**22.** (1) Every School Management Committee, constituted under sub-section (1) of section 21, shall prepare a School Development Plan, in such manner as may be prescribed.

(2) The School Development Plan so prepared under sub-section (1) shall be the basis for the plans and grants to be made by the appropriate Government or local authority, as the case may be.

Qualifica-  
tions for ap-  
pointment  
and terms  
and condi-  
tions of ser-  
vice of  
teachers

**23.** (1) Any person possessing such minimum qualifications, as laid down by an academic authority, authorised by the Central Government, by notification, shall be eligible for appointment as a teacher.

(2) Where a State does not have adequate institutions offering courses or training in teacher education, or teachers possessing minimum qualifications as laid down under sub-section (1) are not available in sufficient numbers, the Central Government may, if it deems necessary, by notification, relax the minimum qualifications required for appointment as a teacher, for such period, not exceeding five years, as may be specified in that notification:

Provided that a teacher who, at the commencement of this Act, does not possess minimum qualifications as laid down under sub-section (1), shall acquire such minimum qualifications within a period of five years.

(3) The salary and allowances payable to, and the terms and conditions of service of, teachers shall be such as may be prescribed.

Duties of  
teachers  
and  
redressal of  
grievances

**24.** (1) A teacher appointed under sub-section (1) of section 23 shall perform the following duties, namely:-

(a) maintain regularity and punctuality in attending school;

(b) conduct and complete the curriculum in accordance with the provisions of sub-section (2) of section 29;

(c) complete entire curriculum within the specified time;

(d) assess the learning ability of each child and accordingly supplement additional instructions, if any, as required;

(e) hold regular meetings with parents and guardians and apprise them about the regularity in attendance, ability to learn, progress made in learning and any other relevant information about the child; and

(f) perform such other duties as may be prescribed.

(2) A teacher committing default in performance of duties specified in sub-section (1), shall be liable to disciplinary action under the service rules applicable to him or her.

Provided that before taking such disciplinary action, reasonable opportunity of being heard shall be afforded to such teacher.

Pupil-  
Teacher  
Ratio

(3) The grievances, if any, of the teacher shall be redressed in such manner as may be prescribed.

**25.** (1) Within six months from the date of commencement of this Act, the appropriate Government and the local authority shall ensure that the Pupil-Teacher Ratio, as specified in the Schedule, is maintained in each school.

Filling up va-  
cancies of  
teachers

(2) For the purpose of maintaining the Pupil-Teacher Ratio under sub-section (1), no teacher posted in a school shall be made to serve in any other school or office or deployed for any non-educational purpose, other than those specified in section 27.

Prohibition of  
deployment  
of teachers  
for non-edu-  
cational pur-  
poses

**26.** The appointing authority, in relation to a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or by a local authority, shall ensure that vacancy of teacher in a school under its control shall not exceed ten per cent of the total sanctioned strength.

Prohibition of  
private tu-  
ition by  
teacher

**27.** No teacher shall be deployed for any non-educational purposes other than the decennial population census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament, as the case may be.

**28.** No teacher shall engage himself or herself in private tuition or private teaching activity.

## CHAPTER-V

### CURRICULUM AND COMPLETION OF ELEMENTARY EDUCATION

Curriculum  
and evalua-  
tion proce-  
dure

**29.** (1) The curriculum and the evaluation procedure for elementary education shall be laid down by an academic authority to be specified by the appropriate Government, by notification.

(2) The academic authority, while laying down the curriculum and the evaluation procedure under sub-section (1), shall take into consideration the following, namely:-

(a) conformity with the values enshrined in the Constitution;

(b) all round development of the child;

(c) building up child's knowledge, potentiality and talent;

(d) development of physical and mental abilities to the fullest extent;

(e) learning through activities, discovery and exploration in a child friendly and child-centered manner;

(f) medium of instructions shall, as far as practicable, be in child's mother tongue;

(g) making the child free of fear, trauma and anxiety and helping the child to express views freely;

(h) comprehensive and continuous evaluation of child's understanding of knowledge and his or her ability to apply the same.

Examination  
and comple-  
tion  
certificate

**30. (1)** No child shall be required to pass any Board examination till completion of elementary education.

(2) Every child completing his elementary education shall be awarded a certificate, in such form and in such manner, as may be prescribed.

## CHAPTER-VI

### PROTECTION OF RIGHT OF CHILDREN

Monitoring of  
child's right  
to education

4 of 2006

**31. (1)** The National Commission for Protection of Child Rights constituted under section 3, or, as the case may be, the State Commission for Protection of Child Rights constituted under section 17, of the Commissions for Protection of Child Rights Act, 2005, shall, in addition to the functions assigned to them under that Act, also perform the following functions, namely:-

(a) examine and review the safeguards for rights provided by or under this Act and recommend measures for their effective implementation;

(b) inquire into complaints relating to child's right to free and compulsory education; and

(c) take necessary steps as provided under sections 15 and 24 of the said Commissions for Protection of Child Rights Act.

(2) The said Commissions shall, while inquiring into any matters relating to child's right to free and compulsory education under clause (c) of sub-section (1), have the same powers as assigned to them respectively under sections 14 and 24 of the said Commissions for Protection of Child Rights Act.

(3) Where the State Commission for Protection of Child Rights has not been constituted in a State, the appropriate Government may, for the purpose of performing the functions specified in clauses (a) to (c) of sub-section (1), constitute such authority, in such manner and subject to such terms and conditions, as may be prescribed.

Redressal of  
grievances

**32. (1)** Notwithstanding anything contained in section 31, any person having any grievance relating to the right of a child under this Act may make a written complaint to the local authority having jurisdiction.

(2) After receiving the complaint under sub-section (1), the local

authority shall decide the matter within a period of three months after affording a reasonable opportunity of being heard to the parties concerned.

(3) Any person aggrieved by the decision of the local authority may prefer an appeal to the State Commission for Protection of Child Rights or the Authority prescribed under sub-section (3) of section 31, as the case may be.

(4) The appeal preferred under sub-section (3) shall be decided by State Commission for Protection of Child Rights or the authority prescribed under sub-section (3) of section 31, as the case may be, as provided under clause (c) of sub-section (1) of section 31.

Constitution  
of National  
Advisory  
Council

**33.** (1) The Central Government shall constitute, by notification, a National Advisory Council, consisting of such number of Members, not exceeding fifteen, as the Central Government may deem necessary, to be appointed from amongst persons having knowledge and practical experience in the field of elementary education and child development.

(2) The functions of the National Advisory Council shall be to advise the Central Government on implementation of the provisions of the Act in an effective manner.

(3) The allowances and other terms and conditions of the appointment of Members of the National advisory Council shall be such as may be prescribed.

Constitution  
of State  
Advisory  
Council

**34.** (1) The State Government shall constitute, by notification, a State Advisory Council consisting of such number of Members, not exceeding fifteen, as the State Government may deem necessary, to be appointed from amongst persons having knowledge and practical experience in the field of elementary education and child development.

(2) The functions of the State Advisory council shall be to advise the State Government on implementation of the provisions of the Act in an effective manner.

(3) The allowances and other terms and conditions of appointment of Members of the State Advisory Council shall be such as may be prescribed.

Power to  
issue  
directions

## CHAPTER-VII

### MISCELLANEOUS

**35.** (1) The Central Government may issue such guidelines to the appropriate Government or, as the case may be, the local authority, as it deems fit for the purposes of implementation of the provisions of this Act.

(2) The appropriate Government may issue guidelines and give

such directions, as it deems fit, to the local authority or the School management Committee regarding implementation of the provisions of this Act.

(3) The local authority may issue guidelines and give such directions, as it deems fit, to the School Management Committee regarding implementation of the provisions of this Act.

Previous  
sanction for  
prosecution

**36.** No prosecution for offences punishable under sub-section (2) of section 13, sub-section (5) of section 18 and sub-section (5) of section 19 shall be instituted except with the previous sanction of an officer authorised in this behalf, by the appropriate Government, by notification.

Protection of  
action taken  
in good faith

**37.** No suit or other legal proceeding shall lie against the Central Government, the State Government, the National Commission for Protection of Child Rights, the State Commission for Protection of Child Rights, the local authority, the School Management Committee or any person, in respect of anything which is in good faith done or intended to be done, in pursuance of this Act, or any rules or order made thereunder.

Power of ap-  
propriate  
Government  
to make  
rules

**38.** (1) The appropriate Government may, by notification, make rules, for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

(a) the manner of giving special training and the time-limit thereof, under first proviso to section 4;

(b) the area or limits for establishment of a neighbourhood school, under section 6;

(c) the manner of maintenance of records of children up to the age of fourteen years, under clause (d) of section 9;

(d) the manner and extent of reimbursement of expenditure, under sub-section (1) of section 12;

(e) any other document for determining the age of child under sub-section (1) of section 14;

(f) the extended period for admission and the manner of completing study if admitted after the extended period, under section 15;

(g) the authority, the form and manner of making application for certificate of recognition, under sub-section (2) of section 18;

(h) the form, the period, the manner and the conditions for issuing

certificate of recognition, under sub-section (2) of section 18;

(i) the manner of giving opportunity of hearing under second proviso to sub-section (3) of section 18;

(j) the other functions to be performed by School Management Committee under clause (d) of sub-section (2) of section 21;

(k) the manner of preparing School Development Plan under sub-section (1) of section 22;

(l) the salary and allowances payable to, and the terms and conditions of service of, teacher, under sub-section (3) of section 23;

(m) the duties to be performed by the teacher under clause (f) of sub-section (1) of section 24;

(n) the manner of redressing grievances of teachers under sub-section (3) of section 24;

(o) the form and manner of awarding certificate for completion of elementary education under sub-section (2) of section 30;

(p) the authority, the manner of its constitution and the terms and conditions therefor, under sub-section (3) of section 31;

(q) the allowances and other terms and conditions of appointment of Members of the National Advisory Council under sub-section (3) of section 33;

(r) the allowances and other terms and conditions of appointment of Members of the State Advisory Council under sub-section (3) of section 34;

(3) Every rule made under this Act and every notification issued under sections 20 and 23 by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expire of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of any thing previously done under that rule or notification.

(4) Every rule or notification made by the State Government under this Act shall be laid, as soon as may be after it is made; before the State Legislatures.

### THE SCHEDULE

(See sections 19 and 25)

#### Norms and Standards for a School

S.No.	Item	Norms and Standards	
1.	Number of teachers:		
	(a) For first class to fifth class	Admitted children	Number of teachers
		Up to Sixty	Two
		Between sixty-one to ninety	Three
		Between Ninety-one to one hundred and twenty	Four
		Between One hundred and twenty-one to two hundred	Five
		Above One hundred and fifty children	five plus one Head-teacher
		above Two hundred children	Pupil- Teacher Ratio (excluding Head-teacher) shall not exceed forty.
	(b) For sixth class to eighth class	(1) At least one teacher per class so that there shall be at least one teacher each for-	
		(i) Science and Mathematics;	
		(ii) Social Studies;	
		(iii) Languages.	
		(2) At least one teacher for every thirty-five children.	
		(3) Where admission of children is above one hundred-	
		(i) a full time head-teacher;	
		(ii) part time instructors for-	
		(A) Art Education;	
		(B) Health and Physical Education;	
		(C) Work Education;	
2.	Building	All-weather building consisting of-	
		(i) at least one class-room for every teacher and an office-cum-store-cum-Head teacher's room;	
		(ii) barrier free access;	



S.N.	Item	Norms and Standards
		(iii) separate toilets for boys and girls;
		(iv) safe and adequate drinking water facility to all children;
		(v) a kitchen where mid-day meal is cooked in the school;
		(vi) Playground;
		(vii) arrangements for securing the school building by boundary wall or fencing;
3.	Minimum number of working days/ instructional hours in an academic year	(i) two hundred working days for first class to fifth class;
		(ii) two hundred and twenty working days for sixth class to eighth class;
		(iii) eight hundred instructional hours per academic year for first class to fifth class;
		(iv) one thousand instructional hours per academic year for sixth class to eighth class;\
4.	Minimum number of working hours per week for the teacher	forty-five teaching including preparation hours.
5.	Teaching learning equipment	Shall be provided to each class as required.
6.	Library	There shall be a library in each school providing newspaper, magazines and books on all subjects, including story-books.
7.	Play material, games and sports equipment	Shall be provided to each class as required.

**T.K. VISWANATHAN,**  
**Secretary to the Govt. of India**

## **ASSESSMENT GUIDELINES**

### **Low Vision**

**Note:** Presence of any 4 of the following symptoms indicates Low Vision.

1. The child has difficulty in reading from the black board, even if s/he is sitting in the first row.
2. The child keeps the book too far or too close of his/her eyes while reading
3. The child is not able to write in the prescribed space/line due to low vision.
4. The child finds difficult to identify objects/people at a distance (4-5 meters or further).
5. The child has problem in following moving objects.
6. The child is not able to identify/match colours.
7. The child has difficulty in identifying numbers, symbols and patterns.
8. The child has problem in following path.
9. Lighting variation in the environment confuse the child.
10. The child functions better when given bold print, good contrast, required illumination.
11. The child is not able to read the objects at about 14 inches.
12. The child is not able to follow 2-D representation of any object.
13. The child has difficulty in focusing because of unstable movement of the eye balls.
14. The child gets confused between the shadows and the level changes.
15. The child has problem in recognizing actions and facial expression.
16. The child mobility is badly affected in semi-dark area.

### **Cerebral Palsy**

**Note:** Check from the parents (if the child has a history of delayed milestones, fits, prolonged symptoms of drooling and involuntary movements before the age of 6 years. Presence of 2 additional symptoms along with the underlined statements indicates Cerebral Palsy.

- The child has problems in controlling voluntary movements.
- The child has an odd gait, posture and shows problems in balancing.
- The child has difficulty in gross motor skills such as sitting on a regular chair without support, walking, jumping, climbing, bending etc.
- The child has problems in fine motor and eye-hand coordination skills such as holding and placing objects, cutting, pasting, writing etc.

- The child has problems in performing Activities of Daily Living.
- The child has problems in articulation and regulating breathing while speaking.
- The child may have associated problems in hearing/vision/mental retardation/seizures, etc.
- The child requires assistance in reading/writing due to in-co-ordination.
- The child is too stiff or too floppy to be able to sit or stand.
- The child is stuck in one position and is unable to move.
- Has not achieved head and neck control.

### **Autism**

**Note:** Presence of 2 additional symptoms along with the underlined statements indicates Autism.

- The child has difficulty in making the sustaining an eye contact.
- The child shows echolalia or repeat words (for example, on being asked 'what is; your name?' they will repeat 'what is your name?', instead of telling their name.
- The child reverses pronouns like 'I' and 'You'.
- The child has difficulty in playing with peer group/classmates. May not be able to wait, take-turns or follow the rules of the game.
- The child has problems in understanding body language of others. For example: 'yes' or 'no' by movement of head and 'come here' by use of hands.
- The child appears to be aloof.
- The child does not always respond to his/her name immediate.
- The child exhibits repetitive motor mannerisms like rocking, spinning, hand flapping etc.
- The child interrupts or disturbs the class very often by asking a question repetitively or out of context.
- The child is pre-occupied or fixated on a topic, object or an activity.
- The child has exceptional rote memory for numbers, dates, phone numbers, names, etc.
- The child is over selective about his/her seat, subject, students and shows resistance to change.
- The child may show compulsive tendencies to smell/touch things, cover his/her ears/eyes.
- The child is not able to explain that s/he is angry, sad, in pain, etc. and why?

### **Multiple Disabilities (MD)**

**Note:** Since this is a combination of more than one kind of disability, symptoms from other disabilities also must be kept in mind. The obvious symptoms of MD are underlined.

- The child use glasses, hearing aids, crutches, wheel chair etc.
- The child has a visible deformities like, large head/small head/extra fingers/extra toes.
- The child startles when a known object is brought near him/her suddenly.
- The child shows habits like poking the eyes, waving the hands and jumping towards light.
- The child goes very near to the objects and touches them to identify.
- The child is not aware of the school bell and does not understand the movement of people when the bell rings.
- The child talks or shows gestures to his/her classmates or never interacts at all.
- The child does not recognize that his/her friends are writing and copying from the board.
- The child does not maintain the proper posture when the physical education class is being taken.
- The child prefers any particular corner of the classroom.

Intellectual Impairment (Mild Mental Retardation, Slow Learners, Specific Learning Disabilities)

### **Mild-Mental Retardation**

**Note:** If the child shows behaviours similar to children 3-4 years younger than him/her when compared to peer group behaviours and has an IQ between 70-50 (if IQ report available). If IQ report not available, then the underlined statements indicate presence of Mild Mental Retardation.

- Have the parents reported child having history of delayed development in following areas before reaching age of 6 years.
  - Neck holding not achieved by 3 months.
  - Sitting not achieved by 9 months.
  - Standing not achieved by 1.5 years
  - Speaking words not achieved by 2.5 years
  - Toilet training not achieved by 5 years.
- Have the parents reported child having history of –
  - Head injury
  - Fits
  - History of ill health due to jaundice, loose motions, poor nutrition, brain fever.
  - Poor attention as a child.
  - Poor ability to remember, sequence of instructions.
- Does the child have difficulty in imitating actions, sequence of task, and speech by observing peer group?

- Does the child have difficulty in understanding meaning of lesson content, sequence in a story appropriately?
- Does the child have difficulty in solving puzzles, mathematical manipulations or decision making in conflicting situation.
- Does the child look for approval before initiating the task or wait for instructions by the teacher.
- Does the child have difficulty in classification of objects by grouping characteristics?  
Example
  - Mango described by colour, taste, texture and its name.
  - Dog described as animal, helping to protect, with friendly nature
  - Water described as liquid, without colour and shape.
- Does the child have difficulty in learning task in a continuous sequence of more than four to five steps?
- Does the child have history of scholastic failure in previous classes or history of changing schools frequently?
- Does the child behave in an immature manner resembling children 3-4 years younger?

### **Slow Learners:**

**Note:** If the child has IQ between 90-70, it indicates problem of slow learning. If IQ report not available, then the underlined statements indicate problem of slow learning.

- Does the child have history of poor attention before the age of 6 year in spite of no history of significant developmental delay, illness, head injury or fits?
- Does the child take longer to complete a task when compared to peer group/classmates?
- Does the child score consistently between 40-55% in spite of individual instructional support?
- Does the child have limited vocabulary in using words yet communicate comfortably to express needs with parents, teachers and peer group.
- Does the child need repeated instructions with practical examples and instructions in a smaller group to cope with lesson content?
- Does the child engage frequently in impulsive actions, aggressive reaction, and abusive expression when frustrated or angry with his/her classmates?
- Does the child have better performance using oral medium when compared to written performance at a given class?
- Does the child consistently write untidily and illegibly.

## **Specific Learning Disability (SLD)**

**Note:** If the child has IQ above 85, yet shows below listed characteristics, it indicates presence of a SLD. If IQ report not available, look for the underlined characteristics.

- Does the child have difficulty in maintaining attention while performing a given task without getting distracted when unsupervised?
- Does the child have difficulty in completing the task within the prescribed time-limit when unsupervised.
- Does the child commit pattern of consistent errors as listed below:
  - Leaves letters or words while reading a line from a text.
  - Has difficulty tracking lines or words in a row therefore used finger for tracking while reading.
  - Has difficulty organizing things for example by shape, colour or size such as placing books in a school bag systematically by size or arranging clothes on a rack in categories of size and use.
  - Difficulty in copying from black board without missing letters or words.
  - Difficulty in using mathematical symbols and understanding relation between numbers.
  - Difficulty in differentiating letter such as 'b' and 'd', or numbers like '9' and '6'.
  - Difficulty in maintaining a straight line or leaving appropriate space between words.
  - Difficulty in understanding use of punctuations while reading and writing.
  - Difficulty in comprehending word problems and understanding the meaning and relationship between numbers and sentences.
  - Difficulty in selecting or filtering specific details to answer a question from a story, passage or a narration of an incident.
  - Difficulties in locating an object when given specific sequence of instruction for example "look for a green book on right side of the table on the top corner".
- Does the child have difficulty in associating sound with alphabet?
- Does the child have difficulty in locating specific alphabet or numbers within prescribed text?
- Does the child have difficulty in articulating his/her views or ideas, thus landing in a quarrel or breaking a friendship?
- Does the child have difficulty in discussing a central theme on a given topic unless reminded or assisted?
- Does the child have difficulty in comprehending or explaining concepts in subjects like language, science or social studies in his/her own words?
- Does the child have tendency of displaying short span of attention across his/her performance within home/school or during play with neighborhood children?
- Does the child have difficulty in following the rules of common games popular among the peer group?

### **Hearing Impairment**

- Does the child have problems playing attention in class?
- Does the child favour one ear for listening purpose?
- Does the child have problems to hear when you speak to him from behind?
- Do you think that the child speaks too loudly or too softly?
- Does the child exhibit voice problem and mispronunciation?
- Does the child keep away from his/her age mates?
- Is the child unable to respond when you call from the other room?
- Does the child understand only after few repetitions?

**Note:** If any of the above 3-4 questions elicits response that indicates some kind of hearing/speech loss, then the child should be carefully examined by a qualified ENT specialist, an audiologist and speech therapist in an assessment camp.

### **Locomotor Impairment**

Does the child have difficulty in moving or using any part of the body?

Is any part of the child's body amputated?

Does the child limp or has difficulty in moving his/her hands?

Does the child walk with jerks?

Is the child using a stick to walk?

Does the child lack bodily coordination?

Does the child have tremors?

**Note:** If answer to any of the above written statements is positive, the child should be carefully examined by a qualified doctor, orthopedic surgeon physiotherapist/prosthetic/orthopedic technician in an assessment camp.