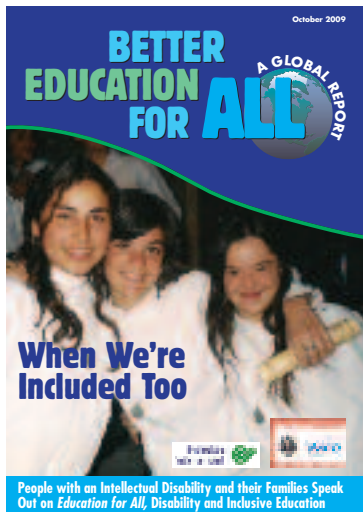


# The Implications of the Convention on the Rights of Persons with Disabilities (CRPD) for *Education for All*





**The Global Report** – *Better Education for All: When We're Included Too* – was developed by Inclusion International and its members around the world to tell the story of our continued exclusion from education.

The report documents information from parents, self-advocates, and family based organizations in 75 countries about our experiences with inclusive education over the past 15 years since the adoption of the Salamanca Statement and Framework for Action on Special Needs Education by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1994.

Our study revealed that:

- **Inclusion Works.**

We have numerous examples of those with the most significant disabilities being fully included and supported in regular classrooms in all regions of the world... And we have a growing knowledge base of best practices in law, policy and implementation that can be drawn upon. Check out our website [www.ii.inclusioneducativa.org](http://www.ii.inclusioneducativa.org) to read about them.



- **But children and youth with disabilities are still excluded from education in poor countries, and from quality inclusive education in rich countries.**

Of the 77 million children who are not in school at least 25 million of them have a disability (UNESCO, 2006). Most of these children live in developing countries. In Organization for Economic Co-operation and Development (OECD) countries and countries in transition, many children with disabilities are also out of school. Our members report that most other children with disabilities do not attend school with their non-disabled peers or do not receive the supports they need.



- **This exclusion exists because there are two parallel agendas for education.**

One agenda promotes investment and monitoring for education systems as a whole; and the other focuses on the special education needs of children and youth who have a disability.

- **The developed framework for monitoring progress in achieving *Education for All* ignores children and youth with disabilities.**

Our study identifies systemic barriers to inclusive education:

- Political vacuum of leadership and accountability for inclusive education;
- Children with disabilities remain invisible to the education system;
- Families are not supported;
- Teachers lack training, leadership, knowledge and supports to adapt curriculum;
- Poor quality education;
- Poor access to knowledge and information for – parents, teachers, administrators and policy makers;
- No inclusive education infrastructure – governance, policy, planning, financing, implementation and monitoring;
- Lack of public support for inclusion; and
- Lack of accountability and monitoring mechanisms.



- **The Convention on the Rights of Persons with Disabilities can help to close the gap between the theory of inclusive education and reality.**

Using the CRPD as a framework for reform, the report provides a roadmap for governments and international agencies to move forward in building a new global agenda for education that includes people with disabilities.



## What Does the CRPD Mean for *Education for All*?



The CRPD now provides both the framework and the obligations for completing what the Salamanca Statement and Framework for Action began.

Article 24 of the CRPD refers specifically to education, and creates an obligation for governments to do two things:

- **Provide education to children, youth and adults with disabilities on an equal basis with other children; and**
- **Provide that education within an inclusive system.**

The meaning of Article 24 is indisputable. Realizing the right of people with disabilities to education requires establishing “an inclusive education system at all levels...”

This document outlines the implications of the various articles of the CRPD for *Education for All*. It can be used by families to hold their governments to account in their education planning and delivery.

# CRPD Inclusion Benchmarks for Education Systems and Success Indicators for *Education for All* (EFA)

## Preamble... on Families

### Preamble says...

*Convinced that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, and that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute towards the full and equal enjoyment of the rights of persons with disabilities;*

### The Success Indicators for EFA are...

- Requires that State Parties consult with families, family based organizations, and organizations of persons with disabilities in the establishment of National Education Plans;
- Requires State Parties to ensure that families are consulted and involved in the development and adaptation of education plans for their child with a disability; and
- Families are supported to understand and meet the education needs of their child with a disability through education, training, and access to services.





### Article 3 says...

*The principles of the Convention shall be...  
Full and effective participation and inclusion in society;*

### The Success Indicators for EFA are...

- EFA goals must include measures to ensure that students with disabilities have access to all education opportunities; and
- EFA efforts must adopt an inclusive approach to education for all children.

## Article 3 General Principles



## Article 5

# Equality and non-discrimination

### Article 5 says...

*States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.*

### The Success Indicators for EFA are...

- In addition to guarantees of access to inclusive education, without discrimination on the basis of disability, clear procedures and mechanisms are in place to provide for lodging, investigating, and ruling on individual complaints of discrimination in education, and legal supports are in place to assist people with disabilities and their families in making these complaints; and
- Independent mechanisms are in place to investigate and rule on systemic discrimination and exclusion from inclusive education, on the basis of disability.





### Article 7 says...

*States Parties shall undertake all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.*

### The Success Indicators for EFA are...

- Children with disabilities have a right to education on an equal basis with other children.

## Article 7 Children with disabilities



## Article 8

### Awareness-raising

#### Article 8 says...

*States Parties undertake to adopt immediate, effective and appropriate measures:*

- a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;*
- b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;*
- c) To promote awareness of the capabilities and contributions of persons with disabilities.*

#### The Success Indicators for EFA are...

Measures should include:

- Initiating and maintaining effective public awareness campaigns designed;
- Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
- Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;
- Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities; and
- Incorporating disability-positive curricula into education systems.





### Article 9 says...

*These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to inter alia:*

*Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces.*

### The Success Indicators for EFA are...

- National/state-level Education Plans for investments in schools and infrastructure must include budgets and planning for accessible transportation to and from Early Childhood Care and Education (ECCE) programs and schools, and accessible program and school facilities.

## Article 9 Accessibility





## Article 23

### Respect for the home and family

#### Article 23 says...

*States Parties shall ensure that children with disabilities have equal rights with respect to family life. With a view to realizing these rights and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.*

#### The Success Indicators for EFA are...

- National/state-level Education Plans must include provisions that ensure children with disabilities are not removed from their family setting for the purposes of separate special education schooling; and
- Identification and outreach programs to parents of children with disabilities are in place to enable early identification, access to ECCE and primary education, registration of children, and support to families to develop high expectations for inclusive education.



### Article 24 says...

*States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning...*

### The Success Indicators for EFA are...

- EFA investments and National/state-level Education Plans must be developed to reflect the inclusive approach outlined in Article 24.

## Article 24 Education





## Article 24 Education

### Article 24 says...

- a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;*

### The Success Indicators for EFA are...

- Removal of legislative and policy barriers to the inclusion of children, youth and adults in ECCE, primary, secondary, post-secondary and adult education;







- Ministry/Department of Education has a clear mandate for the primary and secondary education of all children and youth (including those with disabilities) in one system;
- Human rights laws recognize right of children with disabilities to education in the regular education system;
- Law and policy ensure that children with disabilities not only have access to education but also to the supports, accommodations and adaptations required to assure success; and
- An explicit commitment to the necessary policies, resources, facilities and training programs needed to enable children with disabilities to realise an effective education in schools.

## Article 24 Education



## Article 24 Education

### Article 24 says...

- b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live:*

### The Success Indicators for EFA are...

- Constitutional guarantee of free and compulsory basic education to all children, without discrimination on the basis of disability;
- Repeal of any existing legislation which defines any group of children with disabilities as ‘in-educable’;
- Recognized right to early identification and assessment to ensure that children with disabilities are able to acquire the educational support and services they need from the earliest possible age;
- Accountability mechanisms in place to monitor birth registration, school registration and completion by children with disabilities; and
- Data gathering and reporting mechanisms on school access and completion disaggregated by disability.

### Article 24 says...

- c) Reasonable accommodation of the individual's requirements is provided;*

### The Success Indicators for EFA are...

- A guideline for 'reasonable accommodation' in education established as a basis for human rights claims of discrimination in education on the basis of disability;
- School buildings and materials accessible to children with disabilities;
- Provision of accessible transport for students with disabilities; and
- "Universal design" guides educational provision, including curriculum and instructional/teaching models.

## Article 24 Education





## Article 24 Education

### Article 24 says...

*d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;*

### The Success Indicators for EFA are...

- Providing pre-service and in-service training to teachers so that they can respond effectively to diversity in the classroom;
- Adaptation of teacher training syllabuses to include teaching strategies in inclusive classrooms with diverse student populations;





- Revision of national curriculum to make it accessible to all students;
- Revision of testing and evaluation methods to ensure that accommodation is made for students with disabilities; and
- Make the teaching of “human rights” principles a part of both the formal school curriculum, and more general school culture to promote respect for the rights of every learner, including learners with disabilities.

## Article 24

### Education





## Article 24 Education

### Article 24 says...

*e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion;*

### The Success Indicators for EFA are...

Individualized supports available as needed – including:

- Accommodation to assure physical access to the school and classroom – ramps, lifts, other technical supports;
- Assistive technology for communication and other instructional purposes;
- Individual support, on an as-needed basis, from a paraprofessional or peer;
- Appropriate provision of supports such as sign-language interpretation, Braille training and associated equipment and materials, and other individualized supports; and
- Teacher and student access to diverse professional expert collaboration to assist with health needs, behaviour challenges and other requirements.



### Article 27 says...

*Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;*

### The Success Indicators for EFA are...

- State parties must include people with disabilities in vocational and technical programmes and continuing education.

## Article 27 Work and employment



## Article 30

### Participation in cultural life; recreation, leisure and sport

#### Article 30 says...

*States Parties recognize the rights of persons with disabilities to take part on an equal basis with others... [and] Shall take appropriate measures...*

#### The Success Indicators for EFA are...

To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;

- Schools must ensure that children with disabilities have access to sports and recreation activities on an equal basis with others, and the supports needed to participate.



### Article 32 says...

*States Parties recognize the importance of international cooperation and its promotion, in support of national efforts for the realization of the purpose and objectives of the present Convention, and will undertake appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society...*

### The Success Indicators for EFA are...

Drawing on suggested measures in Article 32, States Parties in cooperation with donor and international agencies undertake measures to advance inclusive education, including:

- Efforts to support and promote ECCE, primary, secondary, post-secondary and adult education policies and practice are inclusive of and accessible to include children, youth and adults with disabilities;
- Facilitate and support capacity-building for inclusive education through sharing information, training and best practices;
- Facilitate cooperation in research and access to knowledge; and
- Provide appropriate technical and economic assistance to develop and sustain inclusive education systems.

## Article 32 International cooperation





## Article 33

### National implementation and monitoring

#### Article 33 says...

*States Parties...shall designate one or more focal points within government for matters relating to the implementation of the present Convention... [and] maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention...*

*Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.*



### The Success Indicators for EFA are...

- Governments must establish appropriate governance and accountability mechanisms to ensure that a framework for inclusive education is developed, financed, implemented and monitored;
- UNESCO and other international agencies should assist in developing terms for a global monitoring framework;
- UNESCO and other international agencies confront and address the data issues in gathering reliable demographic data about national populations of people with disabilities so that reasonable estimates of children, youth and adults with disabilities in and out of education and the labour market can be established;



## Article 33 National implementation and monitoring







## Article 33

### National implementation and monitoring

- UNESCO establish indicators of ‘quality’ of education for Global Monitoring purposes, that address the key quality issues affecting learners with disabilities – accessible transportation to/from schooling, accessible facilities, disability-related supports and services in education settings, teachers trained for inclusive education, and adapted curriculum and learning resources;





- Systematic monitoring and reporting on access, participation, completion and quality of education for children, youth and adults with disabilities – as part of UNESCO's Global Monitoring Reports on EFA; and
- Planning and monitoring mechanisms must engage civil society organizations representing children, youth and adults with disabilities and their families.

## Article 33

### National implementation and monitoring



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