

Prepared by Dr. Birendra Raj Pokharel

Action on Disability Rights And Development-Nepal in collaboration with Disabled Empowerment and Communication Center – Nepal, Deaf Association of Rapti and National Federation of the Disabled-Nepal.

> Supported by **Open Society Foundation, New York** January, 2022



Nepal Inclusive Education Consortium

Report of Participatory Action Research

On

Examining the access to education for

Learners with Disabilities in Nepal

Written by

Dr. Birendra Raj Pokharel

Action on Disability Rights And Development-Nepal in collaboration with Disabled Empowerment and Communication Center –Nepal, Deaf Association of Rapti and National Federation of the Disabled-Nepal.

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Action on Disability Rights And Development-Nepal (ADRAD-Nepal) Disabled Empowerment and Communication Center-Nepal (DECN), Banke Deaf Association of Rapti (DAR), Dang. Under Nepal Inclusive Education Consortium (NIEC) *With advisory engagement of National Federation of the Disabled-Nepal (NFDN)*

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Responsibility for its contents rests entirely with the authors.

Preface

Inclusive education is considered as a modern approach towards education for all children regardless of their class, ethnicity and disability however there are various service provisions and educational opportunities, the learners with disabilities have less access to education across the country which is even more exacerbated in the pandemic situation.

This PAR has been conducted in a context where Government of Nepal has expressed commitment to provide universal secondary education to all children by 2030 adopting SSP. However, majority of children with disabilities in Nepal are deprived from fundamental rights of education in the context of Covid-19 pandemic. The PAR has explored different possibilities of promoting access to education to learners with disabilities and brought up the practical recommendations for the Government.

For this, the advocacy activities has to be advanced to promote human rights. In this connection, the evidence based information is essential for the planning of inclusive educational program and achieving SDG targets, leaving no one behind.

Following the recommendation of this PAR, help the stakeholders to promote inclusive education in local levels. The NIEC has taken necessary steps for the advocacy to governmental agencies and nongovernmental organizations to review and reconsider the existing provision and practices supporting access to school education to Learners with disabilities in equal basis with others in a sustainable way. With this information, the NIEC can design appropriate intervention for providing access to education, a support to government to guarantee the rights to education of all children with disabilities.

ADRAD-Nepal would like to express sincere gratitude to Open Society Foundation for trust bestowed for organizing this PAR under the partnership program.

The Educational units of Kohalpur municipality, Baijanath and Nepalgunj Metropolitan have extended support by providing relevant information that need appreciation. Besides that, appreciation also goes to the education related stakeholders for the important information that helped for enriching this PAR.

Delightful Appreciation to the NIEC for the continuous collaboration for carrying out this PAR. Appreciation also goes to the enumerators, staffs of ADRAD-Nepal, key informant interviewees, FGD participants, teachers, OPD leaders and all other stakeholders for their active engagement during the consultation process.

Last but not the least, Gratitude to Dr. Birendra Raj Pokharel, the Founder president of ADRAD for leading this PAR on behalf of NEIC, providing technical support and guidance for the successful accomplishment of this PAR and enriching this report.

Ms. Prakritee Basnet

Chairperson, ADRAD-Nepal

January, 2022

Acknowledgement

Human Rights of Persons with Disabilities has been recognized by the adoption of CRPD by Nepal in 2010. Despite of commitments of the Government for promoting access to quality education for persons with disabilities, they are marginalized in all spheres of lives because of denial of fundamental freedom and rights to education following article 24 of CRPD. Many persons with disabilities are facing barriers in participation, livelihood opportunity and rights to communication without having alternate mode of communication.

COVID-19 pandemic has created with number of difficulties in the lives of people with disabilities affecting their daily lives. Many students were deprived of opportunities to go to school though, some schools conducted virtual classes.

NIEC coordinated its consortium partners for the protection of rights and interest of persons with Disabilities and intent to continue support to them in post-Covid situation.

NIEC hopes that the findings and recommendation of this PAR will be helpful for the planners, implementers, students and concerned persons for development of educational plan that support the access to education of learners with disabilities.

NIEC would like to extend gratitude to OSF for providing financial support and ADRAD-Nepal for supporting to execute this PAR. The NIEC would like to express gratitude to the concerned government agencies, Nepalgunj Sub-Metropolitan, Kohalpur Municipality and Baijanath Municipalities, NFDN provincial office and OPDs to make this report in shape.

On behalf of NIEC, we are deeply beholden to Dr. Diane Richler, Former President- Inclusion International and IDA for the support and continuous guidance. Special appreciation goes to Lu Han, Human Rights Officer of OSF and Mr. Som Prasad Niraula, the program officer of Alliance for Social Dialogues for encouragement and continuous cooperation throughout the entire study.

We are also thankful to the committed work of the staffs of ADRAD, DECN and DAR for the coordination with KIIs particularly to Deepa Magar, Ganesh Pandey, Jyoti Chaudhari, Manisha Poudel and Sumit Mandal.

Heartfelt gratitude to Rajesh Dhital, the Deputy Director of CBS Nepal for the overall data processing and support for report writing. Appreciation goes to Ashray Rimal for supporting the data management.

Last but not the least, recognition of the support of Bandana Pokharel for editing the report and bringing in the presentable shape, we strongly feel this needs appreciation.

Ms. Pratima Sharma Mr. Devi Datta Acharya

Dr. Birendra Raj Pokharel

DAR DECN

ADRAD

January, 2022 Kathmandu, Nepal

Best Wishes Message by President of NFDN



BEST WISHES

National Federation of Disabled Nepal, (NFDN) is delighted for bringing the report of "Participatory Action Research" (PAR) carried out by the consortium for promoting Inclusive Education in Nepal. As an umbrella organisation and the advisory role of the consortium, we greatly acknowledge that the findings, the voice heard from rights holders and the recommendation presented in the report will certainly help minimizing the disparity encountered by learners with disabilities which is even severely exacerbated in the present Covid-19 Pandemic.

As NFDN has embarked into the voyage of ensuring equitable society with full realization of human rights, accessible and inclusive society, deepen collaboration and coordination with the relevant government agencies has been a landmark endeavour towards achieving its pathway. In this course, NFDN established mechanism of cooperation between State parties, civil society and Organisations of persons with disabilities which has been meaningful in achieving more results with great harmony in Education sector.

I wish that the PAR may provide insight to the policy makers for undertaking the educational provisions mentioned in the existing National Education Policy shall follow the core spirit of Inclusive Education Principles.

I strongly believe that the implementation of the recommendation of this PAR would help all the education related entities both public and private sector as well as the relevant OPDs for embracing the educational program inclusive for learners with disabilities in post-Covid-19 context.



Mr. Mitralal Sharma Central President National Federation of the Disabled-Nepal 4 January 2022

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Annex II- Research Tools	

Abbreviations

	Appreviations
AC:	Assessment Centre
ADRAD:	Action on Disability Rights And Development
ARPD:	Act related the Rights of Persons with Disabilities
CBS:	Central Bureau of Statistics
CDC:	Curriculum Development Center
CEHRD:	Centre for Education and Human Resource Development
CERID:	Research Centre for Educational Innovation and Development
CRC:	Convention on the Rights of Child
CRPD:	Convention on the Rights of Persons with Disabilities
CP:	Cerebral Palsy
DAR:	Deaf Association of Rapti
DECN:	Disabled Empowerment and Communication Center.
DEO:	District Education Office
ECD:	Early Childhood Development
FGD:	Focus Group Discussion
GO:	Government Organization
GoN:	Government of Nepal
ICF:	International Classification on Functional Disability and Health
ICT:	Information Communication Technology
ID:	Intellectual Disability
IDA	International Disability Alliance
IE:	Inclusive Education
IEMIS:	Integrated Educational Management Information System
KII	Key Informant Interview
MoEST:	Ministry of Education, Science and Technology
MOFAGA:	Ministry of Federal Affairs and General Administration
MWCEC:	Ministry of Women, Children and Elder Citizen
NDFN:	National Deaf Federation Nepal
NFDN:	National Federation of the Disabled-Nepal
NGO:	Non Governmental Organization
NIEC:	Nepal Inclusive Education Consortium
OPDs:	Organisations of Persons with disabilities

Open Society Foundation OSF: PAR: participatory Action Research **Pre-Primary Education** PPE: Sustainable Development Goals SDG: SSP: School Sector Plan United Nations Development Program UNDP: UNICEF: United Nations Children Fund Web Contents Accessibility Guideline WCAG: World Health Organization WHO:

Chapter 1: Introduction:

The country has embarked into substantial progress in literacy over the last two decades however vulnerability still affect a large segment of Nepali population that undoubtedly include persons with disabilities.

Nepal promulgated its new constitution on 20th September 2015. The constitution enshrines education as a fundamental rights of all citizens under its article 31. It commits the State to make education scientific, technical, professional, skill-oriented, employment enhancing, and people centered in order to prepare the human resources to be competent, competitive, moral, and committed to national interest. The state commits to embracing multi-caste, multi-lingual, multi-cultural, and diverse geographical specificities by ending discrimination relating to class, caste, religion, language, region, and gender including all forms of racial untouchability and disability. Schools can often be the ground where some children are socialized to feel inferior, undeserving and powerless. They can also be the places where children thrive as productive and peaceful citizens who are committed to excellence, equality, rule of law and pluralism. Nepal's commitment to building back better should include the far more complex, vital, and urgent task of ensuring that students and out-of-school children do not remain victims. The constitution highlights the basic right to education with particular references to the rights of women, children and persons with disabilities.

The School Sector Plan call for education to be a vehicle for national development and the advancement of national interests of education reform imperatives which is even more essential in the post-Covid context.

The aspiration of the promulgation of the new Constitution and the amendments to the Education Act are yet to be seen as new legislative provisions envisaged therein remain to be fully implemented in local levels which is challenging in absence of the educational policies and regulations in local levels. In principle, the new legislative provisions are expected to enhance participation of learners with disabilities in education by guaranteeing the right to free and compulsory basic education. As per the constitution, the provision and management of the education of children with disabilities is the sole jurisdiction of local governments however, how such provision will affect inclusion in education is unclear, because in most parts of the country, equity in education is promoted through a strong involvement and engagement of the federal government.

Students with disabilities as well as those from poor, remote, low caste families or from disadvantages ethnicities are disproportionately affected by the access to education gap. There are more than 770,000 out-of-school children between ages 5 and 18 (Unicef Nepal 2015). The number of children with disabilities between 5 and 18 is estimated, 179,000. More than 105,000 of these children are out-of-school¹. According to Nepal's poverty index, the concentration of out-of-school children is higher in the local levels that have been identified as the most deprived in terms of poverty.

The Government of Nepal through MoEST enacted Education Sector Plan (ESP), to guide the further development of Nepal's education sector. This ESP is the first five years (2021-2025) and a long-term vision for the next ten years (2021-2030), with estimates of the resources needed to implement the new plan.

1.1 Background of the PAR:

Federal Democratic Republic Nepal is a land locked country in South Asia surrounded by Republic of India from three sides (South, East, and West) and People's Republic of China

¹Humanitarian Inclusion 2015

from Northern side, lies between the 26° 22' to 30° 27' Northern latitude and 80° 4' to 88° 12' Eastern longitude covering 147,181 Sq. km area, which occupies 0.03 percent of total land mass of the world (CBS, 2011). Despite the relatively small size, Nepal is very diverse country of South Asia in terms of geography, topography, culture, language, religion and ethnicity.

The political and administrative division of the country: Nepal transferred into federal system followed by the constitution 2015. There are seven provinces and 753 local levels called Metropolitans, Sub-metropolitans, Municipalities and Rural Municipalities. All the political and administrative system including education system of the country that has been transferred to local Government on the basis of federal provision made by constitution.

Inclusive education is globally accepted as a movement of educational reform in order to establish universally accessible and quality education system that supports to address the problems of exclusion in education. Along with global community, the Government of Nepal also committed SDG to ensure universal quality education and adopted principles of inclusion in education to promote overall education system. Despite the various provisions of inclusive education at policy level, many children in Nepal still remained out of school, among those who come to school, many children leave school before completing primary education and many children suffers from lower learning achievement as well as class repetition.

Viewing the crises of the current pandemic on the situation of Learners with disabilities, NIEC carried out this PAR to map the challenges faced by Learners with disabilities in Nepalese context.

In Nepal, as elsewhere, at the start of the Covid pandemic, government had to shut down schools as one of various public health and social measures intended to curb COVID-19 transmission. This left learners with disabilities out of school for an extended period, in some cases for over a year, in addition to them, those children who were already out of school before the pandemic, lost opportunity to access the education. School reopening in most of the local levels was delayed for long time spans driven by the fear of putting children and school staff at risk as well as accelerating the transmission of new variant of Covid.

In addition to the longstanding victimization of children with disabilities in accessing the educational opportunity, the present COVID-19 pandemic has created number of difficulties in the lives of people with disabilities. The daily lives of people with disabilities is severely affected particularly accessing educational opportunity and employment prospects. After the government declared the lock down on March 24, 2020, all the formal and informal schools were closed for months. Many students were deprived of their opportunities to go to school. During this period, some schools conducted online classes for the students however children with disabilities remained deprived in accessing online platform of the education.

It was strongly realized to examine the challenges in access to education for learners with disabilities in Nepal and recommend for undertaking mitigation measure to improve the situation however it is crucial to explore how to ensure children with disabilities' access to education while implementing the school sector plan (2021-2030). In this backdrop, ADRAD-Nepal in collaboration with NIEC conducted PAR examining the challenges in access to education. Based on the finding of the assessment, ADRAD-Nepal is privileged to make recommendation to the federal, provincial and the local government to take appropriate measures to promote inclusion in education for learners with disabilities.

This PAR in IE has been conducted in a context where Government of Nepal has expressed commitment to provide basic education to all children by 2030. However, majority of children with disabilities in Nepal are deprived from fundamental rights of education in the local levels.

1.2 Objectives of PAR:

The key objectives of the PAR are as follows:

- 1) Evaluate the challenges that exist in access to education for children with disabilities,
- Assessment of the effectiveness of the educational program for meeting commitments of the Government to promote inclusive education particularly the article 24 of CRPD and the concluding observation of CRPD committee,
- 3) Recommend the practical milestone to adopt inclusive Education system in post-Covid situation bringing all children with disabilities in the educational venture.

Besides the main objectives, the purpose of PAR is to provide the first hand empirical evidences of the implementation status of existing educational programme of the government in order to find out whether such programs have been effective in meeting disability targets of SDG 4 and constitutional provisions of rights to education of children with disabilities.

The PAR has tried to provide empirical information about the gaps in practicing the IE in Nepal so that NIEC can take necessary steps for the recommendation to government agencies and nongovernmental organizations to review and reconsider the existing provision and practices of educational program covering access to school education to Children with disabilities in equal basis with others in a sustainable way. With this information, NIEC can approach the development agencies for partnership to continue such type of program for providing access to education and joining hands to achieve the Goals of SCP, Thus, the governmental and nongovernmental organisations can take collective steps in utilizing the information to support the Children with disabilities for the access to education.

The PAR also intends to provide the information to those who want to work in the field of education about the implementation status of educational program of GoN concerning Children with disabilities in school levels including municipalities, province and National levels.

1.3. Scope and Limitation of PAR:

The PAR focused on the implementation status of existing educational policy and the practice in local level thus covered both National level in Kathmandu and Banke and Dang districts to assess the implementation of educational program of GON. The National and International Legislation and HR Instruments are reviewed and assessed into practice in local levels. The students with disabilities listed within the EMIS by local municipalities following CEHRD considered as the whole population and the sample drawn randomly within the list as key informant interviewees as such the students out of school or those not covered within the official record are not included in the study. The evaluation covered Nepalgunj Sub-Metropolitan, Baijanath and Kohalpur Municipalities where remarkable number of students with disabilities have been enrolled in the schools, that limits the assessment of access to education for those children who have not joined any educational institutions.

Though this evaluation comprises the participatory research approach where primary and secondary Data were gathered and analysed, the Data obtained from the list of school enrolled students, the sample may not represent the real situation of learners with disabilities living in the remote geographic area such as Karnali and Farwest thus may not represent the country as a whole.

Most of the parents responded on behalf of their children with Intellectual disabilities that might overshadow the information concerning possible vulnerability of the children within household and families. The mothers who responded were in a defensive mood and in a kind of fear, might have influenced their responses. It was also observed in few KII that they have received familial support after a long ordeal, and would not take the risk on being too open to answers as it might bring negative influence in familial cooperation and lead them into hardship in post COVID situation.

The study conducted in the context of travel restriction declared by the Government due to COVID-19 outbreak. The originally planned activities of field visits were severely affected that led delay execution of KII that was transformed into virtual method instead. The planned FGD were also affected and convened in virtual mode applying Zoom platform. Some of the in-depth interviews were very important resources for the evaluation in measuring the impact of Covid situation, was not administered due to connectivity problem over zoom or telephone calls in contacting learners with disabilities who are long staying at home without any educational activities due to closure of schools.

1.4. Structure of the report:

The PAR report is sequentially ordered with six chapters followed by preliminary and executive summary. First chapter covers the introduction and the background, Objectives, scope and limitation of the study.

Second chapter covers the Methodology comprising population and Sample selection, sample size, Analysis tools and method and the Focus Group Discussion, participatory consultation process.

Third chapter covers Literature review comprising general overview of disability context in Nepal, National and International legal instruments and Nepal's commitments towards educational rights of persons with disabilities.

Fourth and Fifth chapters are the major analytic section. The educational status of persons with disabilities is assessed in fourth chapter with various comparative variables such as the individual characteristic including Gender, age, disability classification and intensity. This chapter also covers the analysis based on the infrastructure and teacher's capacity and social characteristic affecting access to education for learners with disabilities such as location and accessibility, means of communication, resource classes, regular classes and the attitudes of teachers and parents towards education of students with Disabilities. Likewise, the impact of COVID-19 in the education status of learners with disabilities is covered in fifth chapter with various qualitative variables. This chapter also explored scopes and provisions of use of accessible ICT in education and adoption of IE in post-COVID situation which follows the concerns raised by the participants of Webinar in Educational rights in various topic carried out by the ADRAD.

The Sixth chapter covers summary of findings and recommendation. By the end of report, there are references, Abbreviation and Annex with TOR of PAR in IE for the additional references.

Chapter 2: Methodology

The rights to education of persons with disabilities can be materialized by the fulfillment of conditions of access and continuity of school, career advancement and safe and accessible learning conditions.

Following the PAR scope, both qualitative and quantitative analysis has been carried out under the evaluation. Some of the cases have been identified as pertinent issue thus covered the story through in depth interview particularly the impact of Covid-19 to the learning opportunities of students with disabilities.

This is the Participatory Action Research comprised the exploratory research approach where primary and secondary Data were gathered and analyzed.

Information was collected from key informant's interviews comprising learners with disabilities, their families, policy making authorities, local bodies and focus groups as well as School authorities and the teachers engaged in the education of learners with disabilities.

NIEC members facilitated to link the local educational units of municipalities of Banke and Dang, providing list of potential interviewees, identification of sample key informants interviewees in close coordination with municipalities, parents groups and OPDs as well as made necessary logistic arrangement for the field visit and FGD. There was a series of consultative meeting of NIEC with PAR team organized through both face-to-face and virtually. The consultant designed the data collection frameworks and participatory tools needed for interviews and FGDs. The questionnaire was finalized in close consultation with NIEC.

In the course of accomplishment of the Assessment and to Prepare and submit the report to ADRAD, the following methodology and activities have been carried out.

2.1 Review of Literature:

The secondary source of information was reviewed and covered as qualitative Data source. The educational related literatures were reviewed including reports of previous studies, Constitutional provisions, National and International human rights instruments and SDG. The educational provision in the concluding observation of CRPD committee in Nepal's state Report was also reviewed. The findings of literature are presented in Chapter three.

2.2 Study population and Sample selection:

The interview were carried out with Key informant's amongst learners with disabilities age between 6 -18. The sample size based on the quantitative analysis covered 125children with disabilities comprising 71boys and 54 girls in proportion to the available list in EMIS.

Level	Male	Female	Total
Primary (1-5 grade)	47	42	89
Basic (6-8)	12	8	20
Secondary (9-12)	12	4	16
Total	71	54	125

Table 2-1. Educational Level and gender distribution:

Source: Field Survey (2021)

Among those learners with disabilities enrolled in educational institutions comprise 57% boys whereas the ratio of girls enrolment is 43%.

The key informant interview, FGD and in-depth interview carried out virtually in consultation with the members of NIEC particularly DECN and DAR. All-important key stakeholders and beneficiaries were interviewed either individually or in consultative groups and in-depth

interviews were carried out. The digital semi-structural questionnaire were administered with Key Informant interviewees. The sample selection was based on the qualitative and quantitative research approach covering simple random sampling technique to identify the potential interviewees from the list of students made available through EMIS.

2.3 Focus Group Discussion

The guideline for conducting Focus Group Discussion (FGD) was prepared for systematically conducting the discussion sessions. A total of 9 Focus Group Discussions were held in 5 local levels of 3 districts namely Nepalgunj, Kohalpur, Baijanath, Tulsipur and Kathmandu districts comprising a total of 55 participants.

The consultant designed the tools for focus group discussion. The administering questionnaire were finalized in close consultation with NIEC. The interview tools covered structural questionnaire, consent form, interview guide etc.

Focus group discussions were carried out with the relevant stakeholders including learners with disabilities, representatives of OPDs, relevant government officials including local bodies and civil society organisations, teachers engaged in the education of children with disabilities, resource teachers, parents of children with intellectual disabilities, Autism spectrum condition etc. Due to travel restriction in COVID context, 4 FGD were carried out by virtual method applying Zoom platform whereas 5 FGDs had already been carried out in physical presence before the lockdown was declared.

A case study guideline was also developed to help qualitative Data collection. The said guideline covered the methods and techniques of getting relevant information and its systematic recording for analysis.

2.4 Participatory Webinar

The Nepal Inclusive Education Consortium has been formed for advancing inclusive education which is led by ADRAD and comprise the OPDs representing DECN, DAR and several National organisations working in education had planned to organise a Conference on Inclusive Education in March 2020 in Nepalgunj, couldn't be continued because of Covid-19. Instead, there were series of webinar organised inviting the International experts of Inclusive Education.

The Constitution of Nepal in its article 31 guarantees the rights to Education that follows the principles of CRPD. Though this is welcome initiatives in the state transformation process, the Inclusive Education policy couldn't be transferred into practice in local level, instead, the National education policy (2019) replaced the Inclusive Education Policy (2017 which is a major challenge in execution of Government's commitments towards Inclusive Education through CRPD, SDG and the constitution. Besides, there is lack of disability specific policy adaptation in local levels as well as the stakeholders involved in education are not adequately informed on the educational rights of persons with disabilities.

In realization that the practicing inclusive education in Nepal is much challenging, which needed to be improved, a series of webinar were organised to sensitize the local governments, schools, teachers, educators and OPDs to promote practice of inclusion in education for all. There were 5 webinar organised in various topics for the advancement of inclusive education in Nepal. The topics included Education of learners with hearing disability, cognitive disabilities, visual impairment and those having language barriers. There were all together 155 participants representatives of OSF, USA and representative of Ministry of Education presented their thoughts as knowledge experts on inclusive education. The International Development Partners, National and local OPDs and likeminded organisations also got opportunity to share their insightful practice in order to promote inclusive education in Nepal who finally develop

common consensus to create access to inclusive education and mainstreaming into regular educational system. The webinar helped to encourage concerned stakeholders to render possible solution enabling learners with disabilities to get access to quality education.

2.5. Analysis tools and method

The questionnaire consisted of a series of close-ended and semi-structured questions which were developed to ensure that learners with disabilities have an opportunity to tell their own story of access to education, challenges and difficulties they encountered or to identify barriers in education in aftermath of COVID. Time reference of individual experiences was the last four years that covered the enactment of the IE policy of the GoN in 2017 whereas the Face-to-Face interviews conducted during March-April, 2021.

Collecting, analyzing and processing the Data obtained from the aforementioned activities carried out Microsoft Excel application for the quantitative analysis whereas NVIVO software was administered for the qualitative analysis. The data entry, processing and analysis was carried out and the findings has been compiled in writing PAR report by the ADRAD along with the Data Analyst.

The Assessment began from 1 February 2021, draft report prepared on 15 September and the final report shared by ADRAD to get feedback from stakeholders and NIEC members. The report finalized by the end of September, 2021.

Chapter 3: Review of Literature

The Government of Nepal and the United Nations acknowledge that, while Nepal has made important progress toward achieving universal primary education as part of its commitment to the Millennium Development Goals however the children from marginalized communities, such as Learners with disabilities, represent a significant portion of the approximately 330,000 who remain out of school in Nepal (Report of Human Rights Watch 2018.

This section covers the disability contextual analysis in Nepal, existing Educational Programme and provisions of the government which are reviewed and map the existing practice including Nepal's Constitution-2015, Fifteenth Five Years Plan, Education Act (1971), local educational policy, ARPD 2017, CRPD and several other research reports.

3.1. General overview of disability context in Nepal:

The prolonged charitable perspectives towards persons with disabilities gradually shifted towards welfare perspective with the enactment of the "Maliki Ain" (Civil Code) in 1853. This model tend to view Persons with Disabilities are entitled for food and clothes as they are the beneficiaries of charity, and services for which they should be grateful. The consequences of such legal provision, Persons with Disabilities are viewed as tragic or suffering people, to be pitied and cared for. At the same time, they are supposed to have few choices, no means of accessing relevant advice, and no powers to decide how they could best be assisted. Services are designed for them and delivered to them, perhaps with the best of intentions, but without consultation to them.

Persons with disabilities in Nepal often experience the violation of their basic human rights with the consequences of myth belief, negative attitudes, and pejorative language, social, legal and environmental barriers². After the observation of "International Year of Disabled People 1981", in Nepal, Some remarkable achievements has been accomplished. Enactment of disability specific legislation called "Disabled Persons Protection and Welfare Act-1982" which explicitly entitled persons with disabilities for welfare and protection which was considered as a comprehensive legal framework with the provisions of educational rights to Persons with Disabilities first time in Nepal. There were various provisions in the act that reflected the essential measures for benefiting Persons With disabilities by providing employment opportunity, educational rights, supply of the assistive devices, health facilities, micro-credit scheme and more over the social security however all the provisions were voluntary rather the obligatory thus couldn't be transformed into real practice.

3.2. Definition and prevalence of Disability:

The International Classification on Functional Disability and Health (ICF definition undertake disability as environmental factor of impaired individual. It provides a standard language and framework for the description of health and health-related states³. ICF is a multipurpose classification intended for a wide range of uses in different domains that help to describe changes in body function and structure, what a person with a health condition can do in a standard environment (their level of capacity), as well as what they actually do in their usual environment (their level of performance). These domains are classified from body, individual and societal perspectives by means of two lists: a list of body functions and structure, and a list of domains of activity and participation. In ICF, the term functioning refers to all body functions, activities and participation, while disability is similarly an umbrella term for impairments, activity

²Pokharel. B. R (2012). Monitoring the rights of persons with disabilities in Nepal, HOLISTIC REPORT: NFDN & Disability Rights Promotion International & York University, Canada.

³WHO (2001). International Classification of Functional Disability and Health. Geneva, Switzerland.

limitations and participation restrictions. ICF also lists environmental factors that interact with all these components.

The CRPD article 1 defines "

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.4

Under the International Classification of Functioning, Disability and Health (ICF) established by the World Health Organization (WHO) in 2001, disability is conceived as the outcome of the interaction between impairments and negative environmental impacts. The World Health Organization emphasizes that most people will experience some degree of disability at some point in their lives. Accordingly, the ICF classification focuses on a child's abilities and strengths and not just impairments and limitations. It also grades functioning on a scale from no impairment to complete impairment. By shifting the focus from cause to impact, ICF places all health conditions on an equal footing.⁵

The national classification has not accommodated all the disability categories as defined by the International Classification and Functioning and Health ICF).

The Government has classified 10 types of disabilities following Act related to the Rights of Persons with Disabilities; (1) Physical Disabilities (comprising the people with amputation, wheelchair users, Muscular Dystrophy, little people, poliomyelitis etc.), (2) Visual Disabilities (No perception of light, Blind and Partial Sighted), (3) Hearing Disabilities (Deaf and Hard of Hearing), (4) Speech Disabilities, (5) Deafblindness, (6) Psychosocial/ Mental Disability, (7) Intellectual Disability, (8) Autism Spectrum Disorder, (9) Hemophilia and (10) Multiple Disabilities.

The Government further classified disabilities in four different categories based on severity. There is classified Identity Cards being distributed to these categories. Red colour for profound disability, blue colour for severe disability, yellow colour for moderated disability and white colour for mild disability.

Majority of disabilities are consequent by falling from trees and cliffs, herding live stocks, transport accidents, collecting fodder, grass, fires, poverty, lack of education, awareness, inadequate health services such as immunization, early identification, timely interventions, less attention on mother and child health care, lack of appropriate health care instructions and genetics deformities⁶.

In Nepal, it is a dispute regarding prevalence of disabilities. Various surveys and studies conducted by GOs, NGOs and OPDs have come up with different prevalence rate from 1.94 to 8.99. In accordance the National population census report 2011 produced by Central Bureau of Statistics, among total population of 26,494,504 (Male 12,849,041 and Female 13,645,463) there are 1.94 per cent persons with disabilities reside in Nepal. Out of the prevalence of 513,321 (Male 2,80,086 and Female 2,33,235) persons with disabilities, the physical disability constitutes 36.3 per cent followed by visual disability of 18.5 per cent, Hearing Disability 15.4 per cent, Speech disability 11.5 per cent, Multiple Disability 7.5 per cent, Mental Disability 6 per cent, Intellectual Disabilities 2.9 per cent and Deafblind 1.8 per cent.

⁴ United Nations, (2006). Convention on the Rights of Persons With Disabilities. New York. ⁵Sourceswww.who.int/icidh

⁶Pokharel. B. R (2012). Monitoring the rights of persons with disabilities in Nepal, HOLISTIC REPORT: NFDN & Disability Rights Promotion International & York University, Canada.

The 2011 census revealed children with disabilities only account for 0.7% and 0.8% of the students in age group 3-4 (CBS 2011). However, there is reason to believe these statistics greatly underestimate the true population of children with disabilities in Nepal. Also, note that only 15% of the 2011 census data collected through the Nepal Living Standard Survey (NLSS) on pre-primary age groups was analyzed for disability occurrence.

It is estimated that 15% of the world's population live with disability (WHO and World Bank 2011). Several studies used the World Health Organization's estimate of 5.8% of disability prevalence among children from 0 to 14 of age (WHO 2011). This would translate to a figure of between 250,000 and 735,000 children with disabilities in Nepal. It notes that many mild disabilities are hardly identified in Nepal including dyslexia, dyspraxia, and attention deficit hyperactivity disorder. The 2015 report of HI notes that there are 650,000 children in primary school who need glasses, and at least 65,000 of those children cannot access them.

Disability classification	3-year-olds	4-year-olds	
Withoud having disability	97.50%	97.50%	
Not stated	1.80%	1.70%	
Living with disabilities	0.70%	0.80%	
Physical	37.00%	39.40%	
Blind/low vision	22.00%	20.60%	
Deaf/hard of hearing	7.50%	6.80%	
Deaf-blind	1.30%	1.30%	
Speech impairment	15.10%	14.50%	
Psychosocial	1.40%	2.90%	
Intellectual disability	3.00%	3.50%	
Multiple disability	12.70%	10.90%	
Total amongst disability	100%	100%	

Table 2-2. shows students by disability classification and age distribution

Source: Census 2011.

Table 2-3. Proportion of Children with disabilities in primary and lower secondary age groups

Age group (in years)	5	6
Without having disability	97.50%	97.50%
Not Stated	1.70%	1.60%
Having disability	0.80%	0.90%
Total	100%	100%

Source: Census, 2011

According to the Flash report 2018-2019, In total 39,820students at lower basic level, 12,546 upper basic level students were reported as having a disability. This suggests that due to the lack of proper care of these students, many students with a disability drop out as they are deprived from learning opportunity. Amongst 3,270 children reported as having a disability, 2,000 (61.2%) have some sort of physical disability. Note that mental disabilities and learning difficulties can be hard to identify, and schools need to be oriented on identifying the different types of disabilities. Only 362 children in government and 126 children in institutional schools are identified as having a mental disability, which is well below the expected proportion.

3.3. Constitutional provisions on Education:

Nepal promulgated its new constitution on 20 September 2015. The constitution enshrines education as a universal right of all citizens. It commits the State to"[make] education scientific, technical, professional, skill-oriented, and employment and people oriented in order to prepare the human resources to be competent, competitive, moral, and committed to national interest.".

The preamble to Nepal's constitution (2015) commits for embracing multi-caste, multi-lingual, multi-cultural, and diverse geographical specificities by ending discrimination relating to class, caste, religion, language, region, and gender, including all forms of racial untouchability. Schools can often be the grounds where some children are socialized to feel inferior, undeserving and powerless. They can also be the places where children thrive as productive and peaceful citizens who are committed to excellence, equality, rule of law and pluralism. The constitution highlights the basic right to education with particular references to the rights of women, children and persons with disabilities.

- The article 18 of the constitution grants rights to Equality. The sub article (2) mentions no discrimination shall be made against any citizen in the application of general laws on grounds of religion, color, caste, tribe, sex, sexual orientation, bodily condition, disability, status of health, marital status, pregnancy, financial status, origin, language or region or any of these provided that nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or advancement of economically poor, socially or culturally backward women, Dalits, Adibasi, AdibasiJanajati, Khas Arya, Madhesi, Tharu, farmers, laborers, suppressed classes, Muslim, backward class, minorities, marginalized, endangered communities, youth, children, the aged, genderbased and sexually oriented minorities and the persons with disabilities or those who are pregnant or citizens of backward regions.
- The article 24 grants rights against Untouchability and Discrimination. The sub article (1) mentions that no person shall be discriminated against as untouchable and subjected to discrimination in any form, on grounds of caste, race, community, origin, occupation or physical condition in any public or private place.
- The article 31 grants Right to education. The sub article (1) mentions that every citizen shall have the right to access to basic education. The sub article (2) grants every citizen shall have the right to compulsory and free basic education, and free education up to secondary level.

The sub article (3) highlights that the citizens with disabilities and those financially poor shall have the right to free higher education as provided for in law.

Further sub- article (4) grants access to education for Person with visual disability by means of Braille script and Deaf and person with speech or voice impairment by means of sign language shall have the right to free education as provided by the law.

- The article 38 grants rights of women highlighting special protection in sub-article (5) Women shall have the right to special opportunity in the spheres of education, health, employment and social security based on positive discrimination.
- The article 39 of the constitution grants rights to the child. The sub-article (2) grants every child shall have the right to education, health care nurturing, appropriate upbringing, sports, recreation and overall personality development from family and the State. Similarly the sub-article (3) mentions that every child shall have the right to formative child development, and child participation. The sub-article (9) further grants helpless, orphan, children with disability, conflict victim, displaced, and vulnerable children shall have the right to get special protection and facilities from the State.
- The article 42 grants right to Social Justice. The sub-article (1) grants socially backward women, Dalits, Adibasi, AdibasiJanajati, Khas Arya, Madhesi, Tharu, farmers, laborers, suppressed classes, Muslim, backward class, minorities, marginalized, endangered communities, youth, children, the aged, gender-based and sexually oriented minorities and the persons with disabilities or citizens of backward regions shall have the right of participation in structure of the State and public service on the basis of inclusive principles. The sub-article (3) grants Citizens with disability shall have the right to live a

life with recognition of human diversity with self-dignity and equal access to public service and facilities. Further the sub-article (5) mentions that Family of martyrs and disappeared, strugglers of democracy, victims of conflict, displaced, persons with disabilities, injured and victims in all mass movements, armed conflict and revolution for progressive democratic change shall have right to get prioritized opportunities in education, health, employment, housing and social security along with justice and appropriate dignity.

- Likewise, the article 43 of the constitution grants right to Social Security. The subarticle(1) mentions that Single women, persons with disabilities, children, those unable to take care of themselves and citizens of endangered ethnicity in economically poor, incapacitated and helpless state shall have right to social security as provided by the law.
- Besides the fundamental rights, the constitution in its article 51 mentions the Directive principles of the State. The sub section (h) mentions the Policies related to elementary needs of citizens and the 13th point highlights for Ensuring easy and equal access of all citizens to transportation service and increasing investment in transportation sector, motivating public transportation prioritizing environment friendly technologies, regulating private transportation and making the transportation sector safe, managed and accessible for people with disabilities.
- The constitution (2015) also grants remarkably the rights to political participation of persons with disabilities in its articles 84, 86 and 176. The article 84 guarantees rights to proportional representation of persons with disabilities in House of Representatives, provision of representation in National Assembly under article 86 and representation in State parliament in article 176.
- The article of the constitution 258 has a provision of National Inclusive Commission that covers the provision of representation of persons with disabilities that reviews the implementation status of the constitutional and legal provision from the human rights lens.

The constitution describes the policies to be implemented to fulfill the basic educational needs of citizens; Making education scientific, technical, professional, skill-oriented, and employment and people-oriented to prepare human resources that are competent, competitive, moral, and committed to national interest, Increase the investment of the State in the educational sector, and regulate and manage the private sector investment in it to make education service oriented, make higher education easily available, high quality and accessible, and gradually make it free and establish and promote information centers and libraries for the personality development of citizens. The constitution thus establishes a clear and compelling vision about a right based education system that serves the national and human development goals of the country. Nepal's commitment to building back better should include the far more complex, vital, and urgent task of ensuring that students and out-of-school children do not remain victims which should also equally be applicable for those living with disabilities in the context of Covid pandemic.

3.4 Educational related provision in the ARPD (2017)

Preamble of ARPD discrimination against persons with disabilities and to ensure the environment that enables persons with disabilities to earn self-reliant and respectful living by empowering persons with disabilities and getting them to have participation in the process of policy making, and development;

Chapter-3 of the ARPD mentions Rights of Persons with Disabilities where article 8 grants rights against discrimination for person with disability on the basis of disability. The act defines discrimination on the basis of disability following the spirit of CRPD. The sub article 8.2 mention No person shall make any kind of discrimination on the basis of disability in enrolment of person with disability in an educational institute.

Article 15 of ARPD grants right of access to services, facilities and justice to persons with disabilities that covers sub-article (1) highlighting that the persons with disabilities shall have the right to have easy access to other services and facilities that are open or provided for the public, including educational institutes, housing, workplaces, buildings, roads, transportation, and electronic communication services.

Article 17 grants right to Information in disability friendly and accessible formats mandating electronic broadcasting Institutions of public communication shall conduct news and other programs in sign language in such a number as specified by the Government of Nepal. In the present Covid context, this provision has been activated while the MOHP provided regular information about Covid updates however the ministry of education failed providing online education in accessible format.

The chapter-4 of ARPD grants additional Rights of Women and Children with Disabilities. Its article 20 grants rights to children with disabilities with a provision of the right to ensure their dignity and respect, promote self-reliance, participate actively in the society and earn the living in a respectful manner. The sub-article (2) grants children with disabilities shall have the right to obtain education, training, health care, rehabilitation service, preparation for employment and opportunities of entertainment in order to assimilate in the society and make personal development. Further the sub-article (5) obligates GoN shall make appropriate provision on curricula, course books and teaching learning materials addressing learning needs of children with intellectual disabilities, psychosocial disabilities, autism, or Deafblind. This provision follows concluding observation of CRPD committee for addressing under-representative groups in education.

The chapter 5 address rights to Education of Persons with Disabilities. The article 21 grants free education followed by article 31 of the constitution (2015). The sub-article 20.1 mandate the educational institutes operated by the GoN or Local Level or that receive grants from the GoN shall provide free higher education to the persons with disabilities.

The sub-article 20.3 of ARPD further mentions that no fee of any kind shall be collected from person with disability for getting admission to an educational institute which further mentions the vocational and technical education as prescribed shall be freely provided to persons with disabilities in its sub-article 4 whereas the provision of providing extracurricular activities, distribution of accessible educational materials without distinction.

Similarly, the sub-article (6) mandates GoN making provisions to provide education to persons with disabilities through more than one means such as brail or alternative scripts, sign language, accessible ICT and encourage peer learning in order to ease the imparting of education. The sub-article (7) further highlights that the GoN shall make provisions to provide education as prescribed applying accessible technology, means, including appropriate language, scripts, curricula and textbooks, to the persons with visual disabilities, hearing disability, Hard of hearing, Deafblind.

There is provision of education along with hostel facility in sub-article 20.8 that the GoN should arrange to persons with disabilities, on the basis of, inter alia, indigenous, geographical remoteness or severity of disability. The sub-article (9) grants the non-formal education to persons with disabilities enabling them to obtain access to vocational and technical education, adult education, practical education and continuing learning, by providing them with reasonable accommodation.

The sub-article 20.10 mentions about convenient assessment system on the basis of disability classification, GoN making separate provision, as required, with regard to education and evaluation system of the students with disabilities which further highlights making provisions of

disability friendly educational materials, following needs of persons with disabilities in sub-article 20.11.

The article 20.12 of ARPD grants rights to accessible environment in educational institutes. It is mandated to build school buildings and other physical infrastructures constructed following accessible standards determined by the GoN, in such a manner to ensure the accessibility for persons with disabilities.

The article 22 of ARPD mentions to provide scholarship and financial assistance to students with disabilities with a provision of providing educational scholarship by the government in its first sub-article. The sub-article 22.2 further mandates the GoN shall provide financial assistance as prescribed for the development of physical infrastructures and other services, facilities of the schools that operate education programs for the students with disabilities.

The article 23 highlight the provision for enhancing quality education for learners with disabilities that include provisions of education continuation, teacher's training, capacity of development of accessible teaching learning materials etc.

Article 29 of ARPD mentions the Provisions relating to rehabilitation which is yet to be clarified if this led towards segregation for persons with disabilities. The sub-article 29.1 obligates the GoN shall rehabilitate the persons who have profound disabilities, severe disabilities, are helpless or have psycho-social disabilities. Though the article has tried to provide explanation of the term "rehabilitation" means treatment service, life skill and vocational training, assistive devices, medicines, regular counseling service, educational and financial programs to be provided and launched as to enable persons with disabilities to make active life in the society, and this term also include the housing support for the settlement of persons with disabilities. It is contradicting provision in comparison of article 19 of CRPD for rights of persons with disabilities to be included in the community and living independently in the inclusive society. The sub-article 29.2 further mentions that The GoN may establish rehabilitation centres as required for making provision of appropriate housing to the persons with disabilities and for the purpose of empowering and rehabilitating them in the society which need to be clarified and make the provision establishing transition center for persons with disabilities to be rehabilitated in the society.

The chapter 8 of ARPD highlights the provision of facilities and Concessions to Persons with Disabilities. The educational institutions are entitled to enjoy tax exemption facilities as mentioned in sub-article (5) The GoN may grant tax exemption to the amount for that purpose to any institutional school that provides free education to the persons with disabilities.

The sub-article (6) has provided facilities to persons with disabilities with a provision for free education to their children living without disability which can't be covered within the rights to education of children with disabilities, which is differ from the rights to education to persons with disabilities under article 24 of CRPD however that may compatible to article 28 of CRPD providing adequate standard of living to persons with disabilities exempting the cost of education of their children having no disabilities.

The chapter 10 of ARPD mentions about the responsibility of different stakeholders towards Persons with Disabilities. In its article 46, the responsibility of educational institutes has been mentioned. It highlights that the concerned educational institute shall be responsible to effectively implement the education related provisions provided by this Act for the persons with disabilities. Similarly, the article 47 highlights the responsibility of family member and guardian towards children with disabilities. Sub-article (1) mentions that family member or guardian shall care, maintain evolving capacity and provide opportunity of education to children with disabilities.

3.5. Disability related provisions in Educational legal instrument:

The first elections to the federal, provincial and local tiers of government were held in 2017, instituted the current three tier system of governance.

The 2018 Free and Compulsory Education Act (BS 2075) and 2020 Rules (BS 2077) were enacted that follow the implementation of the educational rights and provisions mentioned in the constitution, while the 2018 Children's Act also guarantees rights of children with disabilities.

3.6. National Educational Policy (2019):

The National Education Policy 2019 (BS 2076) provides policy guidelines for improvements and changes in the education sector however covered contradictory provision of special education.

The assessment of the provisions mentioned in the National Education Policy (2019), it is observed that the policy mentioned contradictory provision which is contrast to the Inclusive Education Policy (2017) and is replaced by the current National Education Policy. The current policy in its policy number (G) covered both Inclusive and special education. The Policy 10.28 mentions "To provide inclusive education and special education opportunities to meet the learning needs of children with disabilities and to adapt curricula and textbooks for the development of life skills and vocational skills...". Here the special education and inclusive education both are mentioned without distinction which is entirely against the CRPD compliances and violated the state commitments under the provision of article 24 of the convention system.

The policy further mentions in 28.3 that "children with disabilities and those having different abilities will be given the opportunity to learn vocational skills to become self-reliant." which is not complete provision for bringing children with disabilities into mainstream education system. Rather this provision completely ignores the article 42 of the constitution of Nepal for respecting disability as human diversity.

Likewise, the policy 28.4 "For children with disabilities who can study with normal children, appropriate materials (such as wheelchairs, sticks, Braille books, signage, etc.) will be provided according to the nature and level of disability:" is beyond the concept of addressing learning need of children with disabilities, reasonable accommodation and the accessible ICT which has been mentioned in CRPD article 9 is completely ignored.

Further the policy 10.28.5 Children with all types of disabilities (Physical Disabilities, Hearing Disabilities, Visual Disabilities, Voice and Speech Disabilities, Mental or Psychosocial Disabilities, Intellectual Disabilities, Hemophilia Disabilities, Autism Disability and Multiple Disabilities) And disability-friendly physical infrastructure and learning environment will be provided according to the intellectual capacity. Likewise, 10.28.6 Special classes and remedial classes will be arranged to enable all the children according to the condition and nature of the children.

The policy 28.9 Emphasis on flexible curriculum and textbooks, alternative learning materials and teaching methods according to the nature of disability and the student assessment system that will be made suitable for children with disabilities.

3.7 15th National Development Plan:

Nepal is continuing its Fifteenth Plan for 2021/22 to 2026/27 (BS 2077/78-2082/83) in mid-July 2021.

In 2015, Nepal committed to the Incheon Declaration and Framework for Action for the implementation of SDG 4 issued by the meeting of the World Education Forum organized by UNESCO in Incheon, South Korea. Against this context, the Government of Nepal has incorporated it policy priorities for educational development in its Fifteenth Plan.

3.8 Accessible Physical Structure and Communication Service Directive for People with Disabilities, 2069 BS (2013 AD)

Nepal adopted the "Accessible Physical Structure and Communication Service Directive for People with Disabilities, 2069 aiming increase access by removing barriers to people with disabilities to establish uniformity in constructing services and facilities by fixing required standards for enabling them to utilize their civil, political, economic, social, cultural rights and entitlements as well as mentioned in CRPD. The educational institutional and the means of communications are presented in the following provisions:

13. Making other internal services and facilities accessible: (1) While constructing buildings for public use, concern organization or person should make its entrance, passage, door, lobby, ladder, bath room, toilet, kitchen, bed room as well as other facilities available inside the buildings accessible for people with disabilities.

(2) While operating buildings for all private, non-governmental and governmental educational purposes including school, university, the concern organization and person should make its entrance path to the premises, toilet, door, ladder, class room, seating arrangement in class room, library, administrative office, conference or meeting hall, stage to perform various programmes, canteen, laboratory, computer lab etc of the building accessible for all people with disabilities including people who use wheelchair, people who use crutches, people who are blind etc.

14. Making communication system accessible: Accessible communication system shall be guaranteed for people who are deaf and hearing impairments who have barriers to communication.

15. To be arranged an interpreter: (1) Any person, organization, group or agency has to arrange an interpreter themselves if they need to do communication or idea sharing with deaf and people with hearing impairment for developing accessible communication system and practice.

17. Making other notices accessible: Essential public notices being put up by concerned organization in public and private places like class room number and name in school, name of section or department outside office and related staff's name, room number or name in hotel, citizen charter keeping outside of public office, notice to separate female and male toilet etc should be put up on an appropriate place and height so that people who are blind can easily find them while touching.

24. Table, counter and others: The concern agency or organization should make following arrangements for their internal service and benefits including workplace to be accessible for people with disabilities:(g) The surface of working table, computer table, writing table etc for people who use wheelchair should be at maximum 30 inches high from the ground surface. Similarly, shelves of the rack, filing cabinet etc to keep and pick up the materials should be at maximum height of 48 inches.

33. Tactile blocks: (1) To walk in confidence and comfortably by people who are blind in the street and to reach the destination without any confusion, specific standard, size and types of tactile blocks should be laid in street, Sidewalk, premises and main entrance of public building, public parks, school and college premises etc to know the arrival in these places by touching with white stick or feet.

35. Reasonable Accommodation be available: The concern agencies, in addition to above mentioned barrier free environment and standards for people with disabilities, depending on individual functional limitation, physical condition and need, to access in physical structure or facilities of school, home or workplace without extra economic burden, should provide

reasonable accommodation like special assistive devices, class room, toilet or bathroom, table and utensils for eating, arranging special sitting chair or desk, computer software, arrangement of key board and mouse to be used by feet for those who operate computer by their feet, racks, filing cabinet, telephone, printer, photocopy machine, scanner etc of workplace be with reasonable accommodation and appropriate way etc.

3.9. Nepal's International Commitments towards Rights to Education of persons with disabilities:

The international efforts considering education as a universal right has been materialized since the adoption of "Universal Declaration on Human Rights (1948)", UN Declaration of Human Rights for Persons with Disabilities (1975), and IYDP (1981) and World Program of Action Concerning Disabled Persons (2017), Decade of Disabled Persons (1983-1992) and many provincial conferences by the General Assembly of the United Nations, and further strengthened by the UN Convention on the Rights of the Child (1989), IE-1990, The Salamanca conference on Special Needs Education (1994), Dakar Framework of Action 2000 and the CRPD-2006. These commitments have placed responsibility on government to ensure that all children have access to education. It is an increased pressure of international efforts on the government's commitments which have resulted in an initiation of Educational Programme provision and other incentive programs for girls, persons with disabilities and children from disadvantaged and backward community.

The Convention on the Rights of Persons with Disabilities (CRPD), adopted by the United Nations General Assembly in December 2006, provides a powerful new impetus to promote the human rights of all children with disabilities.

The CRPD with particular implications for children is article 24 on education. This Article reflects a clear commitment to the principle of inclusive education as a goal. In this respect, it advances further the direction established in earlier documents such as the CRC, the Salamanca Statement and Framework and the Standard Rules.

The Article 24 encompasses sub Articles from one to five on the right of persons with disabilities to inclusion. The first sub Article deals with full development of the human potentialities, sense of dignity, self-worth, respect of human rights, fundamental freedom of human diversity, etc. The second sub-Article emphasizes that the persons with disabilities are not excluded from the general education system on the basis of disabilities, are not excluded from free and compulsory primary education, secondary education, reasonable accommodation, of the individual's requirements, individualized support measures within educational environment, etc. The third sub Articles deals with all the facilitating learning tools and devices such as learning of Braille, alternative script, augmentative and alternative modes, means, learning of sign language and the promotion of the linguistic identity of the deaf community. Accordingly, other remaining Articles also discuss the different provisions of rights to education for the Persons with Disabilities.

Article 24 also addresses the specific needs of children with severe and complex sensory impairments for access to specific supports to learning such as sign language, Braille and low vision aids. Other children with disabilities may also need modifications to the curriculum, to styles of teaching and to the organization of the classroom. Support to all children with disabilities has to be individually tailored and resourced both in terms of time and staffing. Clearly, parents and the children themselves have to be partners in deciding the nature and intensity of such support and ways in which it can be reduced as both child and teacher become more confident and competent.

The CRPD in its article 32 has given particular emphasis that there is important implications for the role of international actors, and of the UN system in particular. The article recognizes the

importance of international cooperation in support of national efforts for the realization of its purpose and objectives, and stresses that cooperation should aim at ensuring that development programmes are inclusive of, and accessible to persons with disabilities. The Convention is also open for accession to regional integration organizations.

In addressing the need for all development programmes to be inclusive and accessible to persons with disabilities, article 32 identifies a range of areas in which international partners are expected to play a facilitating and supportive role. With the establishment of the Convention, disability will take on a more prominent role in the development process. In these actions disability must be increasingly addressed within all programmes, not only as a separate item.

The Convention on the Rights of the Child: CRC recognizes the human rights of all children, including those with disabilities. The Convention specifically article 23 recognizing and promoting the rights of children with disabilities.

In spite of the almost universal ratification of the CRC, and the social and political mobilization that led to adoption of the Convention on the Rights of Persons with Disabilities, children with disabilities and their families continue to be confronted with daily challenges that compromise the enjoyment of their rights. Discrimination and exclusion related to disabilities occur in Nepal, in all sectors of society and across all economic, political, religious and cultural settings.

The Sustainable Development Goals has explicitly the targets of quality and equitable education of learners with disabilities. The Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. The target 4.5, by 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations. Further the indicator 4.5.1 mention the parity indices (female/male, rural/urban, bottom/top wealth quintile and others such as disability status, indigenous peoples and conflict-affected, as data become available) for all education indicators on this list that can be disaggregated.

The target 4. a further mention to build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all. The indicators of achieving this targets mentioned in 4.a.1 such as: (a) Proportion of schools with access to: (a) electricity; (b) the Internet for pedagogical purposes; (c) computers for pedagogical purposes; (d) adapted infrastructure and materials for students with disabilities; (e) basic drinking water; (f) single-sex basic sanitation facilities; and (g) basic handwashing facilities (as per the WASH indicator definitions).

Human rights have provided both the inspiration and the foundation for the movement towards inclusion for children with disabilities. Inclusion requires the recognition of all children as full members of society and the respect of their rights, regardless of age, gender, ethnicity, language, poverty or disability. Inclusion involves the removal of barriers that might prevent the enjoyment of these rights, and requires the creation of enabling environment.

Chapter 4: Analysis of the status of access to Education to learners with disabilities:

The enjoyment of human rights by children with disabilities can be fully realized only in an inclusive society, that is, a society in which there are no barriers to a child's full participation, and in which all children's abilities, skills and potentials are given full expression. The PAR in IE reviews concrete initiatives and strategies for advancing the social inclusion of children with disabilities. These initiatives are important way through a combination of political will, partnership with local communities and development partners such as the Royal Norwegian Embassy and UNICEF extended partnership to improve the situation of children with functional limitations with the aim of strengthening inclusive education in Nepal.⁷ Above all, the involvement of children and adults with disabilities in decision-making process.

This PAR in IE is intended to help raise the profile of childhood disability and to give impetus to the challenge of ensuring that children with disabilities are fully included in efforts to promote the human rights of all children. It examines the situation of children with disabilities from Global perspective, considering Nepal's local context and societies with widely differing levels of economic development and service provision, and a variety of sociocultural realities that influence attitudes towards persons with disabilities. It seeks to demonstrate that the inclusive policies and practices required to promote the enjoyment of the rights of these children are both feasible and practical. The following are the area of analysis based on the individual experiences and the policy consequences based on information generated following local practice and the policy review.

The Educational Management Information System (EMIS) in Nepal has been gradually evolving and demonstrably improving from the perspective of information collection, interpretation, presentation and application. Especially, EMIS has been used to derive the Flash Reports I and II(Gon, 2019).

According to the Flash report 2018-2019, the overall number of the students with disabilities at secondary (grade 9-10) and secondary (grade 11-12) levels are 10,518; 4,071and the overall is 14,589 respectively. When taken as a whole, the percentage of students at the secondary level (Grades 9-12) with disabilities is 0.88%.

Children with disabilities of various forms made up 0.3% of enrolled ECED/PPE children, 0.9% of basic level students (Grades 1-8) and 9.9% of secondary level students (Grades 9-12). This suggests a low rate of enrolment for students with a disability at lower levels and a high level in secondary schooling as such children made up 1.94% of the population.

The present PAR on IE interviewed to 125 students with disabilities who enrolled in the educational setting and registered in EMIS and found that 10% were enrolled in Madrassa, 31% in resource classes and 59% enrolled in public schools. The comprehensive accessibility standard was not found in most of the settings.

4.1. Early Childhood Education and Children with disabilities:

The government of Nepal launched the National Policy on Early Childhood Development in 2004 with the goal to promote a comprehensive approach to early childhood and Education development programs (ECED) for children aged 0-5to safeguard their rights and fully develop their physical, socio-emotional, cognitive, spiritual and moral potential. Access to ECED centers

⁷ <u>https://www.unicef.org/Nepal/press-releases/royal-norwegian-embassy-and-unicef-partner-support-</u> children-functional-limitations#main-content

has improved. However, it is still not equally available to vulnerable and disadvantaged groups particularly those children living with disabilities.⁸

According to Flash report 2018/ 2019, a total of 3,270 (0.34%) of the 973,900 children enrolled in ECED/PPE are reported as having a disability, of which 2,051 (62.7%) are in government and 1,219 (37.3%) in institutional ECED/PPE. In terms of gender, 1,904 (58.2%) of these children are boys and 1,366 (41,8%) girls. Though the proportion of these children are identical with the population census 2011, these proportion are very low given that an estimated 15% of students globally have a disability (WHO, 2011).

According to the World Bank, the gender parity index (GPI) in ECED/PPE was 0.85 (girls to boys), 0.91 at basic level, and 1.01 at secondary level - all for student enrolment. Girls made up 51.3% of all students in Grades 9-12 and 44.1% in institutional schools in these grades.⁹

"I have two daughters going to the school which my son of 11 years couldn't follow because of his disability. I never realized that a person with disability who have complete mobility impairment can go to school and learn. When my daughter gets ready to go school, my son becomes sad, I was wondering about the problem he is facing. Finally he expressed his worry that he is willing to go to the school but was restricted, wants to make friends and learn to secure a better life...".¹⁰

"I think, the school is not ready to accept me because of my physical disabilities. the school may not have enough resources, the classrooms are not accessible, as it developed in my house, and the teachers may not be capable enough to teach students like us...". said the boy.

The article 18(2) mentions no discrimination shall be made against any citizen in the application of general laws on grounds of religion... disability... Further article (2) grants every child the right to education but the boy in the rural community is deprived of accessing education only because of his disabilities.

"I was not expecting to go to school because I would be totally stigmatized and my family would not want me to go to school, but it is the staff of DECN who persuaded my parents to enroll me in the school.....". said a boy with cerebral Palsy in the CP Center established by DECN.

ECED is the foundation for children's overall development and their readiness to enter, learn and participate in formal education, as reflected in SDG target "4.2: By 2030 ensure that all girls and boys have access to quality early childhood development, care and pre-lower basic education so that they are ready for lower basic education." The GoN through CEHRD, is striving to respond to the need to increase access to quality ECED and PPE to improve the physical, intellectual, social and emotional development of all 4 to 5 year-olds. Further the target 4.a intent to build and upgrade education facilities that are child, disability and gender sensitive and provide safe, accessible, inclusive and effective learning environment for all.¹¹

⁸In reference to the interview with Mr. Mitralal Sharma, President, NFDN,administered by ADRAD on 30August, 2021.

⁹World Bank (2015). gender parity index. Retrieved from

https://data.worldbank.org/indicator/SE.ENR.PRSC.FM.ZS?locations=NP

¹⁰In reference to the interview with a parent of a 11 years old boy living with Cerebral palsy in Raptisonari municipality of Banke administered by ADRAD on 12 July, 2021.

¹¹In reference to the interview with Ms. Divya Dawadi, Deputy Director, CEHRD, GON, Inclusive Education section administered by ADRAD on 2 June, 2021.

4.2. Fulfillment of the accessibility standards and Reasonable accommodation:

None of the student intents to have disabilities however, affect students' access, participation, and education outcomes. The education sector has a legal, ethical, and moral responsibility to ensure that disability do not impede students' opportunities to learn, thrive, and improve their human and social condition but this is the attitude of the people and more over the accessibility condition of both physical environment and the software applications.

Increase access to ECED requires building structures in urban and rural areas to make it accessible to all children and especially for marginalized, deprived, living with disability, and geographically distant students.¹²

The Physical Accessibility and Communication Directives (2013) in its order 13.2 mentions that "While operating buildings for all private, non-governmental and governmental educational purposes including school, university, the concern organization and person should make its entrance path to the premises, toilet, door, ladder, class rooms, seating arrangement in class room, library, administrative office, conference or meeting hall, stage to perform various programmes, canteen, laboratory, computer lab etc of the building accessible for all people with disabilities including people who use wheelchair, people who use crutches and those who are blind etc...".¹³

Due to inadequate setting-up of the resource classes of the Government, many of the students with visual disabilities are out of school (Pokharel, 2017).

A significant number of schools do not have the identified priority minimum enabling conditions for children with disabilities.

In rural municipalities, children with disabilities do not receive an education nor are they taught vocational or independent living skills that will benefit them as adults. Participants from FGD described the low quality of education observed in resource classes for children with disabilities in their respective municipalities. "Unfortunately "the special schools that I've observed are not really that helpful in progressing children with disabilities, forward as the family have expected. It is more like a daycare arrangement in the resource classes particularly to the children with intellectual disability...". Said a social mobilizer of DECN.

ADRAD found that many resource classes facilities lack enough ventilation, adequate lighting, accessible structures, toilets, clean water and proper sanitation.

Although the Government of Nepal has attempted to create policies that are inclusive for people with disabilities, their implementation efforts have not resulted in an inclusive system of education, nor have they reached their goal of Education for All.¹⁴

"Because of the inaccessible and narrow pathway in the school buildings, and having lots of stairs, I am facing continuous challenges. As the toilet is not accessible for my wheelchair, I limit drinking water while going to school" said a girl using wheelchair in Baijanath Municipality.

Even when parents show extreme commitment to their child's education, other obstacles often arise that prohibit the child from attending school. Many schools are not physically accessible

¹² NIRT (2016). Nepal Education Sector Analysis. Kathmandu, Nepal

¹³GoN, (2013). Accessible Physical Structure and Communication Service Directive for People with Disabilities (2069). available at http://adrad.org.np/wp-content/uploads/2016/01/Physical-Accessibility-Communication-Guideline-Nepal2013Eng.docx

¹⁴In reference to the interview with Mr. Ganesh Pandey, Project Coordinator of DEC-Nepal in Banke administered by ADRAD on 2 April, 2021.

to children with mobility impairments. Schools lacking ramps, wide doorways, and accessible toilets are inaccessible for many children, which often be the reason for dropout.

The Learning and upgrading Standards are not enforced in resource classes. This makes it difficult to ensure minimum enabling conditions across the classes. "Many resource classes lack a sufficient space for learning with IEC materials.¹⁵ The FGD participants highlighted that the Other challenges in the resource classes include the management capacity of the schools and resource teachers, the limited or lack of training of teachers, poor implementation of the curriculum due to inadequate guidance to the resource teacher and inaccessible infrastructure.

"There are questions concerning the quality of online education due to low attainment, lack of ICT trained educators, and lack of suitable online platform for learners who use sign-language...".¹⁶

Due to lack of accessible teaching learning materials including textbooks in Braille and in DAISY format, the students with visual disabilities have high drop-out rate in compare to other students (Pokharel, 2017).

A significant number of schools do not have the identified priority even minimum enabling conditions for children with disabilities such as .¹⁷

The importance of accessible school environment, as well as the need for assistive devices such as wheelchairs and ramps, not available in many schools in rural municipalities.

Another challenge in examination system is issue of writers for blind students. In school level, this problem is not severe as school is entrusted with the responsibility of finding the writing assistance (scripters). The students in higher education face problem of getting human writers which is acutely experienced by blind students pursuing higher education. "Some blind students are under pressure to find the writers by themselves, even if they find a writer, there have been instances of writers failing to catchup the speed while writing exam papers. Sometimes, the approved scripters failed to turn up on the day of exam as such the Blind examinee are put in pressure to find someone else and they were not always successful...".¹⁸ This context compel the Blind students missing the exam due to denial of reasonable accommodation. It is suggested that the best option for blind students would be to use accessible ICT and computers for assessment. This provision can perhaps be implemented on school level where accessible technology available. The Universities also should be encouraged to develop a system of examination in which blind students can express their ideas and knowledge independently through medium of computers. Till this system is not in its place, it is of utmost important for concerned educational institutions and organizations to maintain a pool of volunteers who are committed to work as writers for blind students.

4.3. Sign-language and alternate communication approach:

"The Deaf students have low educational attainment and minimum learning outcomes because there is no additional instructional time allocated to the teaching and learning in Deaf sector through Sign language."¹⁹

¹⁵In reference to the interview with Ms. Kamala Paudel, a parent of Child with intellectual disability in Banke administered by ADRAD on 2 April, 2021.

¹⁶ In reference to the reflection of the participant of webinar on 23 July, 2021 on Deaf education. ¹⁷In reference to the interview with Mr. Narad Dhamala, Section Officer, CEHRD, GON, Inclusive Education section administered by ADRAD on 2 June, 2021.

¹⁸In reference to the interview with Mr. Bhabuk Jang Thapa, general secretary of BAB administered by ADRAD on 2 April, 2021.

¹⁹In reference to the reflection of the participants of Webinar organised by NIEC on 23 July, 2021.

"I usually visit a family in rural village where a young daughter who has hearing disability is kept at home without sending her to school, who has hearing disability, who was always banging her feet on the floor which I tried to understand, finally I came to know that the girl wanted to continue her education in school with her friends and learn sign-language for communication...". said a social mobilizer of DECN.

"Because of less access to sign language communication in families, children with hearing disabilities tied with the deaf community in the belief that school stay will little benefit them...".²⁰

NDFN's claims that the implementation of Article 24 of the CRPD to provide education through the medium of sign language has not been sufficiently understood and documented.²¹ The trend of implementing inclusive education has not necessarily taken measures to provide education in sign language environments nor through the medium of sign language (Human Rights Watch 2018).

"Inclusive education allows students to learn one of the most important basic lessons of life having strength because of diversity. By learning to get along with others from different backgrounds, Deaf students can learn how differences can strengthen the Deaf individual and the Deaf culture as a whole...".²²

The teacher engaged in the regular school of children with hearing disabilities expressed her worries that "Parents of other children living without disabilities have wrong conception that their children are suffering and moving slowly in the course while accommodating children with hearing disabilities, they think that the learning of their children is slowing down as this is an worrying conception I believe...".²³ This reluctance of parents of children with hearing disability is the same worry that the leaders of Deaf related OPDs express for slow learning of Deaf children if they are educated alongside children without disabilities.

"We had cases in the integrated school in Baglung, western hilly part of Nepal, where some parents of children without disability moved their children to another school, without having such children agreeing with deaf students to stay in the same classrooms, we have introduced the school prioritizing to the orphan children and those from under-representative groups... We need to consider that Deaf children are not the problem, but as an attitude and comprehensive communication approach...".²⁴

These comments showcase that inclusive education benefits both the child with disabilities as well as the children from under-representative groups which might be the missing opportunity to these students to be socialized with other students. Inclusive education meets the learning needs of all children. Additionally, the awareness, acceptance, and understanding of differences as well as opportunities for interacting with children of all abilities are of paramount importance when creating and reinforcing positive attitudes toward disability (Peairson, Shannon; Haynes, Cary; Johnson, Charles; Bergquist, Carol; and Krinhop, Kash, 2014.

The strategies for students with learning disabilities is lack educating them with alternate communication method.

²⁰In reference to the interview with Ms. Pratima Sharma, Executive Director of DAR-Nepal interviewed by ADRAD on 3 April, 2021.

²¹In reference to the interview with Mr. K.P. Adhikari, President, NDFN, administered by ADRAD on 11 July, 2021.

 ^{22 22} In reference to the reflection of the participant of webinar on 23 July, 2021, on Deaf education
 ²³In reference to the interview with Mr. Chhengalal Chaudhary, Resource teacher for Deaf Children in
 Banke administered by ADRAD on 1 April, 2021. and also he is engazing at DEC-Nepal employee.
 ²⁴In reference to the interview with Mr. K.P. Adhikari, President, NDFN, administered by ADRAD on 11
 July, 2021.

When it comes the concerns of GON for the implementation of National Education Policy (2019), despite of having controversial provision of both Inclusive education and the special education system within the same protocol, the specialized teaching methodology for children with Disabilities and specialized schools and the mainstream schools can be managing differently whereas the ultimate goals should be adoption of inclusive educational system at all level and for every disability classification. This is also possible with alternate communicating tools that DECN is developing in support of International experts"²⁵

4.4. Accessible teaching learning materials:

The vision of the Information and Communication Technology (ICT) in Education Master Plan (2013-2017) (MoE 2013) was the extensive use of ICT in the education sector for expanding access to and enhancing the quality of education. The mission was to narrow down the digital divide through the development of ICT infrastructures, human resources, digital content, and system enhancement in education. The progress indicate that it may take some time to narrow the digital divide which is even more challenging for the education of learners with disabilities which is particularly affecting factor in the countries like Nepal.

The accessible ICT help retention and continuous learning opportunity for learners with disabilities. Efforts to support accessible ICT in education should benefit from efforts to expand the TVET including learners with disabilities. The technologically rich platforms in schools would serve to fulfil the goal of improving access to quality education while moving ahead enhancing inclusive education.

The solutions should include specific strategies aimed at funding accessible ICT infrastructure including web accessibility implementation of WCAG, internet availability in all-inclusive schools, computers and reading devices for books in digital accessible format, trained staff, digital accessible library in inclusive schools, modelling the use of technology in instruction, training teachers in the use of accessible technology and demonstrating how accessible ICT can be used to enhance academic attainment by learners with disabilities.

The accessible technology in education is considered as a modern approach towards education for all children regardless of their class, ethnicity and disability. The approach of online class has been introduced by some of the schools in the municipalities.

DAISY helps to overcome the digital divide in developing countries and to ensure accessing information for the people with print disabilities such as visually impaired, people with language barriers in a community, indigenous people and those who are illiterate (Pokharel, 2009).

In almost every part of the country, schools have been temporarily closed and remote education programmes initiated. Which was rather challenging to children with visual disabilities who face high barriers in accessing adequate learning materials and participating in learning exercise. The Obstacles to providing remote education to children with Autism spectrum disorder and Intellectual disability include a lack of personalized education plans, absence of resources provided in schools (such as trained teachers, educators and structured learning environments), and a lack of assistive technology for online classes including computers, Android devices and Internet for students with learning disabilities in their homes.

²⁵In reference to the interview with Mr. Devi Datta Acharya, Executive Director, DECN administered by ADRAD on 2 April, 2021..

"The dropout varies depending on rural and urban areas largely due to the accessibility that prevented children's with disabilities attending schools...".²⁶

Lack of accessible teaching learning materials can be mitigated by the development of materials in the forms of digital accessibility that should be covered within the policy framework.

In case of deaf students, the major challenge is examination of English language. 20 marks is allocated for listening and speaking which is not applicable for deaf students. However, there is still lack of formal identification of this current practice as an alternative system of examination for the deaf students. The most demanding challenge in education of deaf people is lack of vocabulary in sign language. The only sign language dictionary published by NIEC contains only 5500 words. Currently there are approximate 10,000 signs in use. But these signs have not been documented. The standard use of Nepali sign language is very important by updating the sign language dictionary.

The educational accountability doesn't address the context of education of learners with disabilities such as the assessment system that is not focused on learning and outcomes, teacher-centered instruction, lack of a comprehensive approach to teaching reading using alternate communication tools.

4.5. Resource classes and Support Services:

A variety of evidence supports the effectiveness of true inclusive education. Participants of FGD emphasized that its implementation should be a priority in all levels including federal, province and local levels.

"Now in Nepal, we have adopted the constitution with federal system having equal roles to the local Government, everybody is familiar about inclusion, the province Ministry of social development has been positive about adoption of inclusive education policy and we have the law, but that should be transformed into the practice in all levels, the community should also learn more about meaning of inclusion...".²⁷

"Most students, enrolled with hostel facilities in resource classes running for the students with visual, hearing and intellectual disabilities stay in residential facilities have to cope with one government-paid caretaker. This low paid and unskilled care-taker have to look after 10 or more students with disabilities which is not only insufficient but also impractical...".²⁸

"In the resource classes, there is integration principle, not inclusion principle. A child can be integrated into the regular classrooms after he or she adapts the basic skills to learn with other children...".²⁹ This statement illustrates how inclusion without proper supports actually fails to recognize the diversity of disability in the classroom.

The resource teachers often meet resistance from school administrators and the teachers who are reluctant and have set their ways to cross the value towards full inclusive education. "I daily face a typical challenge to make other teachers in school realize that the children with disabilities are also a part of the school, they often ask me to take care of my students... it is their belief

²⁶ In reference to the reflection of the participant of webinar on 30 March, 2021 on Inclusive education and Cognitive disability.

²⁷In reference to the interview with Mr. Gobinda Fulara, representing from Kohalpur municipality administered by ADRAD on 2 April, 2021..

²⁸In reference to the interview with Mr. Gokarna Acharya, Chairperson-Parents Association of children with Intellectual Disability, Banke administered by ADRAD on 2 April, 2021.

²⁹In reference to the interview with Mr. Bhabuk Jang Thapa, general secretary of BAB administered by ADRAD on 2 April, 2021.

that the students enrolled in resource classes are only the responsibility of the resource teachers, not the whole school and the education system.....".³⁰

It is important to break the cycle of vulnerability and marginalization to ensure that the inclusive education creating a more cohesive and prosperous society. The FGD participants amongst parents of Intellectual disability highlighted that they truly have no choice of school selection. "In my municipality, inclusive education is only option because resource class for children with intellectual disabilities are too far from my home to bring my daughter". In many areas of Lumbini Province, if a child lives within reasonable distance of a resource school, that would typically be the family's first choice but if the distance is too far and the disability relatively mild, attend a regular school in their community. In such circumstances, inclusion remains an option only when the child's disability is mild or moderate (as classified by GoN) and can be easily accommodated.

Accessible infrastructure such as classrooms, libraries, computers, science labs and playgrounds are not available in many schools though the Constitution commits to the equitable provision of quality and free education for children with disabilities until secondary education however the multi-level classrooms in a single resource class that cause high disparities in learning levels. The local government are entitled to manage in accordance to the state commitments towards CRPD for inclusive education at all level. "The transition in state structure trap is manifested in low role capacity of the educational unit in Palikas. This is because of the lack of clarity about who is responsible for what. The transition to a federal system of governance can be an opportunity to overhaul the system, structure, and role. The capacity of the school sector to maximize its effectiveness, efficiency, and ability to improve equitable access to quality education for learners with disabilities by the implementation of SSP based on the local context".³¹

The assessment centers established in the districts are functioning without sufficient skill and the unclear roles of the coordinators. There is inadequate resources to coordinate for bringing learners with disabilities in the schools or lead advocacy efforts to sensitize parents in sending their children with disabilities in the school.

There is lack of support for holistic approaches to child development in the resource classes.

There is decreasing trend in budget allocation for the management of resource classes as observed by the stakeholders.

After passing out the basic education, the location of schools for secondary education does not make equally accessible to learners with disabilities, a low transition of students in secondary schools is observed. Furthermore, there is a lack of necessary infrastructure to study the subjects of interest, not enough prioritization of mathematics and science in the curriculum for Blind students, which makes them inaccessible and lack of sufficient pathways and bridges that enable them to shift from purely academic to practical and vocational streams and vice-versa.

When the student's achievement is low and when there is high dropout rates, that indicates secondary schools' having low capacity to graduate students with disabilities that lead to inadequate career advancement option or higher educational attainment.

There is inadequate focus on learning outcomes and accountability for student learning achievement since the present approach of assessment has not focus on learning outcomes. The resource classes are contradicting in moving towards its objectives of transition the

³⁰In reference to the interview with Ms. Deepa Thapaof Adarsha Secondary School for Deaf children in Banke administered by ADRAD on 2 April, 2021.

³¹In reference to the interview with Mr. Deepak Majhi, Section Officer, MOEST, GON administered by ADRAD on 11 June, 2021.

students to the regular classrooms while there are multi-level classrooms with high disparities in class repetition at present.

4.6. Teachers capacity enhancement:

The quality of an education system is directly linked to the quality of the teachers. Improving the quality of education is an urgent reform priority of local Government in Nepal. There are problems with teachers' professional development for those engaged in resource classes. Without adequate support, the teacher professional strategy and commitments can't be guaranteed. There is a practice in Nepal with the classrooms management having teacher centered instructions. In the regular schools, the teachers are also license holders.

The Teacher Service Commission (TSC) is ultimately responsible for issuing license and selecting permanent teachers. Education unit in the Palikas play a crucial role in recruiting, deploying, and redeploying teachers. School management committees are responsible for recruiting temporary teachers. The National Centre for Educational Development (NCED) manages in-service training for lower secondary and secondary teachers. However, lacking adequate staff to fulfil its mission, NCED is overwhelmed with in-service training tasks that lack the capacity enhancement of the teachers engaged in the education of learners with disabilities.

Human resource development occurs at individual, organizational and systems levels. However, key provisions of school sector plan may not fully be implemented if the capacity development is weak.

Key reasons for poor student participation and learning outcomes are sub-standard learning environments, lack of teachers' capacity and motivation, and the inadequate continuous support system for teachers to make schools child-friendly and quality-oriented.

"The schools deny admission to children with disabilities, particularly those with psychosocial and intellectual disabilities, because the school management think that the curriculum or trained teachers is lacking for an inclusive education environment...".³²

Following the SDG 4, the FGD focused on the quality of education for learners with disabilities. Ideally, quality education may secure bright future of children while growing adult and helps them gain their full potential. However, according to the respondents, the quality of the education the children with disabilities acquire in the resource classes is poor and does little to prepare them for an independent adulthood. According to the KII, 7% of participants agreed that the quality of education for children with disabilities remains inadequate in Resource classes for both Intellectual disability, Hearing disability and visual disability. One of the main reasons cited for poor quality is the low educational attainment of learners with disabilities, more imposed by the attitude of teachers, parents, and community members.

According to the Flash report, in total 39,820students at lower basic level, 12,546 upper basic level students were reported as having a disability. This suggests that due to the lack of proper care of these students, many students with a disability drop out as they progress through the grades.

Increasing the number of skilled teachers is foremost essential to promote inclusive education in regular schools. Without trained teachers, it's impossible to handle individual need of students' with diverse disabilities, social-cultural circumstances of the learners and other affecting factors like medium of language used...".³³

³²In reference to the interview with Ms. Goma Acharya, parent of child with intellectual disability administered by ADRAD on 2 April, 2021.

³³ In reference to the reflection of the participant of webinar on 30 July, 2021, on language justice.

"With the sense of inclusive community and equality among the students and the school teachers, it is likely that without any further discrimination, accommodate those with disabilities and disadvantages, so they too can attend the regular school...".³⁴

Teachers of FGD observed that in integrated schools, other teachers did not behave well with Learners with disabilities. "I had a query to subject teachers for supporting to students with disability, I was told to ask the resource teacher. Even some times when the Learners with disabilities are in serious problem, they are asked to consult with resource teachers...". this statement showcases that it is of utmost importance that all teachers in school treat Learners with disabilities as their own students. Supportive behavior of teachers, class mates and school staffs has a great impact on quality education of Learners with disabilities.

Schools often lack adequate number of staffs, have no flexible curriculum and limited teaching materials, leading to an inferior quality of education for children with disabilities in comparison to other children. The government provides minimal special education training only to teachers working in special schools or resource classes. Teachers in mainstream schools do not receive adequate training on how to integrate children with disabilities in their classrooms, thereby undermining the principle of inclusive education. There is lack of training provided by the local Government for staffs at learning centers run by NGOs or OPDs such as CP Center operated by DECN...".³⁵

4.7. Learning support and Parents engagement:

There is low awareness of parents and communities, which is tied to lack of capacity in school management committees (SMC) and parents associations (PAs) to ensure that children with disabilities receive quality education in regular system.

Most of the Learners with disabilities get enrolled in school from the contact of friends, relatives and parents. Similarly, the roles and responsibilities of concerned NGOs in promoting access to the school enrollment, and providing vocational trainings with a limited amount of scholarship was found. The different branches of concerned NGOs enroll Learners with disabilities in schools and vocational training programs running under concerned NGOs. In promoting an access to school enrollment, friends, circle and partially the local OPDs found supporting the Learners with disabilities' enrollment and inclusion in the society. The academic support for children with disabilities in families is challenging.

There is inadequate supervision, monitoring and follow-up by the municipalities in schools, both resource classes and the inclusive schools.

To enhance access and improve equity, the government offers 16 types of scholarships including conflict affected students, individuals with disabilities, girls, Dalits, the poor, and the talented. However, more effort is needed to better target scholarship to students with financial needs, and marginalized ethnic groups. From a sustainability perspective, 98 percent of the SSRP budget was used for recurrent activities such as teachers training and building educational facilities. In order to further strengthen the targeted and evidence base approach to reduce disparities in education outcomes, the Government developed the Consolidated Equity Strategy for the School Education Sector in Nepal {Equity Strategy}, which includes identifying districts to receive resources based on a disparity based formula. In addition to this, there is a need for a clear strategy that spells out how such recurrent expenditure will be included and sustained in the SSDP period.

 ^{34 34} In reference to the reflection of the participant of webinar on 30 July, 2021, on language justice.
 ³⁵In reference to the interview with Mr. Devi Datta Acharya, Executive Director, DECN administered by ADRAD on 4 April, 2021.

Many parents spend considerable amount on the education of their children without disability even when they go to government schools however the financing for the children with disabilities is thinly allocated by the parents themselves and seek for the assistance from the Government or any Donor agencies.

It is found that the implementation of inclusive education and all of its complexities became apparent because of the unstable policy of the GoN. Additionally, 80% of teachers agreed with the statement, "Schools do not want to include children with intellectual disabilities in the regular classroom in my school", while 20% disagreed with the statement. Likewise, 90% parents of children with intellectual disabilities agreed with the statement.

Another need is to link school-based health, nutrition, sanitation and hygiene services and education, with safe water supplies and managing these facilities so they are gender and disability friendly to motivate and enable all students to learn. Further efforts are needed to build an inclusive environment for all children with disabilities to participate and learn in schools. More effective targeted strategies and programmes are needed to ensure access to and participation of children who are unable to join school for various reasons, including economic, social and geographical reasons, and for those living in vulnerable situations.

The FGD participants argued that low expectations for children with disabilities remain a mindset of the people in rural communities in most of the families.

"My fear for sending my son to school was more associated with the doubt that my daughter who have no disability would be unnecessarily ridiculed or blamed, may affect her marriage chances. Besides, my son may not be experiencing meaningful benefits from school because he has no means of proper communication...." expressed the mother of a boy with CP. The parents' understanding is that the targets of inclusion has not been understood by members of their community, which often leads to the practice of keeping their child protected at home.

Most of children with CP, are either kept at home or are sent to CP Center operated by DECN. There are also cases of very dedicated mothers carrying her child to school every day and staying with them and carry from class to class.

It is not enough to simply place a child with intellectual disability in a classroom; education ultimately prepares children for adulthood. Some participants described resource classes are undertaken little more than day-care fashion. Then when school services end, the young person with intellectual disability is often unprepared for adulthood. In fact, almost all participants responding to the question agreed that transition services from resource classes to adult life are inadequate, indicating a serious deficiency.

The most important concern on children with intellectual disability and the Autism spectrum condition is the way they are addressed in government policies and programmes for developing the individual learning need and the convenient teaching learning method for such children with learning disabilities. The participants amongst parents of learners with intellectual Disabilities and Autism, argue that the lack of standard curriculum is a challenge. At present there is not any specific curriculum for children with cognitive disability thus the concept of education needs to be redefined on the basis of experience of such children. "The basic daily skills learnt by them such as using toilet, washing, dressing, eating and turning on or off the radio and television should be considered as learning skills. Besides, not all such children have similar problem nor do they have similar functionality".36 ADRAD believes that there is serious need to synchronize

³⁶In reference to the interview with Ms. Sakuntala Shrestha, parent of child with Autism at Banke administered by ADRAD on 2 April, 2021.

a curriculum which enables children with Intellectual Disability, Autism and Deafblind to be able to learn daily living skills and development of alternate communication method.

Several other concerns that emerged during FGD with parents group, such as lack of job opportunities even after completing education, living independently in the society with participation in decision making roles, all have an impact of pervasive barriers if there is exclusion in education.

4.8 Gender Equity and Social Inclusion in Education:

"In terms of gender equality and the empowerment of women, the ratio of girls to boys in primary education (Grades 1 to 5) has improved significantly since last decade...".³⁷

It was remarkable achievement that the MDG target set for 2015 was met though progress remains constrained by the persistent challenge of ensuring that gains benefit the country's disadvantaged groups and geographical areas. Such as the literacy, of Muslims, and other Terai castes, hill Dalits, Terai Janajatis, Terai Dalits and persons with disabilities have literacy index scores well below the national average.

The PAR was exploring how the concerned schools and NGOs used to contact Learners with disabilities for their enrollment in schools. According to them, their own contact as well as friends and relatives supported them to get enrolled in school. Similarly, The OPDs also contacted the students on individual basis, advertisement, and the connection of schools. The concerned OPDs used to contact the Learners with disabilities through their self-help groups for the enrollment of students from under-representative groups. Besides, parent's groups followed the process of advertisement to contact the students for school enrollment, and other NGOs used to follow the process of personal contact and school. The views given by the officials of concerned NGOs found to be similar to the views provided by the Learners with disabilities. Thus, the role of I/NGOs in integrating, enrolling and promoting the access of Learners with disabilities to the school education was very supportive to the local government.

The key respondents among young boys and girls with disabilities consistently described lack of services for adolescence with disabilities; where services for children with disabilities were less, services for adults were often overlooked. As a result, when school education is over, young adult is often left with no career options, so they remain isolated at home with limited gainful activities. Not only is this problematic for the young adults, but it creates new troubles for the parents of children with cognitive disabilities who in many cases must adjust their schedules to look after their adolescence boys and girls full time. The problem is even more exacerbated when the adolescence girls with intellectual disabilities are facing high risk of sexual violence even at home and within the family. The women and girls with disabilities who are not only routinely denied of education, but are often hidden at home and at much higher risk of abuse and neglect.

It is also noteworthy that the children with disabilities from different cultural identity have different level of educational attainment. Besides that, the children with disabilities from the families representing different class of financial, educational and geographic differences are facing diverse range of barriers in accessing the education.

According to the Flash report (2018/2019), Nepal has a diverse array of castes, ethnicities and religious and under representative groups. Until 2018/19 the EMIS has only collected disaggregated data on Dalit (traditionally low- caste groups), and Janajati (ethnic groups) students and teachers. This data was collected by the Dalit and Janajati sub-groups including the 22 most disadvantaged Janajati groups. The number of students reported as having a

³⁷In reference to the interview with Mr. Narad Dhamala, Section Officer, CEHRD, GON, Inclusive Education section administered by ADRAD on 2 June, 2021.

disability are categorized as seven types of disability (physical, mental, hearing impaired, visually impaired, low vision, hearing and visual impaired, speech and vocal related disability) and multiple disabilities.

It is now recognised that more disaggregated data is needed to show the situation of all 10 classified disability groups in the EMIS template.

The Data in this PAR revealed that the enrolment of girls with disabilities (43%) have lower access to education than boys with disabilities (57%). First of all, parents of girls with disabilities are reluctant to send their daughters to school due to stigma surrounding disability and gender inequality inherent in society. Majority of the parents believe that it is useless to send girls with disabilities to school because neither they will be able to work nor are they believed to have potential for marriage and having children. The research carried out by NFDN shows that girls with disabilities experience diverse forms of gender discrimination in school not having WASH services particularly during the menstruation cycle, which limits their capability in their studies. "Women with disabilities are vulnerable to diverse forms of violence both at home and school. This affects their studies because of risk of sexual violence...".³⁸

A study carried out by NFDN revealed that Women and girls with disabilities have less educational and employment opportunities than women without disabilities, men, or men with disabilities. They are three times higher at risk of Sexual violence (Pokharel, 2019)

The study revealed that 72% of participants of FGD agreed that many children with profound disabilities are not sent to school. Further, 60% of respondents indicated that girls with disabilities are excluded from school more than boys with disabilities, while 85% also agreed that girls with disabilities are excluded from school more than girls without disabilities.

Major discussion amongst the parents group emerging were the lack of both educational and livelihood options, to persons with disabilities which lead to lifelong economic dependency, illiteracy and social isolation. Discussion also revealed that educational opportunities for girls with disabilities pursued are not worthy in comparison to the boys with disabilities. ADRAD emphasizes that, girls with disabilities need to be empowered making them capable to safeguard themselves at home and community. In many cases, they are often overprotected by their well to do families and denied access to education and social opportunities in communities. In communities.

I am often bound to stay at home, my physical movement and social participation is confined within the boundary of the house, I can't continue the school since my parents are not willing to put me at risk of violence" said a girl with visual impairment.

Many parents shared their worries about the concerns of the wellbeing of their daughters with Intellectual disabilities in particular, because of concerns about their safety, fear of sexual violation and even take advantage of their innocence.

"The family is very overprotective of daughters because they don't want to take any risk that she is sexually violated...". Said a mother of girl with Intellectual disability.

The FGD participants highlighted that the perceptions that women with disabilities would never achieve economic independence nor would they become productive members of their communities. Therefore, girls are denied opportunities to pursue an education, as it was not financially practical to do so. These discussions reflect economic realities for girls and women in local levels of Banke and Dang districts.

³⁸In reference to the interview with Ms. Harikala Devi Thapa, chairperson of DEC-Nepal, Banke administered by ADRAD on 3 April, 2021.

"Parents are willing to send their sons to the schools because they believe boys can be productive members despite of disability and there is even acceptance in the society".

Miss Pramila Oli, a Deaf girl of 15 years old, residing in Dang, is deprived of accessing education due to lockdown. "She was bound to leave the school hostel and living at home where her parents, family members and neighbors are not familiar about official sign-language. She is gradually losing her knowledge and practice of sign-language that worries her in securing her position with higher education since she is going to appear Secondary Education Examination next year...".³⁹

The SDG 4.5 covers elimination of gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous people and children in vulnerable situations.

Children with disabilities, and those from poor, remote, low caste families, and from disadvantaged ethnicities are mostly affected by the access gap. There are 770,000 out-of school children between ages 5 and 18 in Nepal. More than 105,000 of the estimated 179,000 children with disabilities are out-of-school. Girls from under representative groups such as Madhesi and Muslim communities are excluded from secondary education. Students from 'disadvantaged groups are also disproportionately affected by high repetition rates. While the difference between boys and girls in quality and efficiency indicators may seem insignificant, girls consistently perform less than boys and are more likely to dropout and repeat across all grades. This indicates systematic barriers that are excluding girls from enabling learning conditions, in comparison to boys.

Amongst disadvantaged groups, the GER of Dalit students was 18.8% in ECED/PPE, 19.6% at lower basic level (Grades 1-5) and 18.2% at overall basic level (Grades 1-8). Dalit students made up 12.6% of the students in Grades 9-10 and 9.8% of them in Grades 11-12. Dalits made up 13% of the population in 2011, meaning that their participation in higher secondary is low compared to their proportion of the population.

Janajati (ethnic group) students made up 38% of students enrolled in Grades 9 and 10 and 38.5% of students enrolled in Grades 11 and 12, which is about the same as their proportion of the population in 2011 (37%).

"Social stigma is differently affecting men and women in our Muslim community because of the religious beliefs. Girls and women, particularly in the rural municipalities are confined within four walls because of our religion and are deprived from educational opportunities...". said a girl with physical disability.

"In the southern part of Nepalgunj Sub-Metropolitan, we have a large Muslim community and we send our children in Madrassa for formal education. Boys have better experiences than girls in Madrassa because girls are restricted for social participation in our community" said a parent of girl with Psychosocial disability.

In line with the SDGs, equitable access is a key result area in Nepal's school education sector and as such, GoN should prioritize access, participation and retention of children with disabilities to reduce disparities in learning outcomes. To accelerate the reduction in disparities, the government should follow the Consolidated Equity Strategy for the School Education Sector, which includes the development of a consolidated index that shows disparities in access, participation and learning outcomes in basic education (the Equity Index). Local governments with the lowest Equity Index scores have been selected to receive additional resources to

³⁹In reference to the interview with Ms. Pratima Sharma, Executive Director of DAR-Nepal interviewed by ADRAD on 3 April, 2021.

undertake targeted interventions to reduce disparities, based on identified prevalence and severity of these disparities and their dominant drivers (gender, caste/ethnicity, location, disability, and socio-economic status) such as girl's students, students from the disadvantaged communities and children from all groups of disabilities).

Chapter 5: Evaluating impact of Covid-19 in education of learners with disabilities:

5.1 Introduction

In Nepal, as in the other south Asian countries, at the start of the pandemic, government closed schools as one of various public health and social measures intended to curb COVID-19 transmission. This left three



hundred thousand pre-primary, primary and secondary level children with disabilities out of school for an extended period, in some cases for over a year particularly in the hard hit area like Kathmandu valley.

COVID-19 has disrupted life in every corner of the country but while the impacts are farreaching, the virus and the measures implemented by government to contain its spread have hit the most vulnerable children and families that include majority of Learners with disabilities⁴⁰.

Though gathering disability-inclusive data has been a long-standing challenge around the world even in the absence of a global threat of pandemic, persons with disabilities tend to be under identified, under represented or even excluded altogether from official statistics and monitoring efforts in the local levels.

Just after the lockdown started from 24 March 2020 the local bodies received phone calls from a number of parents of Learners with disabilities who were concerned about the health of their children and access to health services. Some also called the Hospitals as they were concerned their children might have an increased risk to develop more severe symptoms if they get infected with the virus due to pre-existing conditions, and seek for advice for percussion.

Viewing this fact, NIEC attempted to incorporate the assessment of the challenges faced by children with disabilities accessing education by persons with disabilities in the present Covid pandemic.

The objective of this observation and assessment is to raise awareness of the specific challenges faced by learners with disabilities and their return to school as well as their access to alternative learning during full or partial closing of the schools in Nepal. The document also offers recommendations for Municipalities, schools and governments on how to address the specific challenges faced by children with disabilities in their access to inclusive education during lockdown.

By the observation and recommendation made by this assessment based on the practical experiences of persons with disabilities, the OPDs, Municipalities and relevant stakeholders can use it in their advocacy with their government counterparts and relevant stakeholders to ensure children with disabilities have access to education in the pandemic context.

5.2 Access to information about Covid Pandemic and educational program:

There is limited knowledge of health risks and disability. Many parents/caregivers of children with disabilities have limited knowledge of whether their child's disability makes them more vulnerable due to coronavirus and when their child's health would be at greater risk because of

⁴⁰ In reference to the ADRAD's Education Rapid Assessment carried out in June-September 2020.

their disability if they come in contact with the virus. Parents/caregivers might choose to keep children with disabilities at home to protect their children and the family from getting infected.

Despite of the communication challenges, the participants of FGD reported basic knowledge on Covid-19 prevention and measures taken and mentioned by the local bodies in Nepalgunj Submetropolitan, Kohalpur and Baijanath Municipalities. They reported of receiving information through TV (82 out of 125learners with disabilities), radio (102 out of 125), phone messages (10 out of 125), and neighbours (101 out of 125). In average, (80%) learners with disabilities mentioned having received information either of the media including friends and family members. Participants whose children had hearing impairment and intellectual disabilities were provided either in sign language or have simplified the messages when communicating to their children.

In addition, it is evident that significant number of children with disabilities may also have underlying health conditions and families may opt to keep them home in fear of additional health risks. In Nepal, as in most South Asian countries, access to vaccination against COVID-19 is limited. The GoN has given priorities of vaccines to persons with disabilities after front line workers, elder citizen and those engaged in security. But still, the vaccine does not include children with disabilities despite the underlying health conditions they may have.

5.3 Closing and reopening of schools in Nepal

UNICEF is calling on governments to Reopen Schools as soon as possible and get education back on track. "We are facing an education crisis. For nearly 77 million children, the pandemic has taken away their classrooms for the past 18 months. Schoolchildren worldwide have lost 1.8 trillion hours and counting of in-person learning due to COVID-19 lockdowns...".⁴¹

"It's a challenging task in my family to keep my daughter at home without attendant, because of threat of Covid and lockdown declared, the school is closed and my daughter is staying at home, she demands my time, I am compelled to close my small shop which has limited my income. I tried to bring my daughter together in the shop but even the regular consumers didn't enter to the shop, they are reluctant to face my daughter's gesture expressed the worry by a mother of a girl with Intellectual disability. There is few advantage to allow their daughters to go to school however the resource classes are running in the segregated form and there are no options for upgrading the classes.

By the beginning of 2021, all districts in Nepal had partially or fully reopened schools, with all cohorts called upon to return to face-to-face learning, even if only on a rotational basis. The second COVID-19 wave in Nepal which started in middle of 2020, driven by the emergence of new variants of the coronavirus sprayed due to open boarder sharing with India, having high number of infection in the South Asia, led to yet closing of the schools, in southern part of Nepal including Banke, Dang and Kanchanpur.

School reopening in hard hit districts such as Banke has been delayed for long time spans fueled by the fear of putting children and school staff at risk as well as accelerating COVID-19 transmission.

As of August 2021, schools in most districts are open. However, the third COVID-19 wave has resulted in continuation of the schools in the most affected districts such as Kathmandu and as partial closing of the schools in Banke, Dang and Lalitpur and other hilly districts.

^{41 41} <u>https://www.unicef.org/coronavirus/reopen-schools?utm_source=twitter&utm_medium=profile-tweet-en&utm_content=reopen-schools-activation&utm_campaign=education-freeze-en</u>

It is The right to go to school and learn is central to every child's development, safety and wellbeing.⁴²

There is still the alternate mode of education both virtual and face-to-face going on however children with disabilities have not been prioritized in bring back them to face-to- face learning. For example, in Kathmandu where a two-shift learning system in primary schools was instituted, the pause on pre-school age children with disabilities remained at home.

5.4 Barriers and Enablers to access education for learners with disabilities in Covid:

There are many reasons behind the exclusion of Learners with disabilities from educational opportunities. Most of the key respondents to this survey reported that all of the following are the challenges for mainstreaming Learners with disabilities and access to education during the Covid-19 situation in Nepal.

Stigma and discrimination, lack of available and accessible transportation to schools, lack of accessible school premises, limited capacity of teachers and school staff to support all learners with disabilities and limited accessible teaching materials, and lack of assistive devices create barriers for access to education for children with disabilities. For example in Dailekh, the facilities for learners with visual impairment who had continued the classes in Magel Prasad High School in Nepalgunj couldn't continue online classes because of not having broadband connection, smart phone or computers.⁴³

"Providing online education can be costly for having devices and computers, particularly for a post-Covid situation but with the right set of circumstances and management of Government's resources, it is possible. for learners with disabilities providing inclusive education through regular classroom set-up addressing individual needs...".⁴⁴

Due to the Covid-19, some Learners with disabilities are deprived of achieving scholarship too. There are 35 % of the Learners with disabilities who were even deprived of cash support scheme of the Government for those who are living in hardship condition in lockdown situation. (I was refused to get the relief package distributed by the Municipality to those having low economic status only because I am getting scholarship of second grade which is only NPR. 500 monthly however I missed the food package of about NPR. 2000...".⁴⁵ At the same time, It was the claim of the Local bodies that the government has been allocating budget for the regular schools and also in sports for students with disabilities besides relief support to the poor families.

Lack of desegregated data:

In general, there is lack of data on the situation of children with disabilities in most of Municipalities, and on the number of children with disabilities who are not enrolled in school or who have dropped out of school. Existing data indicates that many children with disabilities were not enrolled in school before the onset of the pandemic and many children with disabilities who were enrolled, have not gone back to school for various reasons. For example, data from a rapid assessment carried out by ADRAD in Kathmandu on the impact of closing of the March to September 2020 found a significant drop in the number of children with disabilities, with 37%

⁴² <u>https://www.unicef.org/coronavirus/reopen-schools?utm_source=twitter&utm_medium=profile-tweet-en&utm_content=reopen-schools-activation&utm_campaign=education-freeze-en</u>

⁴³In reference to the interview with Girl with visual impairment residing in Dailekh, by ADRAD on 19 July, 2021.

 ⁴⁴ In reference to the reflection of the participant of webinar on 30 July, 2021 on Language justice.
 ⁴⁵In reference to the interview with a student with Visual impairment, administered by ADRAD on 2 April, 2021.

girls and 21% boys with disabilities attending pre-primary school in 2021 compared to 2020. There is also limited data on the situation of children with disabilities and their access to virtual learning during full or partial closing of schools at present.

Interruption of Support Services:

- DECN had continued The CP Center with minimal staff facilities during the lockdown which was limited to the children with disabilities. There were no adequate facilities in the center for children with disabilities that were available in their home and community. This has created children with disabilities kept isolated in the center out of contact and without internet facilities, the information was also inturrepte3d to the children with disabilities.
- The drafting process of Inclusive Education policy and disability inclusive indicators being developed by Kohalpur Municipality that show that in many districts' services supporting families of children with disabilities, including child protection services, may have been interrupted or limited either partially or fully due to the Covid pandemic. For example, in many Southern districts these have shared the Indian boarder, Municipalities has witnessed lack of budgets to cover assistive devices like crutches and wheelchairs as province ministries of social development has given priority to cover COVID response. Lack of access to assistive devices hamper the ability of many children with disabilities to return to school.
- Many children with disabilities grow up in families living with low income who do not possess the means to cover school fees and materials, including necessary smart phone or online devices for their children to attend school, or to ensure their children benefit from online learning on an equal basis with their peers. The unprecedented socio-economic crisis due to the pandemic is exacerbating the dire situation of many families with children with disabilities. Economic constraints may in turn force parents/caregivers to choose which of their children to send back to school.

Stigma and discrimination:

Stigma and discrimination play a role in parents/caregivers' decision to send children with disabilities to school. There are negative prejudices prevailing about the potential of children with disabilities to learn and to become active citizens in their communities, including gaining access to employment and economic independence later in life. Such myths and prejudices might negatively influence parents decision on whether to send their child with disabilities in the school in the threat of Covid pandemic.⁴⁶

Accessing the protective measures from Covid:

• The protective measures put in place to combat the pandemic are creating barriers for children with disabilities to learn on an equal basis with their peers. For example, the use of face masks creates additional barriers for children who are deaf and are hard of hearing. Many rely on lip-reading and facial expression. Subsequently, face coverings make it impossible to read lips, resulting in communication barriers.

"In the post-Covid situation, when schools are reopened, the learners with hearing disabilities might continuously face communication barriers without having transparent face-masks. As a result, such students are in risk of being excluded from enjoying educational rights and rights to communication...".⁴⁷

 ⁴⁶ In reference to the ADRAD's Education Rapid Assessment carried out in June-September 2020.
 ⁴⁷ In reference to the interview with Mr. K.P. Adhikari, President, NDFN, administered by ADRAD on 11 July, 2021.

- For many children, it is difficult to wear a mask. Children with intellectual disabilities
 particularly, might not easily understand why is it essential to wear a mask, what is the
 correct way and how to be fully protected by not touching it, and on how to dispose of
 used masks or to clean the reusable mask. Children with autism spectrum condition
 might face difficulties to the change of routine to having to wear masks as well as all the
 other changes following the pandemic.
- The new routine of frequent handwashing might raise issues for children with intellectual disabilities who in many instances have learned that handwashing is connected to safe hygiene. Information about how to wash hands, or the handwashing facilities, might not be accessible. The use of hand sanitizer is another difficult task for those having single arm or those without arms. They have their legs used for several works thus are continuously facing challenges applying protective measures. Besides that, the Blind and Deafblind persons faced difficulties to identify where the sanitizer is placed properly or not.

Maintaining Physical Distancing:

Physical distancing creates challenges for children who rely on personal assistance and support for daily life. For example, children with physical disabilities and children with visual impairments might need personal assistance to support with practical tasks such as getting in and out of the school, using sanitation facilities, especially if the school premises are not accessible. Children who are blind, deafblind children as well as those with visual impairments might need tactile learning support through touch to be able to learn on an equal basis with their peers.

Disadvantage in returning to school

- It is also important to note that children with disabilities returning to school might be at a disadvantage as many have not had sufficient support to continue their learning at home. This can be due to lack of digital devices or insufficient digital skills of the children, their parents/caregivers or teachers. This can also be as a result of lessons provided in one format, e.g. lessons on TV or radio excluding deaf children, the graphic interpretation without audio description exclude to those who are blind and low vision, without having real time caption, that exclude to those having hard of hearing or that teachers' lack capacity to adopt their lessons and materials to support children with disabilities learning at home.
- Closing of the schools are still a threat to children's learning. As mentioned above, in
 most of the hard hit districts in Nepal have recently fully closed schools while in hilly
 districts, schools are partially closed. One and half years after the onset of the pandemic,
 schools and parents/caregivers are still not equipped with the skills and/or with the
 necessary technology based accessible materials and software applications to ensure
 children with disabilities access learning on an equal basis in case of closing of the
 schools.
- For some children, such as children with intellectual disabilities, children with Autism spectrum condition, children with deafblindness and psycho-social disabilities may be more at risk of forgetting the skills and knowledge acquired before the crisis. The longer schools remain closed, the more critical the loss of learning will occur.
- "People with disabilities are fully deprived of rights to education during lockdown. There
 are multiple forms of exclusion that children with disabilities are facing and the individual
 educational needs to be addressed which is more relevant during the pandemic. The
 online classes, accessible teaching learning materials, online platform are not disability
 friendly and accessible. The government and private schools failed to address the

educational needs of children with disabilities. There is no specific guideline and policy to access the education of learners with disabilities during pandemic...".⁴⁸

 In the pandemic, the teachers engaged in the education of Learners with disabilities struggle with home education and learning due to lack of access to accessible learning materials and learning support in Banke. Similarly, the COVID-19 response affects the peer support networks and social support for parents of children with disabilities.

"The Covid pandemic exclude girls, and children with disabilities from receiving their basic educational rights, especially those in rural areas, and need to attend virtual classes...".⁴⁹In the Covid-19 context, it is found lack in providing support to assessment systems to ensure that online learning is inaccessible, teachers are untrained and couldn't support and to remotely assess children with disabilities. It was the true support if caregivers are trained and supported the children.

In the context of virtual session missing by children with disabilities, such children may be roaming around and face heightened risk of exposure, complications and even death due to underlying conditions and pre-existing vulnerabilities. They are at higher risk of contracting the virus because they are more likely to live in congregate care and to be unable to practice prevention measures, such as the wearing of masks, handwashing and physical distancing.

5.5 Roles of stakeholders to promote educational opportunities to learners with disabilities"

The COVID-19 pandemic has impacted the lives of most people in one way or the other. It is the first truly global pandemic in modern times and each individual has been forced to grapple with its effects, both individually and collectively⁵⁰. The negative societal effects COVID-19 has created all over the world have, in many cases, been even more profound when viewed through the lens of persons with disabilities and these impacts have been aggravated even further in the least developed countries such as Nepal.

This generation of children and youth cannot afford any more disruptions to their education. ⁵¹ In this perspectives, the reopening of schools should be responsibility of all stakeholders engaged in education and protect children with disabilities both safety of their health and preserve their rights to education. For this, the measures to be taken by concerned stakeholders, such as:

Local bodies (Palikas):

- Generate evidence on the situation and barriers faced by children with disabilities and access to education both by undertaking disability specific researches and also using existing researches on the situation have component on children with disabilities.
- Raise awareness of the specific challenges of children with disabilities in access to education, including both in return to school and in virtual learning.
- Partner with OPDs to identify specific challenges of children with disabilities and their families at the local level and collaborate to design interventions to address these challenges.
- Support governments to ensure an inclusive response to the pandemic, e.g. ensure WASH facilities are built with accessibility in mind, ensure risk communication and

⁴⁸ In reference to the interview with Mr. Bholanath Tripathi, blind teacher administered by ADRAD on 2 April, 2021..

 ⁴⁹ In reference to the reflection of the participant of webinar on 30 July, 2021 on language justice.
 ⁵⁰Markt. J (2020). COVID-19 and its impact on persons with disabilities, report, ICRC: Retrieved from https://reliefweb.int/report/world/COVID-19-and-its-impact-persons-disabilities#main

⁵¹ <u>https://www.unicef.org/coronavirus/reopen-schools?utm_source=twitter&utm_medium=profile-tweet-en&utm_content=reopen-schools-activation&utm_campaign=education-freeze-en</u>

community engagement is inclusive and accessible, provide children learning at home with necessary digital equipment or additional teacher support, promote continuation of services for children with disabilities and their families, and design additional services such as cash assistance for families in need.

Public Schools:

"Despite the high number of enrolments, Data of EMIS revealed that few learners with disabilities continue school, particularly from primary to secondary levels...".⁵²

- Schools need to collect data and track children with disabilities who have not returned to school after COVID-19, including through rapid assessments, and identify the level of impairment by screening for their return to inform planning and budgeting. For example, when schools know how many students are identified deaf students they can budget for accommodation such as purchase of protective equipment's including transparent masks so that the learners with hearing disabilities can be protected medically as well as can enjoy the mode of communication through lip-reading.
- There is a need to adopt an individual learning approach to support every child's return to school.
- When planning return to school, the school should collaborate with the parents/caregivers and the child about the need of any additional support required, including support to children who have not received sufficient support to continue their learning at home, or any accommodation needed to ensure the child can access learning and other activities at the school while respecting protective measures. The school should consider how to support children who need personal assistance and support, including tactile learning, accessible ICT, accessible digital books and WASH services.
- The school should consult with relevant parental organizations and local Organizations of Persons with Disabilities to identify practical solutions to support children with disabilities returning to school.
- Schools should conduct specific outreach and follow up with families of children with disabilities to encourage the return to school. Consider offering community-based information sessions to raise awareness of the rights to education of children with disabilities, which may encourage those not previously in school to enroll.
- Schools should engage their staff in particular teachers acquire the required expertise to support their students with disabilities in such very dynamic situation and enroll them in CPD and other existing capacity building initiatives.
- Schools should create referral linkage with service delivery entities including rehab centers to ensure the fulfilment of assistive devices to facilitate the full participation of children with disabilities in education. In particular, school management should seek support services are uninterruptedly provided for children with disabilities going to school and ensure their additional costs to schooling are taken care of by new and existing social protection schemes as this is a generation-long investment.

Federal and Provincial Government:

- Governments need to ensure the continuity of support services for families with children with disabilities, including child protection services, rehabilitation services and access to assistive devices.
- Protective measures that children are required to use when returning to school, should be provided with affordable prices if possible free of charge, particularly to children from families with under-representative groups.

⁵² In reference to the reflection of the participant of webinar on 30 March, 2021 on Inclusive education and Cognitive disability.

- There is a need to provide information about protective measures in accessible alternative formats, including visuals/pictograms, audio, large print, written and easy to read and understand format.
- Governments should equip schools with the skills, equipment and materials to support children with disabilities who continue to learn from home during any closing of the schools.
- Governments should establish different temporary schemes like cash transfer for schooling children with disabilities and their families to alleviate economic burdens due to the pandemic, be it additional transport cost, protective equipment, or loss of income of families of children with disabilities. It is also important to strengthen collaboration between Ministry of Education, Science and technology and Ministry of Women, Children and Elder Citizen for social protection support in schools.
- Parents/caregivers should receive practical support, including how to talk about the pandemic with children with disabilities through tailored messaging dependent on children's ages, how to manage their own mental health and the mental health of their children, and tools to help support their children's learning.
- Governments should ensure children with disabilities with underlying health conditions are covered by appropriate vaccine schemes regardless of their age, in line with recommendations from the WHO on vaccination of children.

Good practices in Nepal

- Nationally, approximately 395,600 children from grade 0 to grade 9 continued to access education during the COVID-19 pandemic, accessing virtual learning through TV and radio provided by the Ministry of Education, Science and Technology (MoST), with technical and financial support from Municipalities is indeed praiseworthy. TV classes included Nepali sign language to make them more accessible for children with hearing disabilities. Municipalities worked closely with MOST to develop the comprehensive COVID-19 education sector response and developed safe school reopening guidelines.
- Sign language in virtual learning and tracking of the return of vulnerable children including children with disabilities
- IEC materials were developed by the OPDs in collaboration with development partners and local bodies. Audio visual materials were made available in sign language for deaf persons.
- The MoWCEC developed and disseminated a disability inclusive COVID-19 Response guideline to strengthen the resilience of the health system and protective measure to persons with disabilities from the pandemic.
- Municipalities supported inclusive education by working with DECN through CP center in Kohalpur, to reach children with disabilities who are deprived of COVID-19 and to ensure more children with disabilities re-enroll in ECDs when these are reopen. ADRAD also translated national COVID-19 guideline of MOWCEC for disability inclusive measures into accessible formats including Epub media overlay and Sign language with captioning YouTube videos made these available online and delivered in person to people with disabilities.

Finally, Schools have reopened. Many parents have been unable to afford school fees or have not sent their children to school due to concerns about the ongoing spread of COVID-19. Likewise, Deaf children are bound to leave the school during the pandemic despite of their willingness to be together their friends and colleagues as they feel comfortable in Deaf culture. Children and youth from intellectual disability, Autism spectrum condition, those having deafblindness and children having psychosocial disabilities may be further isolated at home and lack access to education without having the resource classes continued.

Chapter 6: Key Findings, Conclusion and Recommendation:

"The most positive signal in the ESP is the pervasive commitment to inclusion, with constant reference to persons with disabilities. There are two major concerns. First, there is no definition of what is meant by inclusion. On the one hand, there are repeated examples of making schools accessible and disability friendly, training teachers to be able to teach diverse learners and making teaching materials adapted to and representative of diverse learners. On the other hand, there are also references to special education and special schools".

Dr. Diane Richler, Former President- Inclusion International and IDA.53

6.1. Summary of Findings and Conclusion:

Academic excellence is often compounded by the socio-economic status of each individual which is even more relevant to the contest of persons with disabilities.

With a vision of "Each people with disability are empowered, independent and able to have dignified life through right based quality education", the GoN had adopted Inclusive Education Policy however in the course of its implementation, the National Education Policy has replaced that, there was no adequate consultation with OPDs so far I understand, the GoN should be ready for the adoption of convenient policy fulfillment of the aspiration of persons with disabilities and the International commitments of the state...".⁵⁴

ADRAD believes that the National Education Policy 2019 has covered contradictory provision of both Inclusive Education and special education. Since the Policy 10.28 mentions "To provide inclusive education and special education opportunities which is hard to meet the learning needs of children with disabilities without adopting comprehensive IE plan. The policy though inspired to adapt curricula and textbooks for the development of life skills and vocational skills, it is silent in the adoption of synchronized curriculum for bringing all children in the regular classroom setting. Besides, if both special education and inclusive education are mentioned without distinction, this can be taken the acts of state party against the CRPD compliances and challenged the state commitments under the provision of article 24 of CRPD.

The government is also 'developing an inclusive education master plan to create disabilityfriendly educational infrastructure and facilities, improve teacher training, and develop a flexible curriculum by 2030(Rohwerder, 2020).

ADRAD organised a series of Webinar that helped to examine the challenges and the prospects of inclusive education to children with disabilities and those socially-excluded such as girls, Dalit, LGBTIQ and the Indigenous group. This finding also derived by the recommendation and concerns raised by the participants and the speakers of Webinar.

6.1.1. Inclusion Verses Segregation

It is strongly realized that the Inclusive education support to overcome the barriers of mainstreaming and ensure Learners with disabilities, are capable to participate actively in their own learning. Inclusive education fosters a child-centred approach to education that ensures that all teaching and learning resources, the curriculum, the physical school environment and location as well as all support services are adapted to the need of each children and learning circumstances. An inclusive approach to learning is beneficial to all, but particularly to Learners with disabilities who are often excluded from learning within mainstream education systems. In the context of using inclusive approaches in pre schooling for, mitigating and responding to

⁵³ https://inclusiveeducation.ca/wp-content/uploads/sites/3/2020/04/S-2-Diane-Richler-2020-bio-for-Incusive-Education-Canada.pdf

⁵⁴In reference to the interview with Ms. Divya Dawadi, Deputy Director, CEHRD, GON, Inclusive Education section administered by ADRAD on 2 June, 2021.

public health crises such as the COVID-19 pandemic is every government's duty. Representative data are key to enabling local bodies to transition through the pandemic's various stages and to ensure that nobody is left out in present and future interventions. It is therefore essential that Nepal continue to work towards mainstreaming support for Learners with disabilities within its core education policy and programs. In order to fulfill the commitments and ensuring access to quality education following SDG 4, the following recommendation are drawn by the PAR team.

The Educational Management Information System (EMIS) in Nepal has been gradually evolving and demonstrably improving from the perspective of information collection, interpretation, presentation and application. Especially, EMIS has been used to derive the Flash Reports however doesn't cover the desegregated data of all disability classification.

The Inclusive Educational Programme does have a favorable impact on the intended behavior of its recipients in relation to access, enrolment, retention and promotion of the students.

The students with disabilities' enrolling in the general /inclusive schools was positive while implementation of Educational Programme granted by local government, although there is lack of special provision for the girls with disability (GWD) to enroll in schools.

The country is heading towards achieving the targets of SDG goal 4 to quality education and article 24 of CRPD for advancing Inclusive Education through mainstreaming school structure. Thus, it desirable to start training to the regular teachers so that the access to education to LEARNERS WITH DISABILITIES is fulfilling its objectives.

There is no proper screening mechanism while enrolment of the children in early classrooms, resulting less prevalence of Learners with disabilities.

Some of the OPDs are still focusing either on special needs or separate curriculum for children with intellectual disabilities, might not be the intention, or may be the ignorant about the mistunderstanding of the lasting impact of social inclusion of learners with disabilities in society.

Inclusive Education in Nepal has been the concern of persons with visual and physical disabilities whereas 'special educational needs': are deeply conceptualized amongst hearing disability, Intellectual disabilities, Deafblindness and Autism spectrum condition.

Strong inclusive education systems are vital for full social inclusion to occur. Children with disabilities who are instructed in special schools or classrooms, particularly in residential setting, miss the opportunity to interact with other children and they miss the opportunity to interact with them.

In adoption of both Special and Inclusive Education system within the same policy, the intention of the GON may be bringing all children with disabilities within the school system but clearly segregated education doesn't fulfill the National objectives of education policy to develop a citizen equally contributing to the Nation building process. Furthermore, when children with disabilities are sent to special residential schools they are deprived of their right, as outlined in the CRPD and CRC to remain with their family and community.

Another benefit of Inclusive education is that both the children with disabilities and those without disabilities will have opportunity to learn from each other, the different walks of life, being together in the same classrooms. This learning lead the children without disabilities experiencing a successful pathway towards humanity and socialization.

There is lack accountability due to the absence of an effective and robust coordination and collaboration framework between the federal, provincial, and local governments.

Some schools are just beginning this process in the study districts, though there were well developed systems in few schools in Kathmandu for executing Inclusive Education.

Disability cannot be considered in isolation. It cuts across all aspects of a child's life and can have very different implications at different stages in a child's life cycle. Many of the initiatives to promote the rights of children with disabilities overlap with those for other excluded groups.

6.1.2. Support services in Education

The special school for children with Intellectual disabilities in Nepalgunj Sub-Metropolitan has been stopped due to inadequate resources and dispute among school authorities.

In context of children with intellectual disability, lack of standard curriculum is the major problem. There is strong need of curriculum adjustment according to the type and intensity of intellectual disability and Autism spectrum condition.

For the continuation of formal/non education for Learners with disabilities such as deafblind, autism, Intellectual disability and other multiple disabilities such as CP, the government should collaborate with Organizations for the management of such educational plan and to develop/ implement alternate communication method and tools, in order to enable such students accessing education in equal basis with others.

It is found that Learners with disabilities are left back by the educational opportunity due to the unavailability of scholarship, assistive devices, each year, on an average, five to ten Learners with disabilities, are dropped out from schools who were inspired at the time of enrollment, so it is urgent to review availability of facilities and benefits to address the need of such students. It is suggested that the government, besides Scholarship, should cover essential assistive devices and equipment for Learners with disabilities in the cooperation of I/NGOs to enhance the quality education.

Another benefit of Inclusive education is that the children will have opportunity to learn from each other, the different walks of life, being together in the same classrooms. This learning lead the children without disabilities to move towards a pathway to the humanity and socialization.

The educational institutions are in need to follow support system targeted at children with disabilities that includes early screening and interventions through closer coordination between health and education ministries, the provision of age appropriate support (birth to 3, 3 to 5, 6 to 14 and 15 to 21), improving accessibility of educational services to children with disabilities, mainstreaming learners with disability in regular education classrooms, updating data about types of disability, their levels of severity, and their prevalence, updating teacher's capacity and training program to include inclusive education, and addressing social stigma associated with disability.

6.1.3. Language and communication

"The Inclusive Education requires to provide learning opportunity based on individual need of the child and there is limited resource and capabilities of schools to provide each adaptation to the learners with disabilities such as sign-language interpretation services, alternate communication tools, accessible textbooks and curriculum that reduce the interest of learners to continue the regular classrooms, in contrast to that, the desire of teachers to supply a compatible specialized or segregated mechanism that bring all the learners of similar need in the same classrooms which in turned impact the policy adaptation." Said an Officer of Educational Unit.

Local Government should urgently address the problem of teacher's license among deaf teachers. Government should introduce deaf friendly teacher's license examination system to enable deaf teachers to obtain teaching license.

The teacher for the Deaf learners and those engaged as resource teachers expressed that teaching to Deaf students is more challenging due to lack of vocabularies to convey the meaning to deaf students. This clearly shows the need of developing new signs and documenting them in dictionary to ensure the standard use of sign language all over Nepal.

6.1.4. Barriers and Enablers in Education:

The PAR shows that people with physical disability experience range of different challenges which limits their access to education. First of all, distance of school has a great impact on access of education of children with physical disability. Second is lack of assistive devices such as wheelchairs, crutches, artificial limbs. Another challenge is the physical barriers both within school premises and the public places including roads. Majority of schools in Nepal, even those declared as inclusive schools do not have ramps in school premises. The toilets and locks are not friendly to learners with disabilities. Experience of little persons shows that they encounter problem due to lack of appropriate desk and benches in classroom as well as the door locks placed in top corners of the toilet doors.

Mostly the public schools have inaccessible infrastructure including classrooms, library, toilets, hostels, canteens, and play ground, and lack of appropriate facilities at schools such as transportation, teaching learning materials, etc.

"Inclusive education is a strategic approach that addresses equal learning and reading environments for all children. The Kohalpur municipality is bringing the local policy for inclusive education which is going to follow the principle that regular schools with inclusive education are the most effective method for elimination of discrimination, creating welcoming communities, building an inclusive society, and achieving education for all...".

It is observed that there remain barriers to inclusive education in most part of the country including teacher preparation, resources, acceptance by duty bearers, accessibility both infrastructure to all areas in school buildings, and accessible ICT and misconception towards inclusive education.

Even in the urban area that have comparatively sufficient E-learning facilities available in education for children with disabilities, there are doubts about the benefit of online educational classes because of inaccessible platform used for online classes particularly to the learners with visual impairment.

When online education is of low quality, it does not prepare children for the upgrading option. Ideally, the accessibility of ICT in education should be as of rights for children with disabilities particularly those having visual and print disabilities. However, in many rural areas digital accessibility for children with disabilities was seldom available.

6.1.5. Ownership among teachers and parents:

It is observed that the local government is confused which educational system to be adopted. They have challenges both to meet their limited budget allocation for the education of learners with disabilities and on the other hand have to meet the educational needs of each learners with disabilities who have totally different need than others, so the local Government end up with a mixed approach of inclusive and special provision in the education.

Inclusion in education has been made unnecessarily tough by providing inadequate training to the teachers about the methods of inclusive educational system, there is lack of affirmative support in the classroom for Learners with disabilities, assistive devices, support services, Braille equipment, Digital accessible books and play-back devices and materials, sign language interpretation, alternative communication means, textbooks with easy reading contents, support services etc.

Qualified teachers who are proficient in Nepali sign languages to be mobilized for the impactful virtual learning. Online materials should include visual content, demonstrations, and pedagogical innovations designed for deaf learners.

The local government should be accountable for sustaining the education programs based on the poverty and ignorance of the parents. Sensitizing the parents to develop them an obligation about their children education through initiation of funding partners in the post-Covid context.

It is observed that even when inclusive education approach is adopted, many families prefer having their children with disabilities educated in special schools or classrooms which is particularly to those having cognitive disabilities. While each family have understood that the choice of their child can only be fulfilled in separate provisions, they are worried that level of needed supports is unavailable in inclusive environments.

There is inadequate access of students with disabilities and teachers to technology, including information technology, and its ineffective use in student learning.

In a question of attitude of the parents of other children towards children with disabilities, the parents of children with intellectual disabilities responded that there are some cases where parents of other children unwilling to have their children educated alongside children with disabilities. Besides that, many parents of children with disabilities expressed hesitation to move their children from resource classes to the inclusive environment of mainstreamed classrooms. The majority of parents interviewed described that the educational system adopted in Nepal is mix of both segregated and inclusive schools.

"The quality of education should be imparted by the adoption of accessible ICT in the regular education system however the parents are not convinced fully, "I don't think there's an accessible environment as per the choice of my daughter. Theoretically there's the option to send my daughter to a mainstream school, however I think that's not an option because that school wouldn't be able to meet the accessibility compliances both in physical infrastructure as well as in the ICT, and often it's a huge gap amongst learners with disabilities and the other students to get appropriate learning environment in inclusive school...".

The parents and teachers of children with intellectual disabilities often prevailing view of their children as helpless and dependent that prevents efforts at increasing educational quality applying accessible ICT. Educating children with disabilities needs to be viewed as a worthwhile investment of resources by the advancement of ICT.

The private schools need to provide inclusive education to those learners with disabilities who cannot afford private education fees. Otherwise the expansion of private education may creat a big gap amongst those learning in private stream and the public schools, and inadequate supply of specialist teachers and head teachers with management skills in inclusive education and its method.

6.1.6. Gender and social Inclusion

Due to lockdown imposed by Covid-19 pandemic, many women have their physical and social movement restricted, which greatly limits their interactions and opportunities for both formal education and informal learning about life. Where these restrictions occur, they are more firmly enforced for girls and women with disabilities.

The concluding observation of CRPD committee has given impression to the government, it is highly suggested to restructure and revitalize the educational system with the representation of under representative groups and strengthen and expand the existing Special/integrated schools and vocational school's/ training centers to look after the education of all types of Learners with

disabilities primarily as defined and secondarily as classified by National classification and definition.

There is still social stigma, pejorative language, and negative societal attitudes to persons with disabilities, inadequate scholarship and affordability of accessible technology so that the accessible teaching learning materials with online platform are far-reaching to LEARNERS WITH DISABILITIES.

It is observed that Women with disabilities experience range of different disadvantages which limits their access to education. Many girls with disabilities have had to leave school after their menstruation due to lack of adequate hostel facilities. Similarly, violence against girls with disabilities in school is one of the major challenges which have serious consequence on educational empowerment of Women with disabilities. Measures should be taken to sensitize the teachers, parents and community and to find the solution.

The NIEC thinks that There are three major reasons why girls with disabilities aren't being sent to school. The first reason is that parents think it is unproductive for girls to go to school and since they cannot utilize this education for livelihood option so it is worthless to send the daughters to the school. Another thought is the parents action for sending a girl with disability to school might be the disclosure of a family having person with disability at the home consequently the marriage chance of other family members will be badly affected. The third thought is the overprotection from the family. They think it is better to keep the girl in the house and is better for her security due to the risk of sexual violation.

Inclusive Education emerged as a multifaceted theme during discussions with the participants. Some key features were inclusive education, quality of education for children with disabilities, dropout from school, and sign-language communication or alternate communication. The importance of true inclusive education programs for all children with disabilities underlined throughout the interviews. However, many barriers still need to be overcome. These range from inaccessible school buildings to negative attitudes towards inclusion from stakeholders. While transferring a child from a familiar special school to a new inclusive educational setting might be a challenging option, convenient educational options need to be available for children with different classification and with all functionality levels. The reluctance of teachers and parents often results from hesitant due to being previously convinced that the children with disabilities could only receive services they needed at special schools due to availability in one location of all support services and therapies, teachers specifically trained in disabilities, reasonable accommodations, accessible ICT, social acceptance by school staff and the friendship of peers in classrooms. Often these same parents were instrumental in advocating for the creation of special schools for their children when no programs existed. So, reluctance to transfer their children to mainstream inclusive schools is understandable.

Scholarship and other support systems not being properly managed to improve learning outcomes by enabling poor, disadvantaged, vulnerable and children with disabilities to enroll in school, continue their education and participate in learning.

6.1.7. Findings on Impact of Covid to the education of learners with disabilities.

Children with disabilities are among the most disadvantaged groups in the Covid-19 context. Stigma and discrimination against them often lead to increased exposure to abuse and neglect, reduced access to services, and general lack of recognition. Moreover, children with disabilities and their families are more likely to live in poverty, and they are overrepresented among the homeless population and those living in residential care and shelters, which further exacerbates their marginalization which is particularly increased in the humanitarian crises such as pandemic like Covid-19.

The internal efficiency of the public education system has improved in recent years. Repetition rates have lowered, and retaining rates and completion rates have improved however the learners with disabilities are highly impacted by the Covid pandemic and closure of the schools.

Students with disabilities as well as those from poor, remote, low caste families or from disadvantages ethnicities are disproportionately affected by the access to education using virtual platform in the lockdown context. Prolonged closure of schools in the affected districts led to decline in student attendance and delays in learning capabilities.

"Parents have problems taking care of their child with disabilities in the closer of the school in lockdown because they should spend time for their child which is unproductive, that they cannot make gainful employment...".

The lack of digital devices and little concern about the online education of children with disabilities has led to some unfortunate outcomes as illustrated by the low attendance in the virtual classes.

Schools being situated considerably far from where the Learners with disabilities are residing, the geographic condition that cover the diversity of mountains, hills and flat land where the Learners with disabilities have challenges for mobility and difficult to reach the school though the lockdown is lifted.

"People with disabilities are fully deprived of right to education during lockdown. There are multiple forms of exclusion that children with disabilities are facing and the individual educational needs to be addressed which is more relevant during the pandemic. The online classes, accessible teaching learning materials, online platform are not disability friendly and accessible. The government and private schools failed to address the educational needs of children with disabilities. There is no specific guideline and policy to access the education of learners with disabilities during pandemic....

6.1.8. Best practice of Local actors:

- 1) Kohalpur Municipality has adopted the "Inclusive Education Policy" in the local level which is considered as an exemplary initiative. Following the constitutional provision of granting authority to local bodies to adopt the locally compatible policy and laws, the local Inclusive Education Policy of Kohalpur municipality has been adopted which is the exemplary initiatives. "The local inclusive education policy has been adopted based on the state commitments towards CRPD and International Human Rights instruments as well as the local disability context...".⁵⁵
- 2) DECN has established CP Center to bring children with cognitive disabilities who are deprived in educational opportunity in Baijanath Municipality. The Center has collaborated with International knowledge experts on alternate communication tools and building capacity of the teachers for facilitating children with cognitive disabilities to enjoy rights to communication by the alternative communication tools and access to education. "The CP Center is providing opportunity to children with Cerebral Palsy to learn basic skill of communication and help identification of learning need so that these children can be included in the regular classroom...".⁵⁶

⁵⁵ In reference to the reflection of Mr. Ananta Poudel, Educational Unit, Kohlpur Municipality, speaker of webinar on 30 March, 2021.

⁵⁶ In reference to the interview with Mr. Devi Datta Acharya, Executive Director, DECN administered by ADRAD on 2 April, 2021.

6.2. Recommendation

6.2.1. Recommendation to Local Actors:

- The local bodies and OPDs should establish supplementary role to support the learners with disabilities, bringing them in the regular school,
- It is recommended the Local bodies to initiate and develop a mechanism to establish the Database of school age Learners with disabilities so that it would help policy makers and planner to set their future education plan regarding Learners with disabilities.
- The Local bodies are recommended make the parents aware during school enrollment campaign bringing Learners with disabilities in the schools through awareness program in collaboration with OPDs.
- The policy for personal attendant service for ensuring Reasonable Accommodation to Learners with disabilities should be taken by the schools in support of local Government.
- It is recommended to improve ability of parents of children with cognitive disabilities to adapt their knowledge and skills to the needs of the local labor market at community which has been significantly impacted by the travel restriction and closure of resource classes due to Covid pandemic since they are bound to loose gainful jobs and continued the cycle of economic vulnerability.
- There is urgent need for coordination with experienced OPDs such as DECN to transfer the best practice of the adoption of inclusive education, alternate communication tools and transferring resource center into the transitional centers to build platform for mainstreaming learners with cognitive disabilities into the regular classroom settings.

6.2.2. Recommendation to province Actors:

- It is strongly recommended to carry out learning need assessment of those who have learning disabilities such as Deafblind, intellectual disability, Autism Spectrum condition and profound disability and adopt the alternate communication method based on province priority.
- It is recommended to conduct orientation to school management committee (SMC) regular teachers and staff of concerned schools for generating "disability Friendly and Barrier Free Environment" by provincial government and coordinate with OPDs.
- The provincial ministries also in need to reform the curriculum and textbooks to better align local context, create multiple pathways for students learning, provide sufficient and relevant textbooks to support the vocational stream, and identify solutions to the low efficiency for the academic attainment and employment prospects.

6.2.3. Recommendation to Federal Actors:

- The Federal Government is recommended to develop uniformity for Disaggregating Education Management Information System (EMIS) data which has to be utilized across the country for better understanding the demographics and disability status of school and out-of-school children with disabilities.
- The present service provisions don't cover all the categories of Learners with disabilities. Thus, the Federal Government, through MOEST should need to cover all group of disabilities as per the definition adopted by the government and adopt policy to develop individual learning plan and follow engaging capacitated teachers.
- It is strongly recommended to sensitize government actors, policy makers, engineers, school management and teachers about the necessity and mechanism of making school physically accessible following "school Enfrastructure accessibility Guideline" that support inclusion of children with disability enrolled in the schools.
- In order to improve the management of higher educational attainment by deaf children and youth, it is strongly recommended to follow inclusive education along with

enhancing sign-language vocabulary and provision of sign language facilitation embracing deaf culture in education of all levels including higher education.

To help speed up ICT application in education, the Accessible ICT needs to be integrated within the National Information Communication Technology policy.

6.2.4. General Recommendation for all levels:

- Transformation of Best practice: Kohalpur Municipality has adopted the "Inclusive Education Policy" in the local level which is considered as an exemplary initiative. It is strongly recommended to the rest of other local bodies to transfer the practice of adoption of local level inclusive education policy as the constitution has granted authority to local bodies to adopt the locally compatible policy and laws.
- In recognition that women and girls with disabilities are particularly vulnerable thus it is strongly recommended to make appropriate efforts to include them in educational opportunities and elimination of any forms of violence to them.
- It is recommended to bring the Girls with Disabilities in educational program to promote their enrollment as envisaged by SSP since they are in multiple discrimination and exploitation in family, society, schools and in public places.
- In order to advancing implementation of Inclusive educational Programme, it is essential that the children from under-representative groups such as those having language barriers, LGBTIQ, Dalits, disability, marginality and remoteness to be prioritized based on their learning need. In addition, religious group, low income families and geographical remoteness should also be targeted as the factors for providing EDUCATIONAL opportunities to such children in the post-Covid situation.
- It is recommended to analyze the reason of disparity and its evidence in both in school system and the community levels which is particularly required in the groups having learning disabilities, ensuring minimum enabling conditions and child friendly environment.
- It is recommended to recognize the potential of children with disabilities by offering accessible and effective educational opportunities, and ensuring learning outcomes that prepare children with disabilities for independent and productive adult lives in their communities.
- The education reform should be a humanitarian aspect because the failure to build back better schools is likely to exacerbate having remarkable numbers of out-of-school children particularly those having disabilities. It is essential improved structural design that ensures accessibility for and the safety of all children including those with disabilities. It also means resilient teachers, students, and communities who will take steps to ensure that disasters cause as little affect as possible that should also be applicable in the cases of pandemic like Covid-19.
- The Government should establish mechanism to receive reports of children being denied access to education because of lack of online educational method. The alternate communication method and accessible books to access schools to be developed without delay. The possibilities of enrollment in closure of schools during lockdown in Covid-19 pandemic and similar pandemic may result in continuing of an effective access to education.
- There is urgent need for coordination with technical organizations such as ADRAD to identify effective strategy to ensure blind students have textbooks in digital accessible format and through online library. The Marrakesh treaty should immediately be ratified by Nepal to provide copy 'rights exception for the accessible publishing.
- There is need of further research in the area to explore how children with disabilities can have increased access to education within inclusive education system.

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Annex:

Annex I: Short profile of the member OPDs of NIEC (ADRAD,, DECN and DAR) 1. ADRAD-Nepal

- 1. Legal Name of Organization (and acronym): Action on Disability Rights and Development-Nepal (ADRAD)
- 2. Type (e.g. NGO, OPD, CSO): Non-Profit Organization Cross-disability OPD
- 3. Organization Mailing Address:
 - dress: 10/80 (Kha) Kopundole, Lalitpur, Nepal

adrad.Nepal@gmail.com

- 4. Organization Telephone: +977-01-5180023
- 5. Organization Email:
- 6. Website: https://adrad.org.np/
- 7. Social media: https://www.facebook.com/adrad.Nepal.31
- 8. Year Founded: 2008
- 9. Location(s): 10/80 (Kha) Kopundole, Lalitpur, Nepal
- 10. Brief Description of Activities:
 - Inclusion of Persons with disabilities in education, health services, social and political activities, recreational activities, and cultural activities in an equal basis with the others.
 - Access to information, communication technology, ooffer a better technology support enhancing learning capabilities to meet the real needs of the persons with print and visual disabilities.
 - Development of a barrier free environment for Persons with disabilities. Promote accessibility principles into the post-earthquake reform and contribute towards a barrier free environment with accessible public buildings and an inclusive society. A society accessible for persons with disabilities is one accessible to all.
 - Employment opportunities for Persons with disabilities with empowerment and reasonable accommodation.
 - Networking with of self-help organizations and groups
 - Political Representation of Persons with disabilities in decision making process of state mechanism at all levels.
 - Elimination of social stigma, pejorative languages and discriminations towards Persons with disabilities.
 - Formation and implementation of enforceable laws under anti discriminative principles of human rights approach in line with UNCRPD.

2. DEC-Nepal

- 1. Legal Name of Organization (and acronym): Disable Empowerment and Communication center, Nepal Banke (DEC- Nepal)
- 2. Type (e.g. NGO, OPD, CSO): Non-Profit Organisation
- 3. Organization Mailing Address: Baijanath Rural municipality, ward no 4, Banke, Nepal
- 4. Organization Telephone: +977-81-404003
- 5. Organization Email: DEC-Nepal7@gmail.com
- 6. Website:
- 7. Social media:
- 8. Year Founded: 2007
- 9. Location(s): Baijanath Rural municipality, ward no 4, Banke, Nepal
- 10. Brief Description of Activities:
- 1. Budget Monitoring:
- 2. Dialogue with key stakeholders (Public hearing program):
- 3. Interaction with self-help groups:
- 4. Organising mobile camp for Disability ID Card Distribution:
- 5. Providing basic service:
- 6. Advocacy:

7. Development and dissemination of Social Communication Materials (SCM) concerning disability

3. DAR-Dang

- 1. Legal Name of Organization (and acronym): Deaf Association of Rapti (DAR)
- 2. Type (e.g. NGO, OPD, CSO): Non-Profit Organisation
- 3. Organization Mailing Address: BP Chowk, Tulispur Municipality 5 Dang
- 4. Organization Telephone: +977-9858042893
- 5. Organization Email: rajani.sharma80@yahoo.com
- 6. Website:
- 7. Social media: https://www.facebook.com/raptibahiraa.sangh
- 8. Year Founded: 1999
- 9. Location(s): BP Chowk, Tulispur Municipality 5 Dang
- 10. Brief Description of Activities:
- 1) Interaction program for deaf and hard of hearing people
- 2) Advocacy for implementation of legislation
- 3) Capacity building training for deaf and hard of hearing people
- 4) Promoting respectful society for deaf and hard of hearing people

5) Advocate for deaf and hard of hearing people to improve access to rights and opportunities.

6) Vocational training with work guarantees

Annex II- Research Tools

Annex II (A) Request Letter to the Head Teacher:

Dear Head Teacher,

School

Subject: Request for providing information about the education of children with disabilities under Participatory Action Research

Dear Head Teacher,

Action on Disability Rights And Development-Nepal leading a participatory action research on Inclusive Education in Nepal: Challenges and Opportunities", through the consortium of Inclusive Education. The research is primarily intended to explore present practices and to develop strategic intervention of inclusive education in Nepalese context. Through this letter, I would like to request you to give the permission to conduct the research in your school. The following ethical issues will be considered.

The school will not be forced to participate.

The schools' identities will be concealed.

Classroom observation will be conducted with minimal disruption.

If school wishes, the research report will be made available to the school.

Sincerely yours,

Birendra Pokharel

ADRAD

Annex II (B) Request Letter to the Teacher and Consent form:

Mr/Mrs/Ms

Subject: Request for filling (answering) the research questionnaire form.

Dear Teacher,

I am Dr. Birendra Raj Pokharel, doing a participatory Action research under the Inclusive Education Consortium. The topic of our participatory Action research is Inclusive Education in Nepal: Challenges and Opportunities. The objectives of research are to:

Dig out the present theoretical orientation and practices of inclusive education in Nepal.

Find out the prominent barriers in successful implementation of inclusive education in Nepal.

Develop strategies of inclusive education based on socio-psychological context of Nepal.

The purpose of this letter is to request you to participate as a respondent in this research. The following are very important:

There are no known risks associated with this research. There are no any economic benefits to you that would result from your participation. This research may help us to understand real situation of inclusive education in Nepal.

Your personal identification and confidentiality will be maintained. The information that you provide shall be used only for research purpose. Your identity will not be revealed in any publication resulting from this study.

Your participation in this study is voluntary. You may choose not to participate and you may withdraw your consent to participate at any time. You shall not be penalized in any way.

If you have any questions or concerns about this study, or if any problems arise, please feel free to contact me. My Email address is: <u>birendra.abilis@gmail.com</u>

Sincerely yours,

Dr. Birendra Pokharel

ADRAD

Consent

I, the undersigned, have read this consent and give written consent to participate in the research undertaken by Birendra Pokharel, ADRAD.

Signature of the participant

Date

Annex II (C) FGD tools for Education stakeholders:

Instruction: Please listen the questions carefully. You do not need to mention your name while responding to these questions over face-to-face or virtual session and the confidentiality is highly ensured. I have humble request to you to participate actively with your practical experiences as honestly as possible. Your help in answering the questions has vital importance to this PAR]

Part 1: Classroom information (Please mark (V) in appropriate block)

At which level do you teach currently?			
Basic (Grade 1 to 8)			
Secondary (Grade 9 to 12)			
How many students are in your class?			
Does your class include the following students?			
Types of students Yes (If	f Yes,	Number)	No
Girl students			
Bilingual/multilingual			
Student with disability			
Student from poor family			
Student from cultural diversit	y		
Any other (please specify)			

Total

Do you receive in-service training of inclusive education from the Government of Nepal? Yes No

If yes, please write briefly the duration and major pedagogical skill that you have gained from the Training course.

Part 2: Understanding and practice

What do you understand the term "inclusive education"? (Please, write your answer in brief).

Inclusive education has three dimensions. They are: 1) access and participation 2) managing diversity, and 3) disability management. How do you perceive these three different dimensions? (Please, state your conceptual understanding)

Access and participation

Question 1: As Nepal is least developed, plural and culturally diverse country, your class may include students from different background (for instances: different socio-economic background, poor families and different language). In order to make your classroom more inclusive, what types of strategies do you use in implementing the dimensions of inclusive education? Please mention at least two approaches that you are applying.

Question 2: Successful implementation of inclusive education is very crucial. Many factors affect it. As an inclusive education / Resource teacher what types of specific problems are you facing in the implementation of inclusive education in the classroom? Please write any four important problems and the causes.

Inclusive education is developed as strategic intervention to reduce exclusion in education. Exclusion in education is not the result of any single cause. It is the result of multiple reasons. Does the existing efforts and mechanism of Government of Nepal in relation to inclusive education are sufficient?

 $\hfill\square$ Sufficient $\hfill\square$ Partly sufficient $\hfill\square$ Insufficient $\hfill\square$ Very insufficient

If not Sufficient, what strategic interventions are required to reduce the exclusion in education? Please give the suggestion in points.

1) 2)

Every teacher plays important role in the implementation inclusive education. In your opinion, what sorts of actions are needed to make teachers' role more effective? Please give your suggestion in three points.

1)

Part: 4 Inclusive culture in the school

Inclusive school always seeks to develop inclusive culture in the school. There are some indicators to evaluate inclusive culture of the school. Based on self-judgment, please, mark (V) in the appropriate box.

Part: 5 Impact of Covid in the Education and the school

What impact have you observed in accessing education of learners with disabilities?

How do learners with disabilities?

What are the Enablers and Barriers in accessing education through face-to-face classes and the virtual mode for children with disabilities?

What can be the roles of stakeholders to mitigate the challenges of learners with disabilities during post-Covid context?

(Thank you very much for answering the questionnaire)

Annex II (D) Interview Guidelines (Children with Disabilities):

Do you know the cause of your disability? If yes, what is the cause of your disability?

Do you use assistive devices, hearing aids/ devices? If use, which device do you use?

Does your teacher support to you in learning in classroom? How does your class teacher behave you in teaching?

How does other teacher respond to you in school?

Does your peer support to you in school? How they behave to you in school?

Does your family member support to you in educational matter at home? How they support?

Does your local community helps to you to participate in community activities? If yes, how they support to you?

What are the main problems that you are facing in school to receive education?

What do you need to improve your learning in school?

Covid context:

What impact have you encountered in accessing education?

How do you access information; about Covid? use protective measures? And Online education?

What are the Enablers and Barriers in accessing education through face-to-face classes and the virtual mode for you?

What can be the roles of stakeholders to mitigate the challenges of learners with disabilities during post-Covid context?

Thank You