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# A Study on Children with Learning Disability and Their Right to Education

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#### **Abstract**

Children with learning disabilities (Dyslexia) are one of the most marginalized and excluded groups in society. Facing daily discrimination in the form of negative attitudes, lack of adequate policies and legislation, they are effectively barred from realizing their rights to healthcare, education, and even survival. To advocate the rights, freedoms and interests of persons with learning learning disability and the objectives is to implement various preventative programs aimed at that learning disability prevention. The study deals with empirical research. The sample was selected by convenience. Nearly 207 children were surveyed for the analysis. The study deals with survey methods and the main tool for calculating or analyzing the results is graphical representation. The independent variables included age, gender, location. The dependent variables are people's awareness about the rights to learning disabled children that occurs through online and to know whether learning disabilities are affected more through rights to disabled children that occurs through online in day to day life. The finding of this paper is that there is no significant difference between the awareness of the public towards learning learning disability through online and the age group of the respondents and there is no significant relationship between reasons for the rights to learning disability that occurs through in day to day life and gender of the respondents. From all the analysis, it is satisfying that rights of learning disabled children not effectively implemented because the people in the society are not aware about it.

#### **Keywords**

Ability, Children, Dyslexia, Learning Disability, Teachers.

## **INTRODUCTION**

Children with specific learning disabilities are one of the most marginalized and excluded groups in society. Facing daily discrimination in the form of negative attitudes, lack of adequate policies and legislation, they are effectively barred from realizing their rights to healthcare, education, and even survival. Evaluation is an essential beginning step in the process for a child with dyslexia. Before a child can receive special education and related services for the first time, a full and individual initial evaluation of the child must be conducted to see if the child has a learning disability and is eligible for special education. Informed parent consent must be obtained before this evaluation may be conducted. The evaluation process is guided by requirements in our nation's special

education law, the Individuals with learning disability Education Act (IDEA). In 2008, the government reformed the Scheme of Integrated Education for Disabled Children (IEDC) and created the Inclusive Education of the Disabled at the Secondary Stage (IEDSS). IEDC was reformed to take into account the resources provided for students with learning disability ages 6-14 under Sarva Shiksha Abhiyan. A number of factors that influence the accessibility of education for children with learning disability are presented including: perceptions of parents of children with learning disability and their difficulties in helping their children with learning disability , the general attitude of society, government officials, school staff .The good news is that the United Nations Convention on the Rights of Persons with learning disability is moving learning disability up on the international agenda. In fact, one of UNICEF's main goals is to enhance the development and inclusion of children with learning disabilities , allowing for their increased access to health and education services. In Convention on the rights of persons with learning disability (2006), disabled persons should be able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others through reasonable accommodation of their learning disability . This research examines the new international trends occurring regarding the education of children with learning disability and finally results that the new trends show a movement from special education to inclusive education and moving from seclusion to inclusion and provide that solutions must focus on prevention, cure and steps to make these children as normal as possible. Children falling under these three categories have the right to free and compulsory education in a neighborhood school as per law: Children who are blind, have low vision, are leprosy-cured, are hearing impaired, have locomotor disability, have mental retardation, or have mental illness (Section 2 (i) of the Persons with learning disability Act, 1995)Children with any of the conditions relating to autism, cerebral palsy, mental retardation or a combination of any two or more of such conditions and includes a person suffering from severe multiple learning disability (Section 2 (j) of the National Trust Act, 1999); Children with severe learning disability, that is eighty percent or more of one or more multiple learning disability (Section 2 (o) of the National Trust Act, 1999), As of today, specific learning learning disability including ADHD are not recognized under this Act. The enactment of the Rights of Persons with Learning Disability Act would be a step forward but things may still not change until there is a certification process to identify these learning disabilities under the rules of the Act. It is not uncommon to see children certified to have mental retardation or mental illness for the purpose of seeking accommodations under the Laws but this is not a recommended strategy. The Persons with learning disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995" had come into enforcement on February 7, 1996. It is a significant step which ensures equal opportunities for the people with learning disability and their full participation in nation building. The Act provides for both the preventive and promotional aspects of rehabilitation like education, employment and vocational training, reservation, research and manpower development, creation of barrier- free environment, rehabilitation of persons with disability, unemployment allowance for the disabled, special insurance scheme for the disabled employees and establishment of homes for persons with severe learning disability etc. Global commitments to the education of children with learning disability, have led to progressive policy developments in India, and a surge in the enrolment of children who were traditionally excluded from the formal education system. This paper examines the perceptions and practices of mainstream teachers in rural government schools, within the context of increased learner diversity, focusing on how teachers understand, and respond to, the needs of children with learning disabilities. Data were collected through semi-structured interviews with teachers and classroom observations, in six primary schools, in three districts of Haryana. Our findings suggest that deficit-oriented views dominated teacher thinking, but they showed a readiness to engage with learning disability issues, recognizing the value of education for all. However, they struggled in their classroom practices in relation to meeting diverse learner needs and exclusionary practices were further amplified for children with learning disability. Teachers were unwilling to take responsibility for the learning of children with

learning disabilities , expressing significant concerns about their own preparedness, while highlighting the lack of effective and appropriate support structures. China Disabled Persons' Federation's mission is to promote development for disabled individuals, maintain equal and full participation in social life for disabled individuals, and allow individuals with learning disability to participate in social, material, and cultural achievements. The employment rate for disabled people in the United States is less than one in five, and is 46.4% lower than the employment rate for Americans without learning disability . Switzerland also tops the chart as the world's best employer of disabled people with 69% of people with learning disability in employment. The paper concludes by drawing attention to the pressing need for effective teacher professional development opportunities and other support structures, to provide quality education. The Aim of this paper is to know about children with learning disability and their right to education.

# **Objectives**

- To know the rights, freedoms and interests of persons with learning disabilities.
- To analyze the laws implemented for children with learning disabilities.
- To know about the difficulties faced by children with learning disabilities.
- To analyze that children with learning disabilities are protected under the government initiatives.
- To make people aware about the rights available to children with learning disabilities.

#### **Review of Literature:**

(Vergunst, McKenzie, and Hansen 2021), This study explains that the United Nations Convention on the Rights of the Child (UNCRC) is often seen as the starting point and impetus for the development of participation; prior to this there were key requirements for children and young people's participation within the Children Act 1989 (Department of Health, 1991). This requires local authorities to ascertain the wishes and feelings of children they look after or are about to look after, and to give these due consideration, subject to practicability such as the child's age and understanding. (Hegarty and Alur 2002), This study explains the participation of children, young people and parents continuing to be at the centre of government policy and initiatives. For example, within the development of The Children's Fund (established in 2001), participation was one of the guiding principles of the initiative. Guidance stated that children, young people and parents should be actively involved in the design, delivery and evaluation of services (Rieser 2012), This study explains the Children and young people's participation was at the heart of the ten year youth strategy which set out a series of commitments to transform opportunities for young people, including empowering them to have greater influence over the services they receive (HM Treasury and Department for Children, Schools and Families, 2007). (van Kessel et al. 2019), This study explains The government also highlighted within its white paper on learning learning disability, Valuing People, the principles of rights, independence, choice and inclusion, promoting the use of both advocacy and person-centered approaches for planning with people with learning learning disability (Department of Health, 2001). Valuing People Now (2009) set out a three year strategy to implement the above principles. (Parr et al. 2021), This study explains that Working Together sets out how schools should give young people a say in how decisions that affect them are made. The guidance stated that this should include, for example, the strategic planning and governance of the school, the recruitment and selection of staff, and developments such as peer support. (Zhang et al. 2020; Dushanova et al. 2020), This study explains that In 2010, the coalition government announced a fundamental reform of the NHS. Equality and Excellence: Liberating the NHS included proposals to give patients a greater say about the services they receive. (Snoddon and Paul 2020), This study Aiming High for Disabled Children considered access and empowerment as a priority area to improve outcomes for disabled children. It introduced a core offer for disabled children and their families, including standards for local authorities regarding the level of involvement of disabled children and

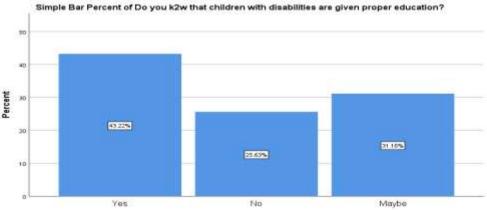
young people in decision making about the services they receive (HM Treasury and Department for Education and Skills, 2007). DeLacey et al. 2020, This study explains the proposals were set out in Support and Aspirations: A new approach to Special Educational Needs and learning disability Green Paper (2012) and would create a single assessment process for an education, health and social care plan to cover children from birth until 25 years old, they also include further development of personal budgets. (Reaching the Marginalized 2010), This study explains The search terms consisted of words associated with participation and service provision; involvement, consultation, decision-making and evaluation and service provision such as education, health, social care, environment, transport and policy. The searches and call for evidence were undertaken at the beginning of 2011. (Miresmaeeli et al. 2021), This study explains that Every effort was made to ensure that this review presents an accurate picture of the available evidence of disabled children and young people's participation in strategic decision making in England. However, this report does not purport to be a systematic review of all evidence and therefore does have some limitations. For example, because of the limited evidence, available, none of the evidence has been systematically assessed for quality, although where pertinent any limitations are noted. (Sachdev et al. 2021), This study explains that For disabled children, guidance and regulations within the 1989 Children Act make it clear that, if a child has complex needs, communication needs or severe learning learning disability , arrangements must be made to establish their views and that a disabled child cannot be assumed to be incapable of sharing in decisionmaking. (Hawkridge 2018), This study explains the act requires local authorities to establish complaints procedures for children in need and looked after children. In addition, the 1990 NHS and Community Care Act (The Stationery Office, 1990) established a duty on the part of service providers to provide complaints procedures, and the 2002 Adoption and Children Act places a duty on local authorities to provide advocacy services to children who wish to make a complaint under the Children Act 1989. (Cranmer 2020), This study explains that concern led to an interest in more effective ways of empowering young people as a protective strategy, thus ensuring that children and young people have opportunities to make their concerns heard and that these concerns are taken seriously through avenues of the complaints procedure and access to independent advocacy. (Shah et al. 2021) , This study explains the notion was central to the government's Quality Protects initiative (1998) which aimed to transform both the management and delivery of social services for children and required mechanisms for children and young people's views to be heard (Department of Health, 1999) Developing a culture of, and good practice in, children's participation was fundamental to achieving the overall aim of Quality Protects. However, ring fenced for Quality **Protects** ended 2004 and practice in mainstreamed. ("Understanding Disabled Children and Digital Technologies" 2021), This study explains that new approach to Special Educational Needs and learning disability Green Paper (2012) and would create a single assessment process for an education, health and social care plan to cover children from birth until 25 years old, they also include further development of personal budgets. Although these proposals are still in discussion at the time of writing, it is expected that they will be introduced into parliament under The Children and Families Bill in 2013. (Dash 2006), This study explains that Knight et al (2006) undertook a review of consultations undertaken with children and young people with learning learning disability about the support they receive. They identified relatively small numbers of studies which had focused on this issue. Those consultations which had taken place had usually centered on a particular service children and young people were attending or receiving. (Mangal 2007), this study explains that Sloper et al (2010) carried out a study of multi-agency transition services for disabled young people and identified that their involvement in planning and overseeing services was less developed than that of parent participation. Fifteen services out of 34 stated that they involved disabled young people in planning services and 12 of them stated that they involved disabled young people in overseeing the service. (Sung et al. 2021), This study explains the survey of 100 consultation initiatives involving primary school age children found that despite a large amount of energy and goodwill,

there was little to show in return for the time and effort expended. Analysis of the 2006 Children and Young People's Plans illustrated that although consultation had taken place, the level, depth and quality of engagement varied considerably. (Waterworth et al. 2021), This study explains that Evidence suggests a steady rise in the number of structural mechanisms to enable children and young people to participate, and a cultural change in the value children and adults are placing on participation. Yet this was by no means universal across all sectors or afforded to all children and young people; the report highlights that disabled children and young people are one group missing out on developing practice (Eke et al. 2021), this study concluded that the participation of disabled children needs further development with evidence that good practice is not widespread. Subsequently, Franklin and Sloper reported that practice within social care services was patchy and limited. Small numbers of disabled children and young people were participating and these were in the main considered to be the most articulate, confident and most able to communicate (2007, 2009). (Malar et.al. 2013) A satisfactory trend in early identification and timely intervention ensuring commendable influence on development of communication and academic skills as well as social integration in the educational mainstream was revealed in a survey. (Jangira, 2002)Perspectives on education of CwD have been constantly modified with increased awareness and understanding of special needs arising out of disability. Significant advancement in practices is placed on record by research and policy.

## **METHODOLOGY**

The researcher obtained the primary source of data by conducting an empirical study on seeking responses from the general public based on a questionnaire and also relied on secondary sources of data such as books, journals, e-sources, articles and newspapers. The research method followed here is empirical research. A total of 207 samples have been taken out of which is taken through convenient sampling methods. The sample frames taken by the researcher are various students and their parents especially belonging to the urban parts of Chennai. The independent variables are age, gender, educational qualification, marital status, location, educational qualifications and occupation. The dependent variables are Do you know that children with learning disability and their right to education? Which of the following scheme is most employed by the Government while trying to implement educational rights of disabled children?Do you agree that the Government is effectively implementing the educational rights of disabled children in order to protect them? Rate your level of awareness towards children with learning disability in India? The statistical tool used by the researcher is graphical representation. The essence of the survey method can be explained as "questioning individuals on a topic or topics and then describing their responses".

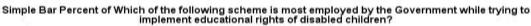
# **Analysis:**



Do you k2w that children with disabilities are given proper education?

Figure 1 is a simple bar graph which shows the awareness towards children with learning disability and their right to education in India.

# Legend:



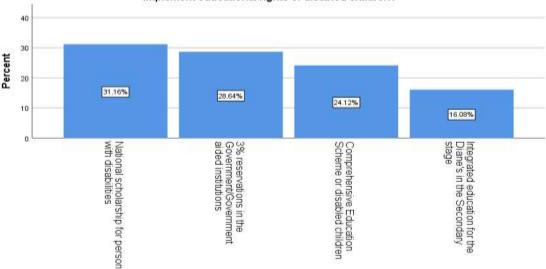
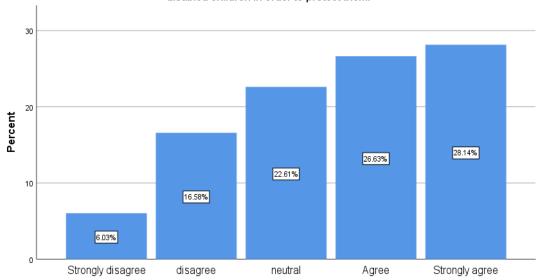


Figure 2 is the simple bar graph which represents the schemes that are available for the children with learning disability issued by the Government.

Simple Bar Percent of Do you 4 that the Government is effectively implementing the educational rights of disabled children in order to protect them.



Do you 4 that the Government is effectively implementing the educational rights of disabled children in order to protect them.

Figure 3: how's the agreeability of the respondents that the government is effectively implementing education rights of disabled children in order to protect them.

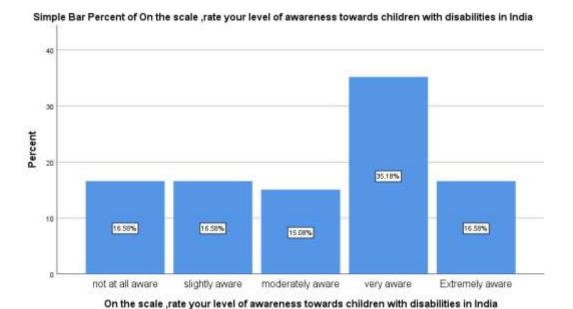


Figure 4: shows the awareness of the respondents towards the children with learning disability and their right to education in India.

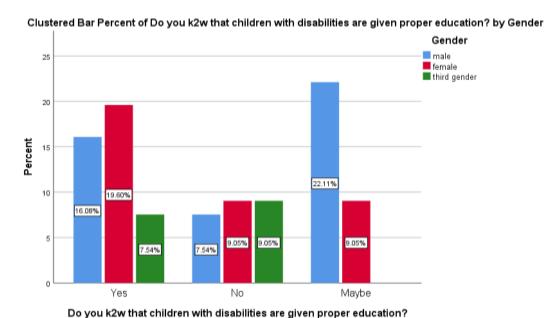


Figure 5: shows the awareness of the respondents with the children with learning disability and their right to education with the influence of the gender of the respondents

Clustered Bar Percent of Which of the following scheme is most employed by the Government while trying to implement educational rights of disabled children? by Educational Qualifications

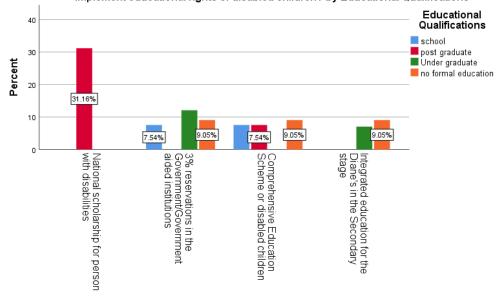


Figure 6: shows the graph of the scheme that is mostly employed by the government while trying to implement the educational rights of the disabled children with the influence of the educational qualification of the respondents.

Clustered Bar Percent of Which of the following scheme is most employed by the Government while trying to implement educational rights of disabled children? by Location

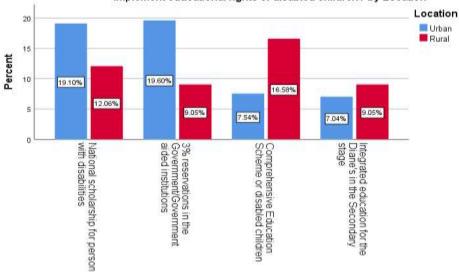
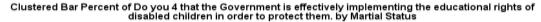
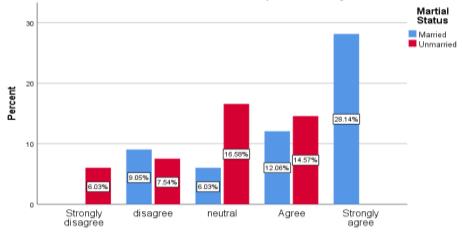


Figure 7: shows the scheme that is mostly employed by the government while implementing education right for disabled children with the influence of the place of living of the respondents.

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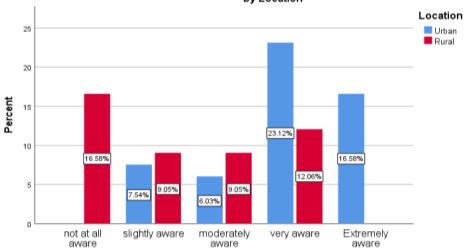




Do you 4 that the Government is effectively implementing the educational rights of disabled children in order to protect them.

Figure 8: shows the awareness of the respondents that the government is effectively implementing the educational rights of the disabled children in order to protect them with the influence of the marital status of the respondents.





On the scale ,rate your level of awareness towards children with disabilities in India

Figure 9: shows the level of awareness of the respondents towards the children with learning disability in India with the influence of the living place of the respondents.

## **RESULTS AND DISCUSSIONS**

It is clear that 43.22% of respondents responded yes to the statement and 25.63 % of the respondents responded No to the statement and 31.16 % of the respondents responded maybe to the statement.

It is clear that 31.16~% of the respondents responded that national scholarship for persons with learning disability is the scheme that is most employed by the government and 26.64~% of the respondents responded that 3% reservation in the government and government aided institutions is the scheme that is most employed by the government. 24.12~% of the respondents responded that the comparison education scheme or disabled children is the most employed scheme by the government and finally 16.06~%

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of the respondents responded that integrated education for Dianes in the secondary stage was the most employed scheme by the government of India.

It is clear that 28.14 % of the respondents responded that they strongly agreed with the statement and 16.58 % of the respondents responded that they disagreed with the statement.

It is clear that 35.18 % of the respondents were very aware about the children with learning disability in India and their right to education and 16.58 % of the respondents were slightly aware and extremely aware about the disabled children in India and 15.08 % of the respondents were moderately aware about the children with learning disability and the right to education in India.

It is clear that 22.7 % of the male respondents responded maybe to the statement. 19.60 % of the female respondents responded yes to the statement and 9.05 % of the third gendered respondents responded No to the statement.

It is that 31.16~% of the respondents with the educational qualification of post graduate responded that national scholarship for persons with learning disability is the most employed by the government while implementing educational rights for the disabled children. 7.4~% of the respondents with the education qualification of school level respondent that 3~% of the reservation of the government and government aided institutes as the most employed by the government while implementing education right for the disabled children 9.05~% of the respondents what is the education of qualification of no formal education responded that integrated education for the Diane's for the secondary stage is the most employed by the government while implementing the educational rights for the disabled children.

It is clear that 19.60~% of the respondents living in the urban areas responded that three percentage of the reservation of a government/government aided institutes as the most employed by the government will implementing the education rights for the disabled children and 16.56~% of the respondents were living in the rural area respondent that comprehensive education scheme or disabled children as the most employed government scheme while implementing the education right of the children with learning disability .

It is clear that 28.14% of the Married respondents responded that they strongly agreed to the statement and 16.58 percent of the unmarried respondents responded that they were neutral to the statement.

It is clear that 23.12 % of the respondents living in the urban areas responded that they were very aware about the children with the learning disability in India and 16.58 % of the respondents living in the rural areas responded that they were not at all aware about the children with learning disability in India.

#### **DISCUSSION**

It is clear that most of the respondents responded yes to the statement that shows that they were aware about the children with learning disabilities and their right to education in India. This is because there were many policies and schemes for the children with learning disabilities. Some of the respondents were not aware about the children with learning disabilities and the right to education because they may be in the rural areas.

It is clear that most of the respondents responded that national scholarship for persons with learning disability is the scheme that is mostly employed by the government of India and secondly three percentage reservation in the government and government aided institute is the scheme that is mostly employed by the government of India .This is because For citizens with learning disability, the government has allowed several benefits and facilities. These benefits vary from state to state and also according to the type and extent of disability.

It is clear that most of the respondents responded that they agreed with the statement because the government is taking the initiative for the effective implementation of the children with learning disabilities and their right to education in order to protect them. Some of the respondents responded that they disagreed with the statement because they may be not aware about the rights of the disabled children.

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It is clear that most of the respondents responded that they were aware about the children with learning disability and a right to education in India because there were a lot of schemes and policies for the children with learning disability in India so they may be aware about that. And some of the respondents were slightly and moderately aware about children with learning disabilities because they were maybe in the rural areas so that they were not aware about the schemes and policies given by the government of India.

It is clear that most of the male respondents responded as maybe to the statement this is because they may be aware about the government policies for the right to education of the disabled children and most of the female respondents responded Yes to the statement because they may also aware about the educational rights for the disabled children and the third gendered respondents responded No to the statement this may be because the third gendered people were not getting proper education by the government so that they responded as not to the statement.

It is clear that most of the respondents with educational qualifications of post graduate respondents responded that national scholarship for the disabled children is the most employed by the government for implementing the educational rights of the disabled person. Some of the respondents responded that 3% reservation in the government and government aided institutes as the most employed by the government for implementing the educational rights for the disabled children. Through this reservation the disabled children will get proper education and their need can be satisfied by the Government.

It is clear that most of the respondents living in the urban areas respondent that the percentage of the reservation by the government and government aided institutions as the most employed by the government while implementing the educational rights for the disabled children this is because the people living in the urban areas may be well known about the schemes and policies implemented by the government and some of the respondents were living in the rural areas responded that comprehensive education scheme for the disabled children as the multiplied by the government will implementing the educational rights for the disabled children this may be because the rural area people may be aware only about the educational rights of the disabled children.

It is clear that most of the married respondents responded that they strongly agreed to the statement because the government took some initiatives to implement an effective policy and the schemes for the disabled children in India. Some of the unmarried respondents responded that they were neutral to the statement that is neither agree nor disagree this is because the respondents may not be aware about the schemes and policies implemented by the government for the disabled children.

It is clear that most of the respondents living in urban areas responded that they were very aware about the disabled children in India this may be because they were aware about the policies and schemes implemented by the government of India to the disabled children and the respondents who were living in the rural areas may not aware about the policies and schemes that were implemented by the government for the welfare of the disabled children due to the inconvenience of the communication with the government.

# Suggestions

Organizations of persons with learning disability, as well as families and communities, can play a significant role in monitoring country commitments to the right to education. There is a lack of concrete data showing the true scale of learning disability worldwide and its link to education, although this should improve soon. Governments should fulfill Convention on the Rights of People with learning disability commitments to set up mechanisms for coordination, independent monitoring, enforcement, complaint and reparation. Governments should develop inclusive curricula to help break down barriers faced by children with learning disability in the classroom.

## Limitation

One of the major limitations of the study in the sample frame. There is a major constraint in the sample frame as it is limited to a small area. Thus, it proves to be difficult to extrapolate it to a larger population. Another limitation is the sample size of

207 which cannot be used to assume the thinking of the entire population in a particular country, state, or city. The physical factors have a larger impact, thus, limiting the study.

#### **CONCLUSION**

From all the analysis, it is satisfying that rights to disabled children are not effectively implemented because the people in the society are not aware about it. The government has to implement still more schemes and they have to make people think about it. Children with learning disabilities need access to a wide range of quality programs and services that meet their individual needs and support smooth transitions to new and different programs and services across childhood and into adulthood.learning disability is a complex social issue and it is increasingly becoming a major concern all over the world. The number of disabled people is increasing across the world due to various reasons. Disabled people comprise a significant minority in most countries and their number also constitutes one of the largest minorities in the world. Traditionally, learning disability has long been considered to be an index of marginality. They faced direct and indirect discrimination and were not able to enjoy the full spectrum of civil, political, social, cultural and economic rights. Children with learning disability need access to a wide range of quality programs and services that meet their individual needs and support smooth transitions to new and different programs and services across childhood and into adulthood. Eight specific characteristics commonly contribute to the effectiveness of programs and services for children with learning disability and their families: engaging children and families in the child's care and building solid support networks for the child and her or his caregivers; providing individualized services and supports based on an assessment of the child's and family's specific needs, strengths and weaknesses, and interests; offering or connecting children and families to interventions that have strong evidence of efficacy or effectiveness, increase the likelihood of desired health and functioning outcomes, and are consistent with current professional knowledge; having effective outreach strategies and helping connect families to needed supports; helping children and families navigate the array of available programs and services and ensuring coordination of care within and across service sectors.

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