



AN OVERVIEW OF INCLUSIVITY & CHALLENGES OF ITS PRACTICE

What is Special Education?

Intro- Special Education (sometimes referred to as Special Needs Education) is education for students with special needs that:

- Considers their individual educational needs.
- Aims at full development of their capabilities, independence and social participation.

Special Education is for children/students who have special needs like:

- Learning disabilities & communicative disorders.
- Emotional and behavioural disorders.
- Physical and developmental disabilities.

(Source: Wikipedia)

Special Needs Defined

In Malaysia, people with special needs are defined and covered under the Persons with Disabilities Act 2008.

It defines persons with disabilities as including 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.

The Ministry of Women, Family and Community Development (MWFCD) further defined disability into 7 categories:

1. Hearing disability
2. Visual disability
3. Speech disability
4. Physical disability
5. Learning disability
6. Mental disability
7. Other disabilities (those with multiple disabilities or those of whom the other categories are not 'appropriate')

Disabled children in Malaysia: In Numbers

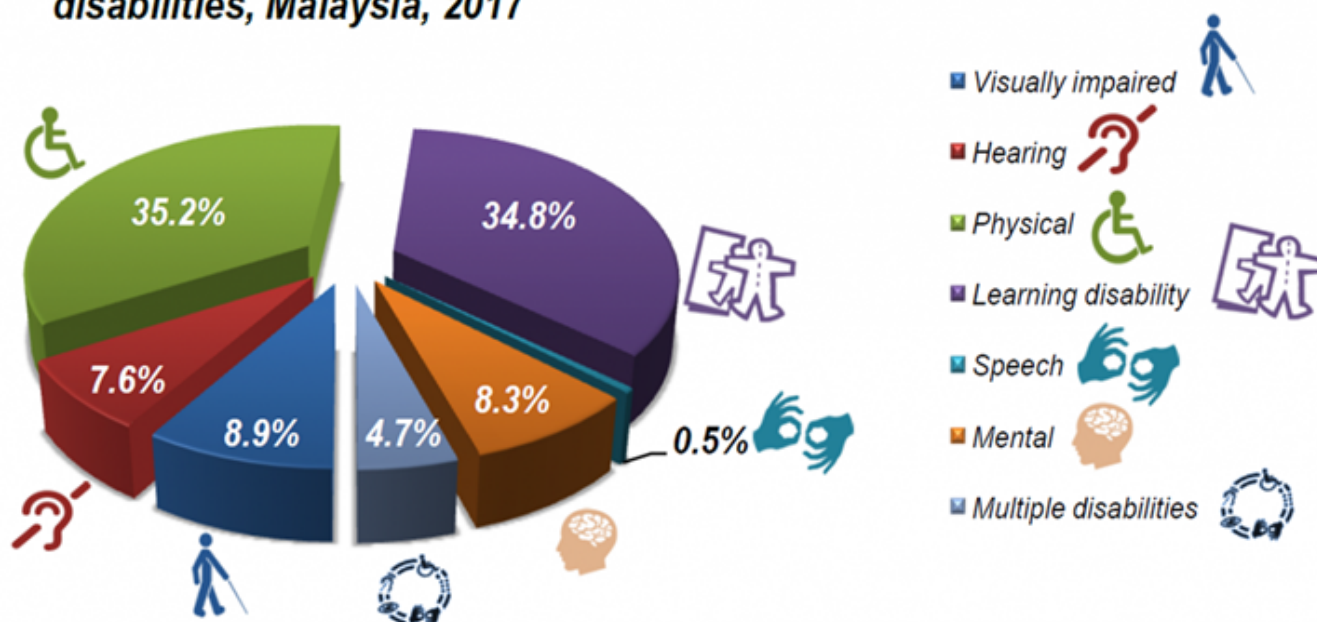
There is a challenge of getting exact numbers of the disabled population in general in Malaysia. The reasons:

- Registration of disability is not compulsory.
- Low registration of children with disabilities has been attributed to several factors including parental fear that registration of a child with disabilities could lead to:
 - stigmatisation and discrimination
 - could pre-determine choices in a child's life such as enrolment to school, access to healthcare and participation in society (UNICEF, 2014)

WHAT WE KNOW (AS OF 2017):

According to the Department of Social Welfare, Malaysia in 2017, the registered persons with Disabilities (PWD) was 453,258 persons with the highest number of them in the physical category followed by learning disability and visually impaired.

Chart 1: Percentage of registration of Persons With Disabilities (PWD) by category of disabilities, Malaysia, 2017



Source: Department of Social Welfare, Malaysia

To get a better idea of the actual number, Amar Singh suggested that we use guidelines provided by UN and international studies, which suggest that 10% of all children in a population will suffer developmental issues or disability (though it could be up to 15%). Based on the 9.4 million children population*, that would mean **there is approximately 940,000 children with disabilities in Malaysia.**

* Source: Department of Statistics Malaysia (Children Statistics Publication Malaysia, 2018)

Special Education: Malaysia's Initiatives and Challenges (1995 – PRESENT)

1. 1995: Malaysia ratified the Convention on the Rights of the Child (CRC)

➤ which states that a mentally or physically disabled child should enjoy a full and decent life in conditions, which ensure dignity, promote self-reliance and facilitate the child's active participation in the community. It requires State Parties to recognise the right of the disabled child to special care, to render assistance free of charge whenever possible and to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

However, Malaysia had reservations to Article 2 of the CRC that protects child against non-discrimination by reason of any disability. Reasons provided that it does not conform with the Constitution, national laws and national policies of Government of Malaysia including Syariah Law.

2. 1996: Education Act

➤ Requires the Minister for Education to provide special education in special schools or designated primary and secondary schools.

3. 1997: Special Education Regulations

- Specifies the children with disabilities who are eligible for special education. The child has to be
 - 'Educable' as in able to manage him/herself without help
 - Must be confirmed capable of undergoing the national educational programme by a panel consisting of medical practitioner, officer from MOE and Department of Welfare, respectively.
 - Are only children who have visual and auditory disabilities and specific learning difficulties.

Still, children who are fall under the definition of 'educable' but have the following are still excluded:

- Physically handicapped children with the mental ability to learn like normal pupils
- Pupils with multiple disabilities or with profound physical handicap or with severe mental retardation.

4. 2001: Malaysia enacted the Child Act

All rights and protection available to children (defined as persons under 18 years) under the Child Act extends to children with disabilities. The four core principles of the Child Act are:

- 1) non-discrimination
- 2) best interest of the child
- 3) the right to life, survival and development
- 4) respect for the views of the child

Yet, Malaysia's reservation regarding Article 2 of CRC concerns non-discrimination remains. The Federal Constitution too does not specifically prohibit discrimination against those with disabilities. It also does not specifically prevent discrimination against children with disabilities with regards to admission into educational institutions.

5. 2008: Malaysia enacted the Persons with Disabilities Act (PWD Act)

Defines “persons with disabilities”. Protects the rights of persons with disabilities and imposes obligations on government, private sector and non-government organisations with regards to access to education, public facilities, public transport, employment, etc.

However, the PWD Act displays a:

- Lack of comprehensive monitoring, penalties or remedies mechanism against parties who violate the PWD Act or the rights of persons with disabilities.
- Lack of redress mechanism against the government for violating the PWD.
- Lack of specific anti-discrimination and anti-harassment provisions.

6. 2010: Malaysia ratified the Convention on the Rights of Persons with Disabilities (CRPD)

Malaysia commits to develop and carry out policies, laws and administrative measurements that will secure laws and abolish laws, customs and practices that discriminate against PWD and their rights including to be equally recognised before the law, have access to independent living, healthcare, education, employment, etc. It specifies that children with disabilities have equal rights to children without disabilities.

Still, Malaysia has yet to sign the Optional Protocol to the CRPD, which empowers people with disabilities to take action against parties who violate the CRPD.

7. 2012: Malaysia adopted Incheon Strategy

➤ Which aims to create an inclusive, barrier-free and rights based society for persons with disabilities in Asia and the Pacific. It comprises 10 goals, 27 targets and 62 indicators for improvements on the quality of life and the fulfilment of the rights of persons with disabilities, which include strategies for expanding early intervention of children with disabilities, strengthening social protection and enhancing accessibility to the physical environment, public transportation, knowledge, information and communication.



8. 2013: Malaysia presents the National Education Blueprint 2013 – 2025

Special Education key highlights includes:

- Fast tracking early identification and diagnosis
- To improve inclusion programmes
- To train more specialist and special education needs teachers. And train ALL teachers on basics of handling special education needs students.
- To equip schools with disabled-friendly facilities and technical aids.
- To address discriminatory practices against special education needs students by increasing public awareness to facilitate a move towards a rights-based model of disability.
- To implement the Individualised Education Programme (IEP) for student with special needs in inclusive education programme
- To move more students with special needs towards the inclusive education programme. The target is to have 75% of students with special needs enrolled in inclusive programmes by 2025

However, the Ministry is still setting criterias for admitting students with special needs (those who are high-functioning) into mainstream school (inclusive education programmes). Moderate-functioning and low-functioning students will be streamed to SEIP (mainstream schools with specific classes dedicated to special education needs students) and special education schools that is based on simplified curriculum, respectively.

****This is the antithesis of an INCLUSIVE EDUCATION “which means that all children, regardless of characteristic and learning abilities, receive education alongside their peers. Inclusion is not about the child fitting in and meeting mainstream education targets, but about making changes to the school system and environment to ensure the child participates fully and meaningfully in school.” - National Early Childhood Intervention Council (NECIC)**

"No students with special needs are turned away from schools."

9. 2019: The Education Ministry enforces “Zero Reject Policy”

- Ensures that no students with special needs are turned away from schools. Calls on schools to not use the three-month probation to push children with special needs away from mainstream classes. As part of Zero Reject Policy, schools must accept special needs children and prepare an Individual Education Plan for every child, regardless of the education programme they are in.

However, NECIC says focus is only on children with physical disabilities and part of the Special Education Integrated Programme (SEIP). It said the adoption of the Zero Reject Policy should not be interpreted as admitting children with special needs into PPKI programme. Children with special needs still have to meet certain criteria to be accepted in the Inclusive Education Programme.



(Mis)Understanding Inclusive Education

Clearly, Malaysia **has made some strides in promoting the welfare of People with Disabilities of which approximately 940,000 are children.** While the issue of non-discrimination remains (protected by the Federal Constitution), meaning that laws that discriminate against persons with disabilities can still be passed, the country have and are making efforts to **nevertheless promote the rights of People with Disabilities. This is especially apparent when it comes to the welfare of Children with Disabilities in particular the National Education Blueprint 2013 – 2025.**

With Salamanca Statement and Framework for Action on Special Needs Education (1994), which says that those special needs must have access to mainstream schools and that mainstream schools with an inclusive orientation are the most effective means of overcoming discriminatory attitudes, creating welcoming communities and building an inclusive society as a guide, **the MOE commits to have 75% of students with special needs enrolled in inclusive programmes by 2025.**

The problem is however in the MOE’s understanding of Inclusive Education. With the Ministry still setting criterias for admitting students with special needs into inclusive education programmes, **it seems there is lack of understanding of the actual meaning of “inclusive”.**

The fact that the Ministry is promoting the segregation of special needs children based on their “abilities”, suggests that the Ministry doesn’t believe in the feasibility of inclusive education or is unable to shed old ideas of education for special needs children. This is in direct opposition of one of the initiatives proposed in the Blueprint that is “to facilitate a move towards a rights-based model of disability.”

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And that there is no evidence suggesting that inclusive education hinders the academic outcomes of children without disabilities. In fact research shows that children with and without special needs not only benefit but thrive in inclusive settings:

- Children with disabilities in inclusive classrooms perform better in academic skills, such as language, reading and math skills
- Form positive peer relationships,
- Develop better socialisation
- Have fewer behavioural problems compared to being placed in segregated settings.
- Children without disabilities in an inclusive environment can achieve academically, develop more effective communication with all peers, have less fear of human differences, are more adept at interacting with people who look or behave differently, and can nurture respect for people, reduce prejudice, discrimination and bullying.

All children with special needs should be treated equal to children without disabilities. Thus, should be accepted in mainstream classrooms to educated along with their peers. While there is much to be done to make inclusive education the norm, especially in training teachers and specialists as well as making schools disabled-friendly, it should be noted that there are significant number of children with special needs in schools today who need immediate actions to be taken in the interim.

Sources:

- 1.2013 NEICC Report: Children with Disabilities in Malaysia
- 2.Malaysia Education Blueprint 2013 – 2025
- 3.Childhood Disability in Malaysia, Unicef
- 4.Department of Statistics
- 5.Malaysia Kini: NEICC Comments on Zero Reject Policy