Challenges to Regular Schooling of Female Students with Disabilities in Bangladesh: A Case Study
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ABSTRACT
Inclusive education is a worldwide reform strategy intended to ensure access and equity for all students in the mainstream schools. Adapting educational policies for students with disabilities could be one such reform in the contemporary pedagogies. Being a signatory country of the UN Convention on the Rights of Persons with Disabilities, Bangladesh is committed to facilitate learning-friendly educational environment for students with disabilities. However, due to the unfavorable attitudes of various stakeholders, students with disabilities encounter numerous challenges to their education. Women with disabilities are considered as the most vulnerable group whose sufferings are inexplicable in Bangladesh. Based on a specific case, this paper attempts to analyze the rights of students with disabilities in education and the attitudes of the school authority. In addition, with regards to the relevant policies, the paper describes how the national and international legislations, laws, and literature are reflective of the case as an interpretation.

Keywords: Policy, disability, Inclusive education, attitudes, school principal.

1. Introduction

The inclusion of students with and without disabilities in regular classes is gaining increased acceptance throughout the world (DePauw & Tepper, 2000). Various terms are used to describe the issue, such as integration, normalization, mainstreaming, inclusion and least restrictive. However, although these terms often reflect different conceptualizations (Thomazet, 2009; Ainscow, Booth & Dyson, 2006), the success and failure of such reform hinge on the knowledge and attitudes that teachers exhibit in the schools (Ross-Hill, 2009). Thomazet (2009) offered several key elements to define inclusive pedagogy as it is based on a belief that all children have a right to education, all children can learn and they can learn from each other, children are different therefore the learning situation must be adapted to their needs.

Inclusive education not only accommodates all learners regardless of their disabilities, it brings all the stakeholders of education in one table. Collaboration between school and community enriches the performance of a school substantially. Effective collaboration often takes place in a school that practices inclusive education. Salend (2005) points out that
inclusion is a philosophy that gets students, families, educators and community members together to value all learners by educating them together in high-quality. Attitude and willingness of teachers and school administrator influence largely on this education philosophy (Kuyini & Desai, 2007). Thus, it may be quite relevant to understand how teachers and school leaders in various contexts perceive this newer philosophy and to what extent they are willing to perform within this philosophy.

Currently, inclusive education is in an embryonic stage in Bangladesh. Most children with disabilities in this country are segregated from regular schools (Akter & Malak, 2008). Teachers are not skilled enough to facilitate learners with hearing and visual impairments due to their dissimilar academic backgrounds (Huq, 2008). Although they may have sound intelligence, pupils with hearing and visual impairments are not included in the regular school because of superstitions and misconceptions of teachers and school administrators in Bangladesh (Kibria, 2005). Whereas, Malak, Ahsan and Jahanara (2005) showed that about 90% of parents of children with hearing impairment studying in special schools, demanded inclusive setting for their children’s educational placement (p.172). Due to the lack of learner-friendly environments children with special needs are not accommodated in regular schools.

“Discrimination means the victim is denied the right to the equality that is theirs by law” (Sleigh & Fulton, 2001). In accordance with this definition, ‘discrimination’ in ‘disability’ is one of the most familiar phenomena in Bangladesh. As a third world country, Bangladesh is facing tremendous problems in protecting the rights of the children with disabilities (Kabir, 2008). The rights of female children with disabilities is much more vulnerable in comparison to other learners of the same groups. Due to superstition, many parents especially in the rural Bangladesh still tend to hide their infant if it is a girl with disability. Bangladesh is yet to have a national database of the people with disabilities. Based on the report of the World Health Organization (WHO) literature shows that 10% of people in Bangladesh have some sorts of disabilities (Ahsan & Burnip, 2007). Only 11% of children with disabilities receive education (Centre for Services and Information in Disabilities [CSID], 2003). Another study indicates that the dropout rate of students with disabilities is very high in Bangladesh due to the unfavorable attitudes of teachers (CSID, 2005).

In contrast, Bangladesh demonstrates a very strong international commitment to address diversity in education. This country is one of the signatories of the Salamanca Declaration-1994, Dakar Framework for Action - 2000, and United Nations Convention on the Rights of Persons with Disabilities-2007 (Kabir, 2008) in which education of children with special needs is to be implemented through an inclusive education approach. Furthermore, the constitution of Bangladesh (Article 28.3 of part III) strongly protects the human rights on the ground of religion, race, caste, sex, and place of birth or disability (Ministry of Law, Justice & Parliamentary Affairs, 2000). Similarly in Article 17 (a, b and c) the constitution also guarantees education for all children (Ministry of Law, Justice & Parliamentary Affairs, 2000). Likewise, the Bangladesh Persons with Disabilities Welfare Act, 2001, underpins education of children with special needs through mainstreaming (Ahsan & Burnip, 2007). Additionally, the most recent education policy known as the National Education Policy-2010 indicates the need for inclusion of children with special needs as a strategy of reducing dropout rates in primary and secondary education (Ministry of Education [MoE], 2010).
As a result, the Ministry of Education under the supervision of the Directorate of Secondary and Higher Education (DSHE) has been running several projects, including Teaching Quality Improvement (TQI) in the secondary education in preparation for addressing diversity in classrooms. Teachers are being trained in inclusion under this project however; there is still a lot of work to be done in changing the beliefs system of the teachers towards inclusion. Because although the Education Ministry has approved mainstreaming of special needs children’s education, this issue is facing numerous challenges in reality (Malak et al., 2005). The following section of this paper presents a case and describes how various legislation, law and literature support the case to find an interpretation. Though the case is presented in the Bangladesh context, the legal perspectives of the USA, UK and Australia have been employed additionally along with the Bangladesh perspective. The reason behind this is that in Bangladesh, disability related issues are still often explained according to those contexts in order to find effective solutions.

2. The Case: A deaf girl facing difficulty with her enrolment

Recently, an incident occurred in the Disha Public High School* (DPHS), while a hearing-impaired girl Shathi, (due to the ethical consideration original names are concealed), came to seek admission at Grade-VI. Disha Public High School (DPHS) is a renowned school in Bangladesh because of its high academic performance since the establishment in 1920s. Shathi was born severely hearing-impaired and started her education in a deaf school from which she learned required communication skills for regular schooling. After two years of study in the deaf school she went to a mainstream primary school and successfully completed her elementary schooling.

Every year, even though around 10000 candidates compete in an admission test, DPHS provides only 200 seats in Grade-VI. The admission process of DPHS, consisting of written test (90%) and viva voce (oral test) (10%), is quite transparent and beyond controversy and partiality. Shathi who has very good academic records in the Primary Education Completion Examination (public examination of Grade-V) took the admission test (written) and was called for the oral test.

As required, Shathi attended the viva voce in the following week after she received her written test result but could not qualify. The board of viva voce chaired by the school principal consisted of 15 members including vice-principal, assistant teachers, parent representative (Chairperson, School Managing Committee-SMC) and a government representative (District Education Officer).

Shathi obtained 70 marks (10th highest) in the written test while she got only 3 (pass requires 6) in the oral test. Since Shathi has severe level hearing impairment, she cannot speak clearly. Though she uses a hearing aid she cannot respond to the sound produced behind her. Although she is fluent in Sign Supported Bangla Language (SSBL), her verbal language is partially interrupted and she cannot continue verbal communication with a group of people at once. Although parent representative tried to convince other members, the principal was completely against of allowing a Deaf student in his school on the ground that this school did not have resources for her.
Shathi’s parents requested the principal to reconsider her admission but the principal recommended a Deaf High School for her schooling. However, Shathi’s parents who spent most of their valuable times for their daughter’s education during the last 10 years could not accept it and challenged the principal’s decision.

3. Analysis of the case

The following section is described as an interpretation of the Shathi v. Disha Public High School case in the light of the national (for Bangladesh) and international legislations and acts of disability and discrimination concentrating specifically on educational rights.

First, there is a strong commitment expressed by the Constitution of Bangladesh (see Ahsan & Burnip, 2007) in which Article-28.3 of Part-II directly clarifies the nation’s positions in support of human rights and against any kind of discrimination on the grounds of religion, sex, race, disability and place of birth. Also, Article-17 of this Constitution establishes a uniform, mass-oriented and universal system of education for extending free and compulsory education for all children. It is true that Shathi is a hearing-impaired girl and she also has problems in verbal language, however, since the Constitution of Bangladesh highly encourages children with disabilities to be educated in uniform educational settings, the principal of Disha Public High School should obey the constitution and allow Shathi as his student. According to the case, the principal showed the lack of resources as one of the reasons of his denial whereas Article 28.4 of Part-II clearly indicates that educational institutions can access support in order to provide specialist facilities to meet children’s special needs.

Secondly, Bangladesh Person’s with Disability Welfare Act-2001 (see Kabir, 2008), the only legislation on disability, (Part-D) clearly suggests:

- Create opportunities for integration in education; regular settings would benefit children with disabilities more than other options.
- Provide them with educational materials free of cost or at a low cost
- Arrange training for teachers on disability; teachers and other employees working with disabilities
- Appoint at least one special education teacher in each regular school (p. 54)

In accordance with this Act Shathi gets the whole supports for her enrolment in that school. The words Integration and Regular setting emphasized in this Act actually deny segregation on a large scale. Similarly, as this Act emphasizes teachers’ training and appointment of special teacher, it provides a comprehensive guideline to the school principal to accommodate Shathi in his school.

Since Bangladesh is a developing country, a variety of misconceptions and superstitions about disability misguides people (Malak et al., 2005). As a result, even though the principal is highly educated, he/she knows little about the potential of a student with hearing impairment. Due to the lack of knowledge on disability the principal preferred special education as the means of special needs children’s education. However, a research Bangladesh context (Akter and Malak, 2008) shows that the hearing-impaired children
perform better in regular school than special school. Therefore, in the national context, research evidences are available which support Shathi’s regular schooling.

In the international context, Shathi should receive the entitle support she is warranted based on the United Nations Convention on the Rights of Persons with Disabilities-2006, the Article 5.3, 6.1, 24.1 and 24.2 of the UN Convention-2006 highly protect the right of girls with disabilities in education (Kabir, 2008). The Article-5.3 of this convention says that in order to promote equality and to eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided. Article-6.1 also utters, “States Parties recognize that women and girls with disabilities are subjected to multiple discrimination method, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms” (Kabir, 2008). Also, the Articles 24.1 and 24.2 directly highlight inclusive education for children with disabilities. According to the Article 24.2 of the convention, “Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability; and Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live” (Kabir, 2008).

As Bangladesh is a signatory country of that convention, technically its citizen should maintain the commitments within. Moreover, Bangladesh is one of the partner countries of the Salamanca declaration-1994, Dakar Framework for Action-2000, in which education of special need children is highly underpinned to be implemented as an inclusive education manner (Ahsan & Burnip, 2007). Therefore, the principal of DPHS should not deprive Shathi from receiving her admission on the ground of hearing impairment.

Therefore, from the analysis of the Constitution of Bangladesh, Bangladesh Person’s with Disability Act-2001 and the United Nations Convention on the Rights of Persons with Disabilities-2006, it seems to be clearer that Shathi cannot be hindered in her enrolment in Disha Public High School on the ground of her impairment.

In the perspectives of international legislation and literature, Shathi vs. Disha Public High school case can be interpreted in the following ways: According to the Disability Discrimination Act (DDA), 1992 (Cth), (Hannon, 2000) Shathi gets clear direction towards her admission in Disha Public High School. Section 22(1) of the DDA clearly states that it is unlawful to determine prior to a student’s attendance at school by refusing or failing to accept a student’s application for admission. Section 22(2) articulates that a student with special needs cannot be denied or limited to access benefits provided by the school (Hannon, 2000). Shathi’s parents are aggrieved by the principal’s decision, which is linked with Section 22 of the DDA through which they can lodge a complaint against the school authority. However, the principal can seek exemption according to Section 55 as the school is unable to provide Shathi’s learning needs. At the same time, PL 94-142 underpins that students with disabilities should be educated beside their non-disabled peers to the maximum extent possible (Keeffe, 2001; Cooper & Vernon, 1996). Furthermore, Hannon (2000) relates the DDA with the Convention on the Rights of the Child (CRC)-1989 more specifically in relation to the Article 23 (3) that states- “whenever possible,… and shall be designed to ensure that disabled child has access to and receives education, training, and health care services, rehabilitation services
…in a manner conductive to the child’s achieving the fullest possible social integration and individual development”. Analyzing these convention and legislations Shathi should get the opportunity to be enrolled in DPHS.

The Disability Standards for Education-2005 (Australia) highlights that education institutions are now obliged to make ‘reasonable adjustments’ to the way they operate in order that students with disabilities must be accommodated (Dickson, 2005). However, misinterpretation of reasonableness and unjustifiable hardship sometimes, gives school authorities a temporary shelter of indirect discrimination. For this reason, the framework developed by a court (see Keeffe, 2001) for the possible analysis of the benefits and detriments (given below) of the inclusion of a student with disabilities into a regular classroom can be applied for Shathi’s case.

- The educational or academic benefits for the child in the regular class as compared to the benefits of a special education classroom;
- The non-academic benefits of integration with non-disabled children;
- The effect of the presence of the handicapped child on the teacher and other children in the regular classroom; and
- The costs of supplementary aids and services.

It is true that if a school is unable to facilitate proper learning environment of a student with disability there is a chance of deprivation of learning of that particular child. However, as Shathi completed her primary education from a mainstream school with very good academic records and as she demonstrated high performance in the written admission test, it is unquestionable that the academic and non-academic benefits of Shathi would be much better in regular school in comparison to special school. Therefore, the framework mentioned above, also supports Shathi to continue her schooling in DPHS.

The Ministerial Review of Educational Services for Disabled (MRES) (Australia) which culminated in the Collins Report (1984) has some effective initiatives (see Dempsey, Forman, & Jenkinson, 2002) in favor of inclusion of children with special needs. It acknowledges the rights of parents to choose the kind of education they want for their children and underpins the sifting of special needs children from the special school to the regular school that facilitates inclusion. In addition, the MRESD emphasizes appointment of integration teacher to coordinate special needs learners in the mainstream school. One of the three significant messages of this report is to acknowledge the right of parents to select educational settings for their children. Therefore, the MRESD strongly represents that Shathi has the right to attend any kind of regular secondary schools. Dempsey, Forman and Jenkinson (2002) demonstrate that the increase of disabled children’s enrolment in regular school does not represent that the performance of this school is hindered by the special needs learners. Likewise, DuBow et al. (1982) suggest that mainstreaming for students with disabilities not only reduces the stigma and isolation of children with disabilities but also empowers the parents in the society. So, there should not be any obstacles in the way of Shathi’s admission.

Section 504 of the Rehabilitation Act, 1973 declares discrimination against a person with a disability is prohibited in any program or activity that receives Federal financial assistance (see Keeffe, 2001). According to the Individuals with Disabilities Education Act (IDEA), 1991, 1997 and the Americans with Disabilities Act (ADA), if a public school proposes that a
child spend most of the day in a separate special education class instead of regular classroom, the school must prove that separate placement is appropriate and the modifications, auxiliary aides, and services were tried in regular classroom were unsuccessful (Doyle, 2005; Rab & Wood, 1995). The principal of Disha Public High School has not any evidence, which supports that the hearing-impaired girl (Shathi) were provided with auxiliary aides and services and failed to continue education in regular school. Rather the primary school completion certificate represents that the girl was quite successful in regular classroom. Therefore, the principal of DPHS cannot deny Shathi’s enrolment without justifying her progress in that particular school. Thus, all three laws of the USA relating to disability including the Americans with Disabilities Act, the Individuals with Disabilities Education Act and the section 504 of the Rehabilitation Act directly support Shathi as they combine to prevent discrimination, ensure equal rights, and provide appropriate educational programs for children with disabilities (Rab & Wood, 1995).

Based on the national and international conventions, legislation, act and literature, it is evidenced that Shathi should be given the opportunity to be enrolled in Disha Public High School. However, “law cannot, on its own, transfer a society into one which fully values all its members”(Jones & Marks, 2000). People with disabilities often comment that the societal barriers to inclusion are more damaging than the actual impairment. Presumable, in this case, motivation would be better than force, because if the emotion of Shathi’s parents who struggled a lot for their daughter education lead them to file a case against the principal it would not only be a suffering for the principal but also for Shathi’s academic life. In the context of Bangladesh it usually takes at least one year and six months for the first hearing after a case is filed. Therefore, Shathi, who had to fight tremendously so far for learning the required academic and communication skills for regular schooling is now at the beginning of secondary school. All her efforts will be gone astray if she is not given the permission of her enrolment. At the same time, it is to be considered that if the school really does not have resources to facilitate Shathi’s learning, her education might be hampered if necessary initiatives are not taken.

Therefore, the following course of actions could be recommended for the principal of Disha Public High School in order to create suitable learning-friendly environment for Shathi: Disability is a social construct rather than a personal tragedy (Dickson, 2003), thereby solutions to disability regarding educational placement, support services and other facilities must come from the society as a whole. Therefore, collaboration among Shathi, her parents and the school principal is necessary to identify strengths of and challenges to Shathi in order to plan for her better performance. In addition, the school principal and Shathi’s parents jointly can invite a consultation with relevant expertise if required. Moreover, the school principal can arrange a professional development program on disability emphasizing hearing impairment, as since, the government of Bangladesh introduced inclusive education, every school formally committed to implement it. It has been demonstrated by research that for successful inclusion teachers’ professional development is obvious (Friend & Cook, 2007).

There are several options of inclusion, which make a school to cope with the challenges to its special needs learners. Through these options, a child with disability can adapt himself/herself gradually to the system of a regular school. The following options of inclusive education can be applied for Shathi:
4. Partial inclusion

Shathi can continue her schooling thrice a week in the Disha Public School, initially as a trial basis and the rest of the days she can be taught in a special class.

5. Link program with special school

She will continue her education in that regular school; however, while necessary a special education facility can come to the school and support her learning.

6. Developing a Special unit

With help of a consultant the principal of DPHC can take the initiative of developing a special unit for Shathi so that whenever she needs assistance she can spend quality time in that unit.

Finally, the principal could apply co-teaching approach for Shathi’s inclusion. Since, she is fluent in Sign Supported Bangla Language a special teacher can support her by attending the class with the regular teacher at once. Co-teaching is such model that allows two teachers while instructing the same class. Beamish, Bryer and Davies (2006) define co-teaching as “when two or more professional jointly deliver substantive instruction to diverse, blended group of students in a single physical space”. When general education teacher and special educator work collaboratively to provide coordinated and inclusive instructional support in an integrated education system, all students can benefit equally (Keefe, Moore & Duff, 2004; Gately & Gately, 2001). For Shathi it may not need co-teaching in every class, as she is already accustomed to attend regular classroom instruction in primary school. However, as the principal showed his worries about other students’ learning, this approach could help him. After three or four months of trial, it can be expected that all the teachers understand the potential of Shathi along with her challenges to learning and they would be able to handle those challenges by themselves. Predictably, Shathi will be receiving a supportive inclusive environment throughout her schooling in Disha Public High school.

7. Conclusion

Inclusive education is not just an event rather it is a continuous process of development. The developmental process will not be accelerated until the traditional beliefs of the educational stakeholders are changed. In particular, the lack of favourable attitudes, knowledge and pedagogical skill of teachers and school leaders can hinder the process of inclusive education in reality. An appropriate professional development program can play significant roles in motivating teachers and school administrators to address better inclusive practices. The case described in this paper is an example of thousands of similar incidents which remain unexposed in the context of Bangladesh. Therefore, apart from the policy, legislation and human rights perspectives a country needs to concentrate enormously on the overall teacher education institutes and professional development programs so that the regular schools can accommodate students with disabilities within the existing resources.
References


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