

The INCLUSION CHARTER

“Ending segregation in education for all students¹ with disabilities or learning difficulties.”



This Charter was drawn up by CSIE in 1989, at a time when inclusive education was understood solely in relation to schooling for disabled children and/or those said to have special educational needs. **Please note that, although still crucial on issues of disability equality, this Charter no longer reflects the full scope of CSIE’s work and our commitment to inclusion and equality for all.**

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The Charter’s Six Points

- 1. We fully support an end to all segregated education on the grounds of disability or learning difficulty, as a policy commitment and goal for this country.**
- 2. We see the ending of segregation in education as a human rights issue which belongs within equal opportunities policies.**
- 3. We believe that all students share equal value and status. We therefore believe that the exclusion of students from the mainstream because of disability or learning difficulty is a devaluation and is discriminating.**
- 4. We envisage the gradual transfer of resources, expertise, staff and students from segregated special schools to an appropriately supported, diverse and inclusive mainstream.**
- 5. We believe that segregated education is a major cause of society’s widespread prejudice against adults with disabilities or difficulties and that efforts to increase their participation in community life will be seriously jeopardised unless segregated education is reduced and ultimately ended. De-segregating special education is therefore a crucial first step in helping to change discriminatory attitudes, in creating greater understanding and in developing a fairer society.**
- 6. For these reasons we call on Central and Local Governments to do all in their power to work as quickly as possible towards the goal of a de-segregated education system.**

¹ The Charter uses the term ‘students’ to cover all pupils, children and young people.

THE INCLUSION CHARTER - EXPLANATORY PAPER

This CSIE explanatory paper on the six points in the Inclusion Charter, first written in 1989, was revised in 2002 to take account of latest developments and understandings of inclusion and segregation.

1 'We fully support an end to all segregated education on the grounds of disability or learning difficulty, as a policy commitment and goal for this country.'

Segregation in education is exclusion from the mainstream in separate settings without a time limit or a plan for inclusion. It is also education under separate management from the mainstream.

This description applies to special schools and can also apply to special units in ordinary schools and to pupil referral units when they are run separately from the everyday life of schools, when the students are not members of the appropriate class for their age group and when there is no plan to include them.

Time spent out of the ordinary classroom for appropriate individual or group work on a part-time basis is not segregation. Neither is removal from the ordinary classroom for therapy or because of disruption, provided it is time-limited, for a specified purpose and based on a goal-oriented plan aimed at returning the student to his or her ordinary class. Settings are within the student's mainstream school if possible and certainly within the mainstream system. Any form of time-out from the ordinary classroom should not affect a student's right to full membership of the mainstream.

Parents and carers who have students in separate special schools because local policies make that the only option can still support a goal to end segregation. Working towards a de-segregated education system is working towards a better education for all students. The benefits of inclusion apply to all students, disabled and non-disabled alike.

2 'We see the ending of segregation in education as a human rights issue which belongs within equal opportunities policies.'

The existence of special schools represents a serious violation of student's human rights, including - but not only - the right to properly supported, inclusive education in their local area.

Legal enforcement of segregation on the grounds of disability, learning difficulty or emotional need is against international human rights agreements including the UNESCO Salamanca Statement and Framework for Action (1994), the UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities (1993) and the UN Convention on the Rights of the Child (1989).

From a human rights perspective, which recognises the rights of all students to inclusive education, the existence of segregated special schools is a form of institutional

discrimination. Students' rights to inclusive education are universal - they apply to all students, everywhere, including those whose parents would prefer them to go to separate, special schools.

Violating students' human rights means treating them in a way which does not recognise their equality and dignity; it undermines their humanity. A UN General Comment published in 2001 explained that discrimination, including on the basis of disability, 'offends the human dignity of the child and is capable of undermining or even destroying the capacity of the child to benefit from educational opportunities'.

Disabled adults, describing themselves as 'special school survivors' speak of similar negative feelings as a result of their segregated education.

3 'We believe that all students share equal value and status. We therefore believe that the exclusion of students from the mainstream because of disability or learning difficulty is a devaluation and is discriminating.'

Students with severe learning difficulties are of no less value than students who gain Oxbridge entry and their achievements are no less worthy of respect. To select a student out of the mainstream because of disability or learning difficulty is a devaluation of their worth as a person and discriminating on the basis of circumstances for which they are not responsible.

According to the social model of disability, barriers to learning and participation arise from the interactions between learners and the learning environment or from the nature of the setting itself. This contrasts with a medical model in which disabilities and difficulties are attributed to inherent 'deficits' in individuals to be identified and treated as 'abnormal' in segregated settings.

The Charter does not accept that segregating students with disabilities or difficulties in special schools can be classed as positive discrimination on the grounds that the separation is for their benefit.

There is no evidence that students who are selected for separate, special schooling are students who cannot benefit from mainstream education. Research shows that trends towards inclusion and segregation vary widely and are connected to local culture, policy and practice, not to 'deficits' in groups or individuals. Neither is there evidence that students do better in segregated special schools than in mainstream with support. Evidence continues to grow that students learn better and develop more social skills in mainstream schools.

The benefits of inclusion have been well demonstrated and inclusion is widely accepted by governments and local education providers in this country and overseas as the way forward.

The UK Government supports the 'strong educational as well as social and moral grounds' for students learning together in the mainstream and has declared inclusion as the 'keystone' of its education policy. The 2001 Statutory Guidance on Inclusive Schooling from the Department for Education and Skills gives a strong message to local education authorities (LEAs), schools and other bodies that the development of inclusion in schools is one of the Government's highest priorities.

Following its General Discussion on the rights of students with disabilities in October 1997, the Committee on the Rights of the Child, which monitors implementation of the UN

Convention on children's rights, specifically stated that legislation which segregates disabled students in separate institutions 'for care, treatment, or education', is 'not compatible with the principles and provisions of the Convention'.

In July 1994, the Council for Disabled Children in the UK agreed a new policy statement on inclusion:

'The CDC believes that no child should be denied inclusion in mainstream provision. Mainstream provision should offer the full range of support and specialist services necessary to give all children their full entitlement to a broad and balanced education.'

UNESCO's 1994 Salamanca Statement represents an agreement reached by representatives of 92 governments and 25 international organisations that inclusion should be the norm for the education of disabled students.

It argues that 'regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society, and achieving education for all; moreover, they provide an effective education to the majority of students and improve the efficiency and ultimately the cost-effectiveness of the entire education system.'

The UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities (1993) calls on all countries to have a clearly stated policy on inclusive education that is understood at school and wider community levels; they should allow for a flexible curriculum as well as additions and adaptations and provide quality materials, on-going teacher-training and support teachers. Inclusive education and community-based programmes should be seen as complementary approaches to cost-effective education and training for disabled people. Communities should develop local resources to provide this education.

The Rules acknowledge that special education may be necessary in the short-term, but only in preparation for eventual mainstream inclusion of all students.

In May 1990, the Council of the European Communities and Education Ministers agreed:

'All education establishments should be in a position to respond to the needs of students with disabilities.'

4 'We envisage the gradual transfer of resources, expertise, staff and students from segregated schools to an appropriately supported and diverse mainstream.'

Because of the paramount need to move appropriate support for students with disabilities or difficulties into the mainstream, the Charter envisages ending segregation by a transfer of resources from the segregated sector and the development of resources within the mainstream.

A 1999 study by the Organisation for Economic Co-operation and Development (OECD) found that it is no more expensive to provide a supported mainstream place for a student than to educate him or her in a special school. The study also concluded that it is far more expensive to operate a dual system of regular and special education than it is to run a properly resourced fully inclusive single system. These findings support similar findings by the UK Audit Commission seven years earlier.

In the Charter's vision of inclusion a restructured mainstream will change and adapt to accommodate diverse needs. A diverse mainstream would accept and cater for differences, not submerge, isolate or exclude them. The Charter does not intend that the autonomy and strength of culturally strong groups like the blind community and the deaf community would be weakened through assimilation. Nor does it want to isolate teachers who have relevant specific skills.

Total Communication would be used in the education of deaf students in ordinary schools and as many hearing adults and students as possible would be encouraged to have some facility with British Sign Language and finger spelling. The employment of adults with disabilities or difficulties as part of teaching and non-teaching staff teams would be another important development in preserving autonomy and giving students appropriate role models. All teachers and learning supporters with their individual skills and interests, including those with specific skills, would be equally valuable in a diverse mainstream.

5 'We believe that segregated education is a major cause of society's widespread prejudice against disabled adults and those experiencing difficulties in learning and that efforts to increase their participation in community life will be seriously jeopardised unless segregated education is reduced and ultimately ended. De-segregating special education is therefore a crucial first step in helping to change discriminatory attitudes, in creating greater understanding and in developing a fairer society.'

Continued segregation of disabled and non-disabled students can only help to foster stereotypes, while inclusion has the potential to get rid of stereotypes by enabling young people to learn about each other's common humanity as well as their uniqueness.

Fear of disability by non-disabled people has its roots, at least in part, in the denied relationships of earlier years. Segregation gives distorted messages about who is eligible to membership of the mainstream, and who is not. Status and self-esteem are undermined. Groups and individuals become categorised as 'other' and their segregation justified. Adults who have been educated within the special school system often identify early segregation as the key factor in creating conditions which lead to prejudice and barriers encountered in later life.

Unless education is de-segregated and efforts made to combat stereotyping and prejudice before it begins, it is unlikely that community care policies will be fully effective. Research suggests that the most effective way of combating stigma and stereotyping (the negative valuation of a whole person based on a single attribute) is through planned, personal interaction of those who have been 'labelled' and those who have not. UNESCO's Salamanca Statement recognises the role of inclusive schools in building an inclusive society. Discrimination in education leads to discrimination in society. As the 2002 UN Annual Report of the Special Rapporteur on the right to education explains:

'Discrimination breeds prejudice. Children learn through observation and imitation. They are likely to start perpetuating discriminatory practices much before they can understand the word "discrimination" and to internalise underlying prejudices in the same way as they accept any other facet of the way of life in their family and community. Prejudice is sustained from one generation to another through social usage.'

The same report points out that as education can be used as a means to both retain and eliminate inequality, international human rights law prioritises the elimination of inequality as a key purpose of education.

6 'For these reasons we call on Central and Local Governments to do all in their power to work as quickly as possible towards the goal of a de-segregated education system.'

Working towards the goal of a de-segregated education system means making a commitment to do everything possible to provide appropriate learning support for all students in ordinary schools and to resist segregation. It involves mainstream schools adapting and changing to accommodate diverse needs and receiving the financial and other resources they need to enable them to do this. It means making on-going efforts to overcome the problems and difficulties that will inevitably arise in the change process. Central Government, LEAs, and local schools all need to be involved.

Ending segregation and making inclusion for all students in their local schools a matter of routine entitlement guaranteed by law implies further legal reform of education and discrimination legislation to:

- remove LEA powers to run separate, special schools
- remove the remaining constraints on access to the mainstream
- make provision of necessary support for learning a legal entitlement for all students in local mainstream schools
- reduce reliance on current assessment and statementing procedures, which are based on an outdated view of disability as individual 'defect' and which hinder inclusion, as a main means of obtaining that support.

One of the main strengths of a human rights approach to education is the recognition that the rights of students to enjoy inclusive education are accompanied by the responsibilities of governments to provide it. In ratifying the Convention on the Rights of the Child in 1991, the UK Government accepted the obligations set out in the Convention and agreed to take responsibility for implementing its principles. Ending segregation in education is a responsibility yet to be fulfilled.

For more information on the human rights approach to inclusive education for disabled young people please see the following CSIE publications, available from www.csie.org.uk/publications:

- *Social and Educational Justice: the human rights framework for inclusion (£8.00)*
- *Inclusive Education - A Framework for Change (£4.00)*
- *Human Rights and School Change (£8.00)*
- *CSIE Occasional Paper 1: The case against segregation into special schools – a look at the evidence (£3.00)*
- *Ten reasons for inclusion (FREE)*
- *Reasons against segregated schooling (FREE)*
- *Reference list for Reasons against segregated schooling (FREE)*