

Assessing National Action on Education Rights for Children with Disabilities



In 2006, the U.N. adopted the Convention on the Rights of Persons with Disabilities (CRPD), a landmark global agreement committing countries to promote, protect, and ensure the human rights of persons with disabilities. Over the past decade, 168 countries and territories have ratified the CRPD, making it one of the most rapidly ratified human rights treaties in history. This fact sheet series by the WORLD Policy Analysis Center examines the extent to which countries have enacted and passed constitutional rights, laws, and policies consistent with CRPD commitments.

Background

- The CRPD consistently emphasizes the importance of the right to quality education for people with disabilities, and Article 24 specifically calls on States Parties to “to realiz[e] this right without discrimination and on the basis of equal opportunity” by “ensur[ing] an inclusive education system at all levels and lifelong learning.”
- Substantial obstacles to education and meaningful learning opportunities for children with disabilities remain common, and children with disabilities have been described as “one of the most marginalized and excluded groups in respect of education.” In low- and middle-income countries, school enrollment rates for children with disabilities are commonly 30-50 percentage points lower than their counterparts.
- In addition to lower access to education, obstacles to completion persist; findings from a World Health Organization (WHO) Health Survey in 51 countries showed lower rates of primary school completion for individuals with disabilities compared to those without. Studies also reveal gaps in the provision of inclusive education, such as the integration of children with disabilities into mainstream education systems.
- By enshrining the educational rights of children with disabilities in constitutions, and by enacting legislation and implementing policies that guarantee children with disabilities access to integrated, inclusive education, countries can take important steps to expand educational opportunities and address this persistent inequity.

Findings

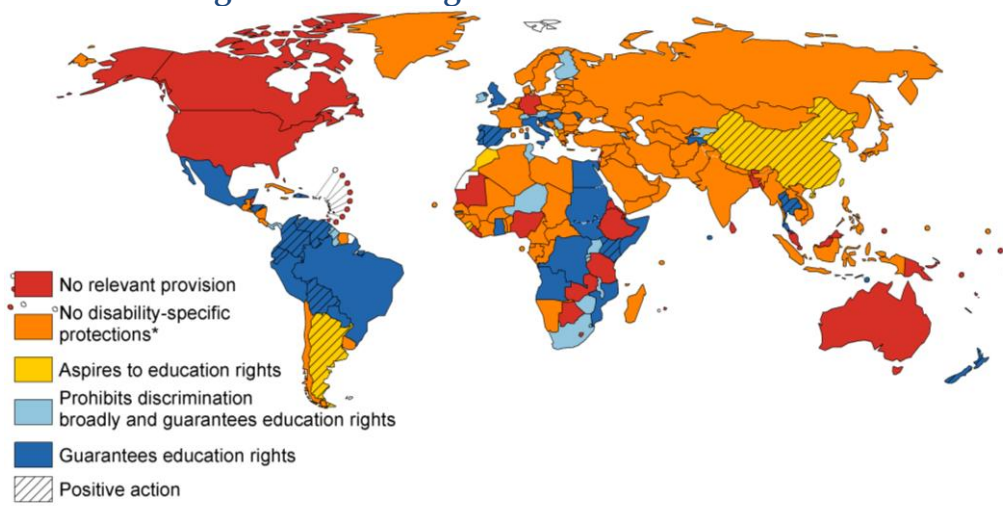
Gaps in Fundamental Protections

- Only 28% of 193 constitutions explicitly guarantee the right to education for children with disabilities.
- However, these rights are becoming more common. 63% of constitutions adopted in 2010 or later guarantee the right to education for children with disabilities compared to only 14% of those adopted before 1990.
- 8% of constitutions have provisions that allow countries to promote the full exercise of education rights for children with disabilities.

Gaps in National Laws and Policies

- Nearly half of all countries (44%) provide support to integrate children with disabilities into the same classroom as their peers. An additional 39% at least have children with disabilities integrated into the same schools. Studies have found that integration can improve learning outcomes for children with disabilities.
- Still, 5% of countries have no provisions for children with disabilities in the public school system and 12% only meet their needs in separate schools, some limited to specific types of disability. Children with disabilities in low-income countries are least likely to have support.

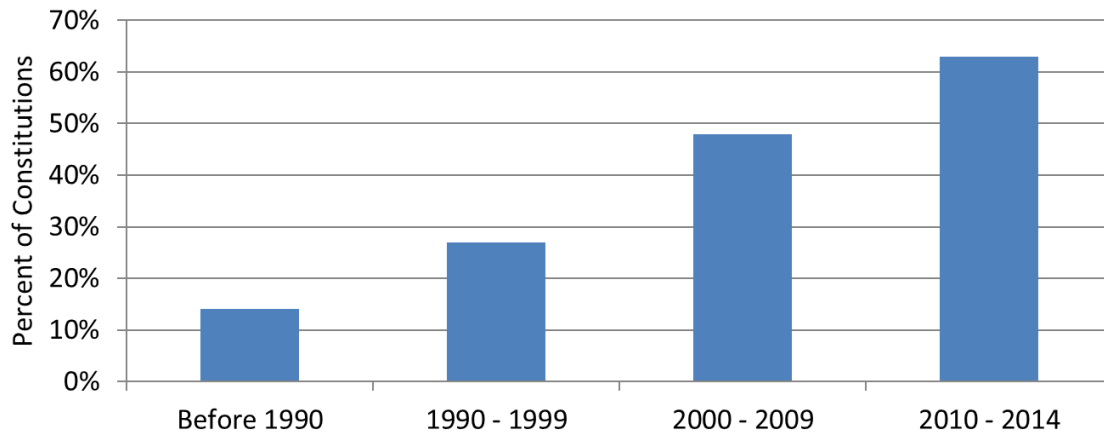
Map: Does the constitution guarantee the right to education for children with disabilities?



*These constitutions do not include disability-specific protections, but they do broadly guarantee education rights. This map is focused on specific constitutional guarantees for persons with disabilities.

Source: WORLD Policy Analysis Center, Constitutions Database, 2014

Graph: Constitutional rights to education for children with disabilities by year of constitutional adoption



Source: WORLD Policy Analysis Center, Constitutions Database, 2014

Table: Availability of inclusive education for children with disabilities by income group

Level of Integration for Children With Disabilities	Low-income Countries	Middle-income Countries	High-income Countries	Total Countries
No special education for children with disabilities provided within the public school system	5 (18%)	3 (4%)	0 (0%)	8 (5%)
Children with disabilities attend separate schools within the public system	5 (18%)	13 (15%)	2 (4%)	20 (12%)
Children with disabilities may attend the same schools as their peers but are not necessarily taught within the same classrooms	12 (43%)	43 (51%)	9 (18%)	64 (39%)
Children with disabilities are able to be taught within the same classrooms as their peers	6 (21%)	26 (31%)	39 (78%)	71 (44%)

Source: WORLD Policy Analysis Center, Education Database, 2014

About WORLD: The WORLD Policy Analysis Center aims to improve the quantity and quality of globally comparative data on policies affecting human health, development, well-being, and equity. With this data, WORLD informs policy debates, facilitates comparative studies of policy progress, feasibility, and effectiveness, and advances efforts to hold decision-makers accountable.

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