

Accommodation of Students of Determination

Ivor McGettigan - Partner, Head of Education - Employment and Incentives

i.mcgettigan@tamimi.com - Abu Dhabi

Ghazal Hawamdeh

g.hawamdeh@tamimi.com - Dubai International Financial Centre



On a global scale, there has been an array of schemes calling for a movement towards 'inclusive' and 'equitable' education; amongst these, the loudest include the United Nations Convention on the Rights of Persons with Disabilities (2006) and Goal 4 of the United Nations Sustainable Development initiative ('SDG4'). Both of these frameworks strive to achieve a worldwide education system where all students have access to the same opportunities. In order for education to be 'equitable', it should be recognised that not all students have the same needs and hence, diversity must be acknowledged and welcomed. Concurrently, 'inclusive' education ensures that all diverse needs are met without having to build barriers between students and without hindering their prospects of success in today's already cut-throat atmosphere.

Locally, strong efforts have been made to promote the UAE's stance on the global stage concerning education and human development; the country is one of many to ratify the United Nations Convention and become a member of SDG4. Dubai, in particular, has promoted education to the forefront of its agenda to become a fully inclusive city by 2020 and, consequently the nation has sought to protect the educational rights of students with SEND requirements as early as 2006 (see Article 12 of Federal Law No. 29).

Since April 2017, the most notable act in the progression of this sector was Sheikh Mohamed bin Rashed Al Maktoum's announcement that the term 'people with disabilities' be abolished and replaced with 'people of determination'. The purpose of this change was to put a stop to the physical, mental and intellectual limitations placed upon such individuals just from the mere mention of the word 'disability'. However, today, the focus has shifted to the Knowledge and Human Development Authority's ('KHDA') introduction of the Dubai Inclusive Education Policy Framework. Under this framework, the KHDA's aim is simple: to regulate and ensure that all educational facilities in Dubai become all-inclusive institutions.

Overview of the Dubai Inclusive Education Policy Framework

The implementation of this framework came about after several complaints from parents of children of determination who alerted the KHDA that some mainstream schools were rejecting their children solely on the basis that they could not cater to their needs. As a result, these children are left with no choice but to enrol in special needs schools, which generally do not follow any curricula. Thus, this puts them at a disadvantage for their higher education prospects.

Consequently, the Dubai Inclusive Education Policy Framework strives to eliminate the difficulties suffered by students of determination and their parents. The Framework demonstrates a series of procedures, which will be considered in turn:

1. the Framework encourages education providers to carry out assessments upon the admission of new students to identify what kind of support a particular student will need throughout his/her educational career. In addition, schools cannot reject the admission of students solely due to their intellectual or physical capabilities. As a result, institutions are expected to modify their curricula to accommodate a wide variety of student competencies;
2. education providers are to implement policies and strategies to accommodate the new Framework; this includes introducing individualised plans for the successful inclusion of students, ensuring no discrimination is made between students with personalised learning requirements and those who do not require individual programmes. Teachers must also be equipped with the necessary training in order to cater to a diverse student body;
3. perhaps the most problematic issue for schools in Dubai, education providers are recommended to provide a minimum ratio of one support teacher for every 200 enrolled students. Moreover, the Framework recommends one learning support assistant for every 125 enrolled students; and
4. schools are required to provide the necessary resourcing and allocation of funds to accomplish successful inclusion. This includes training of all teachers and educational staff, ensuring all facilities are made as fully accessible as possible and that the cost to families for all additional services is kept as reasonable as possible.

Difficulties in Implementation

Some schools in Dubai have already voiced their concerns regarding potential difficulties that they may face as a result of the Framework. In particular, the recommended ratio of specialists to students, it has been suggested, poses a significant hurdle for larger schools. This is especially difficult in a market where a shortage of specialist teachers exists. Furthermore, staff training options are limited as it can only occur in a KHDA approved training institute.

Although the objectives laid out by the Framework are not impossible, it appears that more time will be needed in order to achieve the results that the Framework sets out to accomplish. Thus, with the deadline of 2020 looming for Dubai to become a fully inclusive city, it may be necessary to allow schools an extra amount of time to incorporate these new changes.

Inclusive Education Developments in the Arab Region

Most Arab nations are parties to the aforementioned international initiatives and have been engaged in formulating their own strategies to achieve inclusive education in their jurisdictions. In the GCC, Qatar's Ministry of Education has launched a year-long campaign, in partnership with UNESCO, to promote the concept of inclusive and equitable education in mainstream schools. In Oman, UNICEF has been working alongside its Ministry of Education to develop a training programme on inclusive education, also in the

hope of implementing SDG4 of the Sustainable Development Agenda by 2030. In addition, Muscat is set to open its first inclusive private school in September 2019.

Outside the GCC, Egypt has passed the Law on the Rights of Persons with Disabilities in February- the first of its kind in the nation since 1975. The Law requires that educational institutions, including those of higher education, provide equal opportunities to students with SEND; moreover, the law has made it a criminal offence for institutions to reject students on the basis of their disabilities. Although the law has been greeted with great optimism and hope, the timeframe given to education providers will not guarantee that the necessary policies and funds can be arranged in accordance with the Law.

Conclusion

The efforts being made by the UAE and neighbouring Arab nations is a testament to the region's devotion and dedication in developing and broadening access to the education sector. It will take time to deliver these goals; it is a moving finish line but their first steps are encouraging.

Al Tamimi & Company's [Education team](#) advises education providers on a wide range of matters. For further information please contact [Ivor McGettigan](#) (i.mcgettigan@tamimi.com) or [Ghazal Hawamdeh](#) (g.hawamdeh@tamimi.com).