**Advocacy group heads to court as 600 000 disabled school kids forced to stay at home**

The National Council of and for Persons with Disabilities (NCPD) says they plan to take the Department of Education to court over its failure to accommodate some 600 000 children with disabilities into the schooling system. File Picture

Durban - The National Council of and for Persons with Disabilities (NCPD) says they plan to take the Department of Education to court over its failure to accommodate some 600 000 children with disabilities into the schooling system.

André Kalis, specialist of advocacy, policy and children’s matters at the NCPD said on Thursday that they were left with no other option than to litigate to force the department to accommodate the children.

He said council's pleas to have the approximately 600 000 children forced to stay at home because of their disabilities integrate into the schooling system had fallen on deaf ears with officials from the Department of Basic Education (DBE).

“We’ve made several submissions to the DBE; we’ve had discussions with the department and even turned to the Human Rights Commission for help," Kalis said.

"In most cases, we don’t even get an acknowledgement of receipt on our correspondence. Some time ago we decided to turn to activism in the hope of spurring on social mobilisation and to see if we can get the DBE to act, but to no avail.

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"We are in the midst of a massive crisis and they are dragging their feet. It is becoming increasingly clear to us that the department is not serious about implementing the Policy on Inclusive Education in terms of children with disabilities,” he said adding that basic education for all a constitutional right.

Kalis believes the NCPD and other parties that will be joining them in the litigation process have a strong case and points to the successful court application of the Western Cape Forum for Intellectual Disability (WCFID) against the government in 2010.

The council said that prior to this landmark judgment, WCFID had been lobbying government for 13 years for the Right to Education for Children with Severe and Profound Intellectual Disability. The lack of progress in this regard left the body with no other choice but to litigate.

**According to a Department of Basic Education report for the period 2013-2015, indicates that 597 953 (or 72%) of the 829 474 total number of children with disabilities between the ages of 5 and 18 were not in school.**

“There are currently about 600 000 school-going children with disabilities languishing at home with no educational input. What worsens the situation even further is the likely link between the high level of unemployment (close to 70%) among persons with disabilities and limited educational opportunities and access disabled persons are exposed to,” he said

According to a Department of Basic Education report for the period 2013-2015, 597 953 (or 72%) of the 829 474 total number of children with disabilities between the ages of 5 and 18 were not in school.

Kalis believes that the government figure of 597 953 out of school children with disabilities "seems to be highly underestimated".

An Education White Paper points out that if the current trend of building new special schools to accommodate learners with disabilities were to continue, 2 300 new special schools will have to be built (with 300 learners per school) in order to accommodate the 597 953 learners who are not accounted for in school enrolment figures.

“Because this is not feasible, a radically different approach needs to be followed to meet the needs of children and youth with disabilities in an inclusive education system,” the White Paper states.

Kalis however, disagrees with this possible solution, pointing out that inclusive education for children with severe disabilities is hugely problematic, in addition to which both schools and teachers are opposed to it.

He emphasises that school classrooms are already overcrowded, a situation which will be exacerbated by children with disabilities needing individual attention with added support, adjusted learning plans and different educational methodologies.

In addition, the teachers need to be properly skilled and trained and have the right attitude to give children with disabilities an equitable education.

“The government has an almost insurmountable crisis on its hands, and unfortunately the Department of Basic Education’s diabolical track record does not hold out much hope for any change. Sadly, children with disabilities are the most exposed and vulnerable group in South Africa and are bearing the brunt of government’s non-commitment to bring about change,” he said.

