

[AS PASSED BY THE SENATE]

A

BILL

to provide for special measures for the education of children suffering from dyslexia and/or associated disorders

WHEREAS it is expedient to provide for special measures for the education of children suffering from dyslexia and associated disorders; their identification; appropriate instructional services to them; provisions for the therapy of such children; awareness programs for public and to deal with ancillary matters;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Dyslexia Special Measures Act, 2020.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.- In this Act unless there is anything repugnant in the subject or context,-

- (a) "associated disorders" include but is not limited to dysgraphia, dyscalculia and dyspraxia, 'dysgraphia' refers to difficulties in the ability to write, primarily in terms of handwriting and content; 'dyscalculia' refers to difficulties in the ability to learn class/age appropriate mathematics; 'dyspraxia' refers to difficulties of motor coordination usually apparent in childhood;
- (b) "child" means a child having dyslexia or associated disorder who is below the age of eighteen years;
- (c) "dyslexia" means a disorder manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and socio-cultural opportunity;
- (d) "Government" means the Federal Government;
- (e) "rules" means rules framed under this Act; and
- (f) "special educator" includes teachers, trainers, resource persons trained to address the general and particular learning needs of children with dyslexia or associated disorders.

3. Right of dyslexic, etc. to education.- (1) All children with dyslexia or associated disorder have a right to education to enable the full development of their human potential, sense of dignity and self-worth; to develop their personality, talents and creativity, mental and physical abilities to their fullest potential; and to enable their effective participation in an inclusive society.

(2) No child with dyslexia or associated disorder shall be excluded from the education system on the basis of it, and the Government shall ensure that all persons with dyslexia or associated disorder, especially girls, have access to education, without discrimination and on an equal basis with others, at all levels.

4. Identification and screening test.- (1) The Government shall prescribe procedure for identifying children having dyslexia or associated disorder.

(2) It shall also ensure the dyslexia and associated disorder screening test of all the children at the time of their admission in schools.

5. Special educators.- (1) Every school shall have a staff of special educators who have the requisite qualifications and training to cater to the needs of students with dyslexia or associated disorder.

(2) Teachers in all types of schools shall be imparted orientation and training to understand specific needs of children with dyslexia or associated disorder.

6. Instructional services.- (1) All schools shall provide appropriate instructional services and other accommodations to the children identified having dyslexia or associated disorder.

(2) They shall ensure that instructions to the children having dyslexia or associated disorder are simple, clear, and complete.

(3) Once a child has been identified with dyslexia or associated disorder, the child or parent shall be entitled to ask for specific instructions for that child's specific needs.

7. Appointment of dyslexia therapists.- (1) The Government shall appoint sufficient number of professional dyslexia therapists in every school having children identified with dyslexia or associated disorder.

(2) It shall also ensure that training programs for such therapists are conducted on regular basis and at least once in a calendar year.

8. Bar on disciplinary measures.- No child shall be subjected to physical punishment or mental harassment or in any manner discriminated on the basis of dyslexia or associated disorder.

9. Handbook.- All schools shall develop and maintain a handbook for use in the schools for guidance of children, parents and teachers about dyslexia and associated disorders.

10. Awareness programs.- (1) The Government shall conduct, sponsor, encourage, support or promote awareness programs to ensure that rights recognized in this Act are respected, protected and promoted.

(2) Such programs should aim at enabling both state and civil society to recognize the capabilities of children with dyslexia or associated disorders; to combat the stereotypes, prejudices and harmful practices which impede their active participation in the field of education.

11. Power to make rules.- The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act within one hundred and twenty days.

STATEMENT OF OBJECTS AND REASONS

The right to education has been internationally recognized as an overarching right. It is a human right in itself and is indispensable for the exercise of other human rights. A number of international legal instruments protect the fundamental human right to education. "Everyone has the right to education" according to Article 26 of the Universal Declaration of Human Rights (1948). The United Nations Convention on the Rights of the Child (1989) enshrines the right to education as a right of the child (Articles 28-30) and specifically addresses education of children with disabilities (Article 23). The Constitution of Pakistan, in its Article 25A, has made binding on the State to provide free and compulsory education to all children of age five to sixteen years.

Unfortunately, children suffering from dyslexia or associated disorders are unable to fully benefit from the above international and national legal standards. Dyslexia is a learning disorder that involves difficulty in reading due to problems identifying speech sounds and learning how they relate to letters and words, which is known as decoding. It is the most common learning disorder in children but it has not received adequate attention in developing countries such as Pakistan.

Due to lack of awareness about dyslexia in Pakistan, we have to rely on international statistics according to which 15 to 20pc of children in each class have some form of learning difficulty. It is not a disease and therefore has no cure, and with support, proper instruction and hard work, many people with dyslexia are able to succeed academically and in their later lives. But most of the parents of dyslexic children are in denial, and educational institutes are not "dyslexia" friendly. Many in Pakistan still think that a learning disability comes under the "mental illness" category and this adds to the shame and stigma. The schools in Pakistan do not have programs to help children with such learning disabilities, and teachers are not generally trained to deal with the issue, if not completely ignorant of it. The few private schools that offer special education often charge extortionate prices which aren't accessible to the general public.

It is, therefore, high time to change the attitudes which society has towards those with learning difficulties including dyslexia. We need to begin to understand that there isn't one standard way of thinking and we need to appreciate each individual child's way of understanding and expressing the world surrounding them. Dyslexic children need special mechanism to understand learning. Identification of children with dyslexia, appropriate instructional service to them, institutions for the therapy of such children and awareness programs for public can help children suffering from dyslexia or associated disorders. Through this Bill, special measures for education of the dyslexic children will be ensured and such children will be able to get meaningful education as a fundamental right.

The Bill has been designed to achieve the aforesaid objectives.

SENATOR SAMINA SAEED
MEMBER-IN-CHARGE