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INTEGRATING LEGAL RIGHTS AND PEDAGOGICAL STRATEGIES FOR INCLUSIVE CLASSROOM ENVIRONMENT

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Abstract

In the modern era, inclusive education serves as a key factor in guaranteeing equal learning opportunities for all individuals, contributing to both social development and economic progress. It extends beyond simply supporting individuals with disabilities and focuses on establishing universally accessible and supportive learning environments that accommodate diverse student needs. This approach fosters collaboration, equity, and active participation among students with different abilities. The core objective of this research paper is to explore different approaches to developing inclusive classrooms along with national and international laws and legislative that are associated with inclusive education. This research relies on secondary data sourced from journals, books, articles, and online references. Furthermore, this study analyzes the strategies and national and international laws and legislation that aim to cultivate an equitable and inclusive learning environment for all students. Recognizing education as a fundamental human right, it is imperative to enforce policies that safeguard inclusive rights, ensuring that every student has access to equitable opportunities, necessary support, and essential resources.

Keywords: Strategy For Creating Inclusive Education, Equity, Quality Education, Least Restrictive Environment (LRE), International Laws and Legislation Regarding Inclusive Education.

1. Introduction

Inclusive education can be regarded within the scope of a broad struggle against the violation of human rights and unfair discrimination (Pierre Du Plessis, 2013) The 86th amendment to the Constitution emphasizes the relevance of providing free, compulsory, and universal elementary education recognizing education as a basic right for every child aged 6 to 14 years. The 93rd amendment under the Indian Constitution has established the right to education as a fundamental human right for all children between the ages of six to 14 years, divisions based on caste, socioeconomic status, faith, and gender (Bandana Panigrahi, 2024) . Education is recognized globally as a fundamental right under both international and national laws. Without proper legal safeguards, children with disabilities or from marginalized communities may face exclusion. Inclusive education provides benefits for all students by promoting empathy, cooperation, and an appreciation of diversity. Research studies suggest that students learning in inclusive settings tend to develop stronger problem-solving abilities, increased social awareness, and a deeper sense of belonging. Several policies and legal frameworks support inclusive education. Article 24 of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) ensures fair educational opportunities for everyone. Similarly, UNESCO's Salamanca Statement (1994) identifies the statement opening with a pledge to ensure Education for All, acknowledging the importance and immediate need to offer education to every child, young person, and adult ' within the regular education system'.(CSIE, P-20) Additionally, Sustainable Development Goal (SDG) 4 emphasizes achieving inclusive and equitable education for all by 2030.By cultivating an environment of a culture of acceptance, respect, and collaboration, inclusive education prepares students for a diverse and interconnected world. Schools that embrace inclusive learning contribute to true equality and social development. Research suggests that children who study in inclusive environments grow into empathetic, responsible individuals. Furthermore, inclusive education plays a key role in economic development by nurturing a skilled and diverse workforce. without strong policies in place, many children risk exclusion, limiting their personal and professional growth. Therefore, inclusive education is essential for creating a fair and just society. Strengthening policies, enhancing teacher training, and establishing an inclusive learning environment are critical steps toward ensuring a brighter future for every child. More than just a teaching approach, inclusive Every individual has a basic right to education right that upholds equity, dignity, and respect for all learners. The idea of inclusive

learning has evolved over time, gaining significant global recognition in the late 20th century through various international treaties and policies

2. Review of the Literature:

Inclusive education has recently gained significant attention among educators and researchers globally. Yet, a careful examination of the existing literature review found that :

"Is Inclusive Education a Human Right?" provides a critical examination of the idea that inclusive education is a moral human right. Despite being legally validated by the UN Disability Convention (CRPD) in 2006, the author challenges the commonly accepted belief that inclusive education—teaching all students in a single class—is a moral human right. The research looks at various disability models, the evolution of education for students with disabilities over time, and the arguments for and against inclusive education (John-Stewart Gordon, 2013). Many disability experts, rights-based organizations, and people with disabilities believe that participation in inclusive classrooms is not just a matter of educational policy; it is a fundamental human right. This view has also been recognized in international legal frameworks, notably through the United Nations Convention on the Rights of Persons with Disabilities (CRPD) (Sweta Kumari, 2018). Although inclusive education is widely discussed, very few studies have critically analyzed whether it can truly be considered a human right morally and how it can be morally defended. Theresia Degenar argues that inclusive education is compatible with both human rights—legal and moral—aspects. However, most educators generally automatically accept this right and its moral validity is often taken for granted, without systematically analyzing it (Sweta Kumari, 2018). The ambiguity of the term "inclusion" and the different ways that LRE is interpreted present a significant obstacle. The authors note that not all teachers have a favorable attitude toward inclusion or the ability to modify their teaching, which makes implementation frequently challenging. The study also raises concerns that some teachers might prioritize accommodations over pushing all students, and that inclusive environments might not enable higher-achieving students to realize their full potential. The authors come to the conclusion that in order to shift the conversation from why inclusive education should be promoted to how it can be implemented most successfully, a unified model such as the ICM is essential. Inclusion Continuum Model (ICM) to provide a common language and framework for stakeholders. (Sundeen & Alsarawi, 2024). Effective methods for supporting students with

special educational needs and disabilities (SEND), They focus on key components like teacher training, effective classroom strategies, and specialized interventions. Still, the generalizability of their findings is limited because of the lack of long-term studies and sufficiently large, representative samples. (Hornby & Webster (2023) The foundations of education policy through discussions of historical and legal aspects, but often they do not include the experiences. This could involve evaluating the experiences of minority students or examining how the implementation of specific policies affects educational outcomes. This indicates that research aimed at practical applications and policy development continues to face challenges in fully incorporating evidence-based data, long-term analysis, and contextual insights. (Chakraborty (2017), Onaraye and Shirpurkar (2023) and Panigrahi (2024). Equal educational opportunities for children with disabilities are supported in India by legislative frameworks like the Integrated Education of Disabled Children Act and the Persons with Disabilities Act (1995). Research shows that there is little use of inclusive education in spite of these policies. Lack of teacher training, lack of execution quality evaluation, little investigation of students' viewpoints, and a dearth of research on the effects of new educational technologies such as digital learning platforms are among the difficulties (Panigrahi, 2024).

The study is guided by a theoretical framework that builds upon Bronfenbrenner's ecological systems theory (1979) shows how family, school, peers, policies, and culture collectively influence student development. Vygotsky's sociocultural theory (1978) suggests that learning occurs primarily through social connections, where teacher and peer support are critical to student learning. Together, these two theories provide a clear understanding of the impact of educational institutions and classrooms and provide guidance for research and implementation of inclusive education.

This paper's literature review section points out a number of shortcomings and gaps in the body of knowledge regarding inclusive education. The researchers point out that a thorough analysis of recent research indicates the following areas require further investigation: How Teachers, policymakers, and academicians create inclusive classroom environments following national and international laws and legislation.

3. Objectives

- To Find out various strategies to develop an inclusive classroom Environment.

- To explore national & international laws and legislation regarding inclusive education which is regarded as a fundamental right

4. Methodology

The research adopts an analytical research approach, to study the Integration of Legal Rights and pedagogical strategies for an inclusive classroom environment. The aim of this research paper is to find out various strategies to develop an inclusive classroom along with national and international laws, legislation regarding inclusive education. This study uses secondary source data to analyze the inclusive classroom environment. Special emphasis is placed on teaching methods, legal rights of human, and development of inclusive classroom strategies. The data was collected from reliable and reputable sources, such as peer-reviewed journals, research articles, books, google scholar, national international publications and reliable online sources. The thematic Analysis method was used for the analysis. This method helped in identifying key ideas and recurring patterns from different sources. The analysis was carried out in stages: first a detailed study of each source, then identifying key concepts, teaching strategies, and policies, then grouping them into major themes such as teaching strategies, legal frameworks, and finally summarizing these themes. This resulted in a clear picture of effective practices and policy implementation in effective inclusive classrooms.

5. Significance of the Research Paper

This research examines effective strategies for creating an inclusive classroom environment where all students receive equal learning opportunities and may be greatly effective for development of the nation. By evaluating national and international policies, legal frameworks, and best practices, it highlights the importance of addressing diverse learning needs and the need for society. The study aims to connect the differences between theoretical knowledge and practical implementation, providing important guidance for teachers, policymakers, and institutions. The findings will support improving teaching methodologies and fostering supportive learning environments, ultimately ensuring inclusivity and equity in education.

6. (Objective 1): various strategies to develop an inclusive classroom Environment

Finding strategies to ensure that all students benefit without being excluded is just as important as integrating students with disabilities into the classroom. Regular and special needs students share a classroom in inclusive education (Ekeh & Oladayo, 2012, p. 2).

In light of the diverse nature of classrooms, our dedication to democratic ideals and the principles of equality, justice, freedom, empathy for the well-being of others, secularism, and respect for human dignity and rights (National Curriculum Framework, NCF, 2005, Pg.10) serves as the core guiding principles for our educational framework and policies. It is essential that these principles are implemented through inclusive practices to ensure the broad participation of all learners in education and to attain high-quality, sustainable inclusive education. **IEP (Individualized Education Plan)** - IEP helps to access general education curriculum. IEP mainly design for disable students who can learn and grow effectively. Through IEP we can access progress of disable children. While preparing the IEP Teacher, Resource Person, service provider must have knowledge about the present status of child. (Gee, 2024). **Environment that values Diversity** -Inclusive classrooms foster a nurturing and inviting atmosphere that values and honors diversity. The integration of all students within the classroom setting significantly enhances both academic performance and social engagement (Tammy webstert, 2014, p. 23). The environment which is LRE (least restrictive environment) is an essential part of Individuals with Disabilities Education Act (IDEA). This LRE related to appropriate educational experience and regarding service which create barrier free environment where students (may have disability or not) can access their education barrier free in general education environment. Example of LRE Environment- Bigger classroom, lift, Ramp (at entry gate) Ministry of Education,2022) **Differentiated Instruction and Inclusive Education.** -Differentiated instruction and inclusive practices within the classroom significantly enhance engagement among all students. It is crucial to acknowledge the individuality of each student, as they possess unique learning styles and face diverse challenges, including academic, physical, and mental disabilities. Offering a range of learning modalities—such as visual, auditory, and kinesthetic opportunities—plays a vital role in fostering a sense of belonging among students. Educators who adopt inclusive strategies and provide multiple avenues for learning and assessment are likely to boost student engagement effectively. (Tammy webster,2014, p-24) A teacher should present the content using by multi-sensory approach. Through this approach students can learn the content via visual and auditory modalities or kinesthetic and tactile stimulation (NCTE, 2021) **Programmed of**

breakthrough to literacy- some students have facing difficulty to remember the content. In this case they are taught to write, because when we are writing we actively involved that specific topic and can retain the subject over period of time. Such this strategy called breakthrough to literacy programmed (Ministry of Education,2020)

Co-Teaching: The movement towards Inclusive in education emphasizes that both general education teachers and special education teachers share the responsibility of educating all diverse learners. It is essential for these educators to cultivate mutual respect, establish shared objectives, and demonstrate a commitment to collaborative efforts in this endeavor. (Boelter, johnson,2022, p-14). The implementation of co-teaching strategies, which involve collaboration between general and special educators in the planning, delivery, and assessment of instruction for students, represents a vital educational approach (Friend, 2019). This method enhances learning opportunities for all students by providing individualized support and varied instructional methods within a single classroom environment. Research indicates that students with disabilities can experience favorable social and academic results as a consequence of co-teaching practices (Scruggs et al., 2007) Giving teachers access to sufficient resources and staff training helps them comprehend every aspect of inclusive practice (Australian Research Alliance for Children and Youth, 2013, p. 9).

Motivation towards students: Motivation is very necessary for students. And among students with special needs, due to various problems, motivation is hindered more than normal students. Many times, students suffer from inferiority and are not interested in learning. It is not possible by that way. Where the teacher does not have to make them feel that they have a problem. Motivation is the only way to bring performance back from desire (Reyes-Ortiz, 2019).

Peer Discussion: The significance of peer support within the classroom and tend the effect it has on students is substantial. Peer support manifests in various forms, primarily through the organization of students into groups that participate in activities designed to enhance both academic learning and social competencies. Such interventions can cultivate a sense of community, provide emotional support, and improve overall academic performance. This approach may include mixed-age peer interactions, collaborative learning experiences, and peer modeling techniques. For children with disabilities, peer support has been shown to enhance social connections, facilitate better ability to engage with the general curriculum, assist in achieving according to Individual Education Program (IEP) objectives, and promote collaboration among educators, students, and parents. (Bolter&johnson,2022, p-8)

Active

Participation: Their skill development is essential. Through Active Participation, the talents hidden in them will come out who will be able to show their creativity. Because of this, students will know their strong side and their interest will increase. They will not hesitate to participate in anything (Alhawiti, 2023). **Experiential learning:** Students are emphasized on theoretical as well as practical learning. They are made to explore different places. It is taught through real life situation experience on practical basis (Johnson, 2021). Each of their handicaps is explored separately because not all handicaps are the same. They are taken there and explored in different ways so that every student can learn equally (Smith, 2022). **Counselling session:** In the inclusive classroom there must have resource teacher who handle remedial work and counselling session for monitoring the progress of special child Sherpa & Baraily, 2021). **Buddy system:** Buddy Systems help develop empathy, strengthen social skills, and **positively** impact the academic progress of students with disabilities (Foster, 2011) buddy system refer as support network of Non disabled peers towards helping hand to disabled peers. For this teacher implement group work to students and instruct them to do it (Ayon, 2021) **First day survey of students:** This strategy cultivates a supportive educational atmosphere and facilitates personalized instructional methods. A Bodnar (2021) survey the first day of class helping out the teacher to know the backgrounds of students and their strength and weakness (Alhawiti, 2023). **Ice breaker Activity:** Icebreakers are an effective way to increase student involvement, interaction, and learning. They support the student-focused and hands-on learning methods highlighted in the new K-12 curriculum. Moreover, they help create a welcoming classroom environment and strengthen peer relationships Richie Ynot Mepieza (2023). ice breaker activity helps to know the students each other. Ice breaker activity is fun related course material exercise (NCERT, 2022). **Contact to individual:** If a teacher teaches in a small inclusive classroom, he or she need to communicate to each of students, or if a teacher teaches in bigger classroom, sending or contact to students through using email or short videos or podcast this will meet the criteria of UDL. **Presenting the content:** In inclusive classroom at the time of presenting the content a teacher should keep in mind that avoiding the such statement like as you all know, or it's very easy because such type of statement demotivate that students who do not know the answer (CAST, 2018; Florian & Black-Hawkins, 2011). **Checking the conceptualized of students:** To assess students' understanding, the "It is the role of a teacher to ask questions to determine whether the students have grasped the concept. Instead of is it clear?" The question may be yes or no, multiple choice question or fill in the blanks etc (Ministry of

Education, 2020) **Universal Design for learning:** The application of Universal Design for Learning (UDL) entails the formulation of dynamic educational environments that accommodate the educational environments that cater to the varied needs of all learners, particularly those with disabilities. The tenets of UDL promote the implementation of multiple approaches for conveying information, articulating concepts, and enabling students to showcase their comprehension across different contexts. (AFTAB AMJAD, CHAUDHY, 2024 P- 442-443)

7. (Objective 2): To Explore International Legal Frameworks For Inclusive Education

Universal Declaration of Human Rights (UDHR), 1948

This document was signed into existence in 1948, reiterating the value of every person on the planet and the wars fought to defend the same. There are countless international instruments concerned with education, but this document silently guaranteed education in Article 26, highlights a stepping stone towards an inclusive global education framework.

- **Article 26 – The Right to Education**

Universal Access: Education is a individual right. Elementary education must be available free and compulsory, while technical and higher education should be widely available and accessible based on merit.

Holistic Development: Education should promote human personality development, respect for human rights, and foster tolerance, understanding, and peace among diverse communities.

Parental Rights: Parents have the primary right to choose their children's education, ensuring alignment with cultural and ethical values.

- **The Convention on the Rights of the Child (CRC) 1989:**

The Convention on the Rights of the Child (CRC) - 1989 supports the framework of Inclusive education which makes sure children of all abilities, social status, and background are given the education opportunities without discrimination. This construction of inclusive education is centered on the following principles and ideas:

- **Right to be Heard (Article 12)**

All children are entitled to express their opinions freely, and their views must be considered seriously in matters related to education.

- **The Rights to Children with Disabilities (Article 23)**

The education system for children with disabilities must ensure they can live with dignity and actively participate in society.

Special education services, rehabilitation facilities, and assistive technologies must be provided to ensure their full development.

- **Global Declaration on Education for All (1990)**

The Global Declaration on Education for All (1990) promotes inclusive education, ensuring everyone, irrespective of their background or skills, has access to quality education that meets basic learning needs. It emphasizes inclusion for children, youth, and adults, particularly marginalized groups like the poor, minorities, and people with disabilities.

Article 3: Universalizing Access & Promoting Equity – Education must be free from disparities, guaranteeing focus for underserved groups, including migrants, refugees, minorities, and displaced individuals.

Article 4: Focusing on Learning – Education should lead to practical learning outcomes, equipping individuals with knowledge, skills, and values for personal and social development.

This declaration highlights education as a basic human right, promoting inclusive and purposeful educational experiences.

- **Salamanca Statement (1994)**

The Salamanca Statement (1994) upholds Highlighting the importance of children with disabilities, emphasizing inclusive education and full integration of persons with disabilities into the education system (UNESCO, 1994)..

Article 2 & 3 – Every child is entitled to education, and systems must accommodate all learners, including those with disabilities.

Schools' Responsibility

Article 6 & 8 – Schools must adopt a child-centered approach and offer flexible curricula.

Article 10 & 11 – Support services and adapted teaching methods should ensure participation.

Role of Teachers

Article 20-22 – Teachers should be trained in inclusive strategies, with special educators assisting in classrooms.

Community & Resources

Article 23-25 – Parents and communities must support inclusive education.

Article 26-29 – Schools require resources, support services, and collaboration for effective inclusion.

The Salamanca Statement emphasizes that children with disabilities should be educated alongside their peers in mainstream schools. (Boelter & Johnson, 2022).

- **UN Convention on the Rights of Persons with Disabilities (UNCRPD) 2006**

The UNCRPD protects legal and social entitlements of individuals with disabilities and mandates governments to ensure their freedom, dignity, and equality by removing societal barriers. Article 24 – Right to Inclusive Education Ensures the right to inclusive education for people with disabilities. Schools must be accessible, including infrastructure, transportation, and facilities. Primary and secondary education should be free and of high quality (United Nations, 2006). Education should meet the requirements, cultures, and languages of all students with disabilities. The UNCRPD promotes equal educational opportunities, ensuring full societal inclusion for individuals with disabilities UNESCO (2015).

- **Sustainable Development Goals: Sustainable Development Goals:**

The initiative has supported the government's policies and programs, particularly in achieving Sustainable Development Goal 4 (SDG 4). The goal is to learning opportunities to all learners and create lifelong learning opportunities. The program has developed models that help ensure access to primary education and schooling for children with disabilities. In addition, these inclusive education programs are designed in such a manner. By 2030, efforts should ensure that gender differences in education are removed, and all vulnerable groups—including children with disabilities, indigenous communities, and at-risk children—have access to every level of schooling and skill-based training” (United Nations, 2015)

8. To Explore National Legal Frameworks for Inclusive Education

The Rehabilitation Council of India (RCI) Act of 1992: The RCI facilitates research in the areas of rehabilitation and special education. The Preamble of the Constitution of India mentions that every individual is entitled to equality in status and opportunity. Furthermore, Article 41 in the Guiding Principles of the Indian Constitution upholds the accessibility of education for the disabled (Rehabilitation Council of India, 2025). Only students who have completed RCI approved courses can register as professionals' Equivalence Certificate and RCI verification are required for foreign degrees to be accepted. The course syllabus must match RCI standards Provisions under (Sections 19 and 23 of the Rehabilitation Council of India Act, 1992)

Persons with Disabilities (Equal Opportunities, Rights Protection and Full Participation) Act) 1995, provides a legal framework to ensure equal Rights Protection and Full Participation disabilities 1995. The PWD Act, 1995 aimed to ensure inclusive education and equal opportunities for persons with disabilities through provisions for education and reservations (Ministry of Social Justice and Empowerment, 2020).

- **Inclusive Education**

Section 27: Establishment of special schools if required.

Section 28: Necessary facilities and teacher training for inclusive education.

Section 29: Scholarships and incentives for students with disabilities.

Section 30: Accessible books, teaching materials, and institutions.

- **Reservation in Education & Employment**

Section 33: 3% reservation in government and government-aided educational institutions jobs (1% each for blindness/low vision, hearing impairment, and locomotor disability/cerebral palsy) (pwd,2020)

The PWD Act, 1995 was later replaced by the RPWD Act, 2016, which increased reservations to 4% and expanded provisions(pwd,2025)

- **The National Policy for Persons with Disabilities, 2006,**

The National Policy for Persons with Disabilities (2006) promotes the integration of children with disabilities into mainstream schools ensures they benefit from equitable educational opportunities. It emphasizes specialized support, assistive technology, trained teachers, and accessible infrastructure to create a barrier-free learning environment, enabling all children to learn together without discrimination (Ministry of Social Justice and Empowerment, 2006).

Clause 4.3: Enhancing teacher training programs for inclusive pedagogy.

Clause 4.5: Encouraging research and development in assistive technology for education.

Clause 33: The Act mandated that 3% of the total vacancies would be reserved.

The primary aim of this policy was to guarantee the full inclusion and empowerment of persons with disabilities in education, employment, social protection, and all areas of everyday life (Ministry of Education, 2020).

- **The Right to Education (RTE) Act, 2009**

The 2009 RTE Act ensures that all children have access to education as a basic human right for children aged 6-18 years, including those with disabilities (RTE Act, 2009).

As per the Right to Education (RTE) Act, 2009, there is a specific teacher-student ratio. It is mandatory to have one teacher for every 30 students at the primary level (Classes I–V) and one teacher for every 35 students at the upper primary level (Classes VI–VIII).

Section 12(1)(c): 25% reservation within privately managed schools and educational institutions for financially disadvantaged learners

Section 29: Inclusive curriculum and assessment methods for students with disabilities. (Ministry of Education)

- **The Rights of Persons with Disabilities Act (RPWD) Act, 2016**

Replacing the PwD Act, 1995, the RPWD Act, 2016 aligned Indian disability laws with the UNCRPD and introduced stronger provisions.

Section 17: Requires reasonable accommodations, accessible curriculum, and special educator support.

Section 32: Reserves 5% seats in higher education for students with disabilities.

The RPWD Act, 2016 strengthened inclusive education but requires effective implementation (RPWD Act, 2016)

- **The 2020 National Education Policy (NEP) :**

The 2020 National Education Policy focuses on inclusive education, striving to nurture the growth and learning, including those with disabilities, fair access to quality learning opportunities. It incorporates accessible infrastructure, customized support, create a classroom setting that supports inclusivity for every child. However, the NEP appears to be overambitious and utopian in this regard. It fails to acknowledge that most teachers lack proper training for such specialized tasks and overlooks the fact that many schools in India

are severely understaffed. Additionally, the policy does not clearly outline how it intends to develop accessible home-schooling alternatives for individuals (S. K. 2023).

According to the National Education Policy 2020, Indian Sign Language (ISL) is accepted as the official language of instruction for the hearing impaired. The Government of India has also inaugurated PM e-Vidya Channel 31 for inclusive teaching, which telecasts lessons based on the curriculum for learners with disabilities (NCERT, 2024).

9. Conclusion

Effective approaches such as individualized education plans, differentiated instruction, co-teaching, and peer support help create an environment where every learner can succeed. National and international legal frameworks, including the UNCRPD, SDG 4, and various constitutional amendments, emphasize the significance of inclusive education through the promotion and protection of rights. Achieving and implementing genuine inclusivity requires strong policies, well-trained educators, and adaptable learning environments. Although India has introduced several frameworks and acts to encourage inclusive education, their practical implementation continues to face major obstacles. Challenges such as inadequate teacher training, a lack of resources, and societal attitudes limit the success of these policies. Many educational institutions remain inaccessible, highlighting the need for infrastructural improvements to accommodate all learners. Future efforts should concentrate on closing the gap between following procedures that ensure all children, ensuring that every child receives the necessary support to realize their full potential. Overcoming these barriers through well-planned strategies can lead to a more equitable and inclusive education system. Ongoing policy assessment and the development of localized strategies are essential for improving both inclusivity and the as well as the general standard of Effective implementation demands a thorough understanding of local challenges and active participation from all stakeholders in the education sector. Moving forward with a strong commitment to execution can drive significant progress in creating a truly inclusive educational environment.

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