

RIGHT OF PARENTS ON CHILDREN WITH INTELLECTUAL DISABILITY

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ABSTRACT

The purpose of this review was to investigate parental involvement in their children's education in comprehensive public elementary schools. A qualitative case study was used to investigate the problem. A sample of two teachers and six parents of disabled children was selected using purposeful sampling. The data were gathered using a semi-structured interview guide and then analyzed thematically using Epstein's (2001) six-dimension framework for parental involvement. Parents of children with disabilities participated more actively in parenting activities designed to encourage their children to attend school, according to the findings. On the other hand, it was discovered that there was very little communication between school principals, teachers, and parents. They didn't routinely visit the schools to examine their kids' schooling with directors and instructors. Additionally, very few parents of disabled children provided their children with home learning assistance; The majority of parents of children with disabilities were unable to do so because they lacked the necessary skills, had inaccurate perceptions, and were short on time. In addition, the results showed that, despite their increased indirect participation through the parent-teacher association, parental direct participation in the decision-making process was low. Last but not least, parents of children with disabilities in the study area did not support their children's education by volunteering or participating in community activities. As a consequence of this, the schools need to organize discussions and trainings to assist parents of children with disabilities in comprehending and carrying out the numerous responsibilities they have. Based on observations, reports, and research, parental participation remains low, particularly in rural areas. This paper will look at the limits of parental/family involvement in the education of a child with a disability and suggest ways to get groups of kids with disabilities to take active roles in their education. This paper is expected to primarily assist strategy developers, educators, and everyone else involved in the implementation of custom curriculum rules and strategies.

Keywords: Intellectual Disability, Children's Education, Semi-Structured Interview, Purposeful Sampling, Training.

Introduction

According to Disgorges and Abouchaar (2003), parental involvement (PI) is the multifaceted nature of parents' activities that influence children's learning and development (Epstein, 2009), and it is a crucial factor in maximizing students with and without disabilities' full potential. According to Ngwenya (2010), parental involvement in education occurs when parents participate in a variety of school- and home-based activities to enhance their children's education, a shared responsibility between schools and parents. Also, the cooperation of guardians in standard, two-way, and significant schooling related correspondence was characterized as PI by the U.S. Branch of Training (2003). PI in the schooling of youngsters with different capacities is turning into an area that isn't just viewed as significant for kids' schooling yet in addition as a fundamental help for kids' mental and social turn of events, as per Patrikakou, Weissberg, Redding, and Walberg (2005). Despite the growing interest in learning disabilities from a practical and research perspective, the majority of attention was given to students with learning disabilities, not their families. The needs, services, and educational opportunities of students with learning disabilities have been the focus of numerous studies and investigations; however, specialists have not paid as much attention to the families of students with learning disabilities as they have to students with learning disabilities.

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Guardianship of children with disabilities has become more effective and complete over time. Where, particularly in recent times, parents supported the establishment of institutions like schools and legislation pertaining to disabilities. Utilizing their skills, resources, and human capital, guardians from a variety of social and financial backgrounds also significantly contributed to learning. The field of handicaps began with the establishment of private schools and the receipt of financial grants to support state-funded educational programs. A school identity card is required for all students in multiple schools. The school issues ID cards to students.

A family must make money, take care of its members and the house, love and care for one another, and make sure their children are educated and taught social norms. These responsibilities become even more significant when a child has a disability. A quick rundown of the lesson. Legally speaking, parental freedoms are parents' rights to choose their children's education, medical care, and religious beliefs. The right to have physical custody of a child and the right to inherit property are two additional examples of parental rights.

You should be interested in and pay attention to your children as a parent. Gain self-assuredness from your youngsters to shield yourself from abuse and grabbing. Most importantly, make your home a safe and supportive environment for your child. For students with intellectual disabilities, breaking down each learning activity into manageable steps can be very helpful. Educators can alter their current curriculum without considering the bigger picture by introducing each learning task as a series of brief, individual actions.

Many different learning models that are suitable for students of all kinds are based on this step-by-step approach. Each step and investment level is tailored to each student's specific needs.

This study aims to inform the general public about Article 45 rights for parents of students with disabilities. All children, including those with disabilities, must receive free and compulsory education under this section of the Constitution until they reach the age of 14. Parents have the ability to educate their children with the assistance of article 45's right to education.

What are your rights throughout the special education process?

According to Patrikakou, Weissberg, Redding, and Walberg, PI in the education of children with diverse abilities is becoming an area that is not only regarded as important for children's education but also as an essential support for children's psychological and social development.

Despite the growing interest in learning disabilities from a practical and research perspective, the majority of attention was given to students with learning disabilities, not their families. The needs, services, and educational opportunities of students with learning disabilities have been the focus of numerous studies and investigations; however, specialists have not paid as much attention to the families of students with learning disabilities as they have to students with learning disabilities.

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A family should be able to make a living, keep its home and its members safe, support and love one another, and ensure that children are taught and shown good manners. These responsibilities become even more significant when a child has a disability. A quick rundown of the lesson. Legally speaking, parental freedoms are parents' rights to choose their children's education, medical care, and religious beliefs. The right to have physical custody of a child and the right to inherit property are two additional examples of parental rights.

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The Individuals with Disabilities Education Act (IDEA) and Education for the Handicapped Act (Public Law 94-142) were clearly strengthened by the 1997 Individuals with Disabilities Education Act (IDEA) Amendments (Public Law 105-17). A pivotal game plan of these custom educational program guidelines is the right of watchmen to participate in the enlightening powerful cycle.

As parents, you are entitled to a free, appropriate public education that meets your child's individual educational requirements.

You will be informed if the school wishes to evaluate your child for potential special education needs, if they wish to alter your child's educational placement, or if they decline your request for an evaluation or a change in placement.

You have the right to request an evaluation if you believe your child requires services or special education. The term "informed consent" should be used by the school where your child attends to indicate that you understand and agree in writing with the evaluation and program decisions. Your consent is voluntary and can be withdrawn at any time.

You can request an independent evaluation if you disagree with the school's.

You can request a reevaluation if you believe your child's current educational setting is no longer appropriate. Your child's educational program should be reviewed at least once per calendar year, but the school should rethink your child as usual.

Rights for parents are guaranteed by the Individuals with Disabilities Education Act (IDEA), which guarantees rights to parents of children who are eligible for or receive special education services. This brochure provides a summary of these rights. These privileges are made sense of more meticulously in the Procedural Shields Notice. Local educational agencies (LEAs), which include school districts and supervisory unions, are required to send parents a copy of the Procedural Safeguards Notice at least once per school year. A copy can also be obtained at any time by guardians from their schools. The Organization of Training gives admittance to the Procedural Shields Notice through its site and upon solicitation to AOE.SpecialEd@vermont.gov.

A portion of Vermont Special Education Rule 2363.7 (34 CFR 300.320) is as follows:

- Advice for Parents Parents should be able to provide feedback on their child's IEP in a section of the IEP. Following an IEP meeting, the LEA must send the IEP to the parent along with written notice of its decision to write or amend the IEP. Within ten days, the parent must complete and return the parent input section of the IEP. The objective of the parent input section is to give families a chance to express their opinions on the IEP and the IEP process while also making it simpler for them to provide feedback. The LEA may, but is not required to, organize a meeting to examine parental concerns following receipt of parental input.

Who is qualified for guardians' freedoms?

People who are responsible for a child's well-being are called "parents." This could be:

An adoptive or biological parent;

- A guardian;
- A relative, such as a grandparent or stepparent, who is legally responsible for the child and is acting as a parent;
- A surrogate appointed by the Vermont Educational Surrogacy Program;
- A surrogate parent who fostered children for educational purposes.

Decisions Regarding Termination when Parents have Intellectual Disease

The statutory frameworks governing termination proceedings involving parents with intellectual disabilities are explained in this section, which explains four problematic assumptions. PROBLEMATIC ASSUMPTIONS IN STATE STATUTES The examples are provided to illustrate common types of statutory provisions rather than to provide a state-by-state survey because state statutes in this area frequently change. Among the false assumptions are:

When determining parental fitness, many state statutes include intellectual disabilities as one of the grounds for termination;

A state resolution allows services to improve nurturing skills to be skipped because of a person's academic disability; this clearly assumes that people with academic disabilities can't benefit from using these services or that people with academic disabilities shouldn't be required to have access to them for another reason;

Reunification efforts are limited by state statute, making it difficult for people who might require more time to use services effectively. Because the child needs stability, this assumes that those who do not succeed quickly either cannot succeed at all or should not be given the opportunity;

All statutes treat assessment of parenting capabilities as a matter of determining facts about the parent, seen independently of the impact of context or supportive services, assuming that successful parenting is a skill to be exercised independently rather than in conjunction with others.

Case Law Decisions that end Parents with Intellectual Disabilities' Parental Rights

Problematic Assumptions in Practice Parenting is a fundamental liberty interest, as stated in the United States Constitution. As a result, termination of parental rights necessitates clear and convincing evidence of parental unfitness.⁴¹ Additionally, termination must be demonstrated to be in the children's best interests. Even though these are discrete requests, there is likely pressure between them.⁴² If a court decides that the child's well-being is at stake, especially if the child is due soon, it may be especially prepared to observe that the parent is ill-suited and unlikely to become fit in a reasonable timeframe.

In fact, cases in which parents with intellectual disabilities challenge the findings of the court on the basis of clear and convincing evidence of their shortcomings as parents are rare. This state of affairs is upheld by the existing body of case law. A series of date-limited Westlaw searches for "terminate," "parental rights," and "intellectual disability" yielded disappointing results⁴³ for the first six months of 2018. Only in California and Michigan have parents been successful when the court found that the services they received were inadequate.

A number of particularly prominent themes emerge when the particulars of the cases are examined. Since many of these unpublished appellate decisions are not precedent-setting, they are instead used as examples of common case law themes in this context. Some of these themes include the urgency of the situation, the belief that intellectual disability does not change, the portrayal of people with intellectual disabilities as if they were children themselves, and the refusal to consider the availability of support when making decisions about termination.

A Second Major Theme in the Case Law is that Intellectual Disabilities are Fixed in Stone

This is because intellectual disabilities do not change. However, many people with intellectual disabilities can learn and develop with the right help. Additionally, their circumstances might alter. A particularly compelling illustration of such a situation is a 2002 decision in a case from Tennessee. In this instance, there was evidence that a mother who had been in an accident as a child and had cognitive and visual impairments lost custody of her three-month-old child because she had not been able to adequately feed the child or give him medical care. She successfully completed the five-year reunification plan, which included regular visits, parenting education, and vocational rehabilitation. She also had support from members of her congregation who were willing to house her and provide her with care. The trial court agreed that the state changed the mother's plan from reunification to termination and adoption despite the fact that the mother "has done a remarkable job of achieving the goals of the permanency plan to the best of her ability... the situation is still marginal... [and] the conditions that led to removal continue to exist."⁴⁹ The appellate court upheld the decision of the trial court, stating that the trial court lacked clear and convincing evidence that the initial conditions that led to the removal remained. Despite the ongoing nature of her conditions, the mother's abilities to achieve self-sufficiency had changed significantly—her visual impairment, for example, had not changed. Given how little time the mother had spent with her child over the years, it was also understandable that she was unable to explain what she would do for her child in changing circumstances; Certainly, the court criticized the state for failing to construct these valuable open doors:

The Americans with Disabilities Act (ADA) says that

"no qualified individual with a disability shall be denied the benefits of services, programs, or activities of a public entity or be subjected to discrimination by any such entity" "by reason of the disability."⁵⁹ Claims that procedures that end the parental rights of guardians with intellectual disabilities violate this arrangement of the ADA Title II have been the subject of numerous decisions by state courts.

The majority of courts have rejected these claims; Among these analyses, some are more notable than others. Michigan is the notable exception.

As some courts assert categorically that termination proceedings are not “services, programs, or activities” for the purposes of the ADA60, this claim is clearly overbroad. In addition, even if the proceeding is not a “service,” it is certainly a “program or activity” of the state, just like other legal proceedings, such as parole hearings.62 According to New York’s analysis, termination of parental rights proceedings are not “services, programs or activities” for the purposes of the ADA. However, a courtroom proceeding that failed to accommodate one of the parties’ communicative disabilities would undoubtedly violate the ADA.61 Even though the court acknowledged the possibility that a separate ADA claim might lie for the failure to provide remedial services for people with disabilities when similar services were provided for people without disabilities, it was determined that the failure to provide services to a parent with a mental illness prior to termination is not disability discrimination because New York does not require this63.

Discussion

Mothers in India’s discussions pointed to the importance of education for all children, including those with disabilities, despite official rhetoric’s influence on family life and disability. However, these official and private conversations also contain intriguing starting points. Despite the fact that more and more efforts are being made to incorporate students with disabilities into mainstream schools by providing

Conclusion

The aforementioned findings demonstrate the extent to which parental involvement influences students’ achievement and motivation. This is because motivation for students can come from within or outside of themselves. Inspiration is a potent interaction that results in behavior that is objectively situated. A wide range of factors have a significant impact on a person’s motivation, which is an internal or psychological process. As a result, parental involvement must be developed in order to boost children’s motivation. The findings also show how much of an impact parental involvement has on children’s learning achievement.

The same argument can be used to support parents’ realistic role in facilitating and enhancing children’s learning achievement. Recent international and national debates on disability and education have focused on expanding access to education; In any case, this study’s discoveries exhibit that significant subtleties are disregarded in execution in such terrific stories. Despite growing awareness of the necessity of including disabled students, schools are not yet prepared to effectively respond to increased diversity. This isn’t just about the fact that there aren’t any physical accommodations right now.

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