

Identifying the Gaps between Policy and Practice in Providing Resources for Students with Disabilities:

A Case Study of Bhojpur District, Nepal

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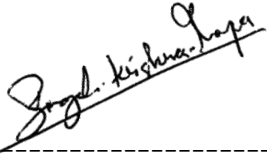
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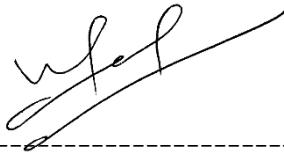
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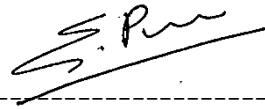


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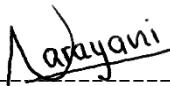
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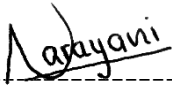


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Declaration

By signing, I certify that the paper titled "Identifying the Gaps between Policy and Practice in Providing Resources for Students with Disabilities: A Case Study of Bhojpur District, Nepal" is entirely original with no previous submissions to academic institutions for different degrees.



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Disclaimers

This project titled “Promoting Gender Equality and Social Inclusion in Schools Building on What Children Value and Aspire to Do and Be” is being implemented by LIKE Lab, Kathmandu University School of Arts, with support from the Global Partnership for Education and Innovation Exchange (GPE KIX) and International Development Research Centre (IDRC). The views expressed herein do not necessarily represent those of IDRC or its Board of Governors.

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Abstract

Children with disabilities often require additional resources and services to support their well-being and educational success (Joy, 2021). Effective education for students with disabilities relies on the availability of these resources. For inclusive education to be successful, policies that guarantee the availability of these resources are essential. Despite various policies that promote inclusive education and increase access to resources for children with disabilities, challenges still exist, resulting in unequal educational opportunities for the children who need utmost support. This study aims to understand the policies designed to support students with disabilities, with particular attention to their implementation at the local level in Bhojpur's resource classrooms at Yashodhara Secondary School and Bhojpur Residential School of Deaf. The research explores the availability and distribution of resources such as specialized learning materials, assistive devices, and trained teachers who can effectively support children with disabilities.

This study uses qualitative methods, including interviews with teachers, caregivers, and students and field observations. It offers an understanding of the policies intended to support children with disabilities and how these policies are implemented in practice. The findings are organized into 3 case studies: (1) institutional arrangements for children with disabilities; (2) availability of physical and educational resources and their distribution; and (3) local policy and its implementation. These cases help identify the gaps in the policy and its practice in Bhojpur.

The findings show the need for improved resource allocation, better teacher training, and stronger policy enforcement to bridge the existing gaps. This study contributes to the understanding of how policy and practice intersect in providing resources for children with disabilities in Bhojpur, and offers recommendations for improving inclusive educational practice.

Keywords: Disability, Policy, Resources, Implementation

Acknowledgement

This dissertation is a part of the project titled "Promoting Gender Equality and Social Inclusion in Schools Building on What Children Value and Aspire to Do and Be" is being implemented by LIKE Lab, Kathmandu University School of Arts, with support from the Global Partnership for Education and Innovation Exchange (GPE KIX) and International Development Research Centre (IDRC).

I would like to express my sincere gratitude to the project lead, Prof. Dr. Binayak Krishna Thapa, for providing this opportunity and for his guidance, support, and constructive feedback throughout the research process. I am thankful to Ms. Anushka Shrestha, the project coordinator and Mr. Saurav Rajbhandari, the community mobilizer, for their valuable assistance during the data collection phase. I would also like to thank Ms. Isha Karki for her assistance and guidance throughout the research journey. Their expertise and encouragement have played a crucial role in shaping this study.

I am also grateful to Kathmandu University School of Arts for providing academic support to complete this research. My sincere appreciation goes to the teachers and students of Yashodhara Secondary School and Bhojpur Residential Basic School of Deaf for their participation and willingness to share their experiences. Their experiences have been helpful in shedding light on the gaps between policy and practice regarding resources for students with disabilities. Lastly, I would like to thank everyone who has been a part in the completion of this research.

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List of Abbreviations

BRBSD	Bhojpur Residential Basic School of Deaf
CBS	Central Bureau of Statistics
CERID	Research Center of Education Innovation and Development
CWD	Children with Disabilities
DOE	Department of Education
DPWA	Disabled Protection and Welfare Act
ECED	Early Childhood Education and Development
FGD	Focus Group Discussion
GoN	Government of Nepal
KII	Key Informant Interview
NFD-N	National Federation of Disabled-Nepal
NLSS	National Living Standard Survey
SDG	Sustainable Development Goals
SEN	Special Education Needs
SSDP	School Sector Development Plan
SSRP	School Sectoral Reform Plan
SSA	Social Security Allowance
SWD	Students with Disabilities
UNCRC	United Nations Convention on Rights of Children
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UNICEF	United Nations International Emergency Fund
WHO	World Health Organization
YSS	Yashodhara Secondary School

Chapter 1

Introduction

1.1 Background

Education is a fundamental right of children regardless of their physical and cognitive abilities (UNCRC, 1989). It is essential for people's well-being and plays an important role in individuals' lives to participate effectively in society. In Nepal, there are various national and international policies that advocate for inclusive education, which aim to ensure that children with disabilities (CWD) receive equal opportunities in schooling. The Government of Nepal has ratified and adopted a number of frameworks, including the National Policy on Disability, the Inclusive Education Policy, and the School Sector Development Plan (SSDP), all of which focus on resource allocation and institutional support for children with disabilities in public and private schools. These policies are consistent with global commitments, such as the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the Sustainable Development Goals (SDG 4), which emphasize the need for inclusive and equitable quality education.

Educational equality is important when considering the distribution of resources for children with disabilities. It is concerned with the just/fair design of social and institutional arrangements and the consequent distribution of benefits and obligations among individuals. It claims that in a society of equals, institutional systems should be structured to demonstrate equal consideration and respect for all (Terzi, 2010). Similarly, Brighthouse (2000) emphasizes two key principles of educational equality. First, no individual should be disadvantaged due to their personal, social, and economic circumstances. Second, resource allocation should prioritize effectiveness, allowing for greater support for children with disabilities. Educational equality requires a different distribution of resources to address the unique needs of children with disabilities on grounds of fairness.

The Act Relating to Rights of Persons with Disabilities, 2074 (2017), guarantees children with disabilities the right to obtain education, training, health care, rehabilitation services, preparation for employment, and opportunities for entertainment so that they can assimilate in society and walk on the path of personal development. However, ensuring access to these rights requires adequate resources. Various resources are needed for children with disabilities (CWD) to receive quality education to facilitate their personal and academic growth. Resources for CWD may refer to the various support, tools, services, and accommodations that are provided to ensure their full participation in education as well as in the community. These resources can be physical (such as assistive devices and accessible infrastructure), human (such as trained teachers and caretakers), or systemic (such as inclusive policies). Access to such resources plays an important role in shaping the lives and livelihood opportunities of children with disabilities. While policies safeguard the availability of these resources to ensure that students with disabilities have equal access to them, there remains a critical gap in their effective distribution, particularly in rural Nepal.

In Nepal, inclusive education and resource distribution for children with disabilities is a major concern. The education system in Nepal has taken a huge step towards supporting children with disabilities through policies aimed at fostering inclusivity and providing resources to facilitate their learning. However, the reality in many rural schools still remains different. Firstly, there are not many institutional arrangements that support the varied needs of the students, and secondly, the education institutions often struggle to offer the appropriate infrastructure, learning materials, and trained staff to support the students with disabilities. UNICEF has defined inclusive education as "education that allows students of all backgrounds to learn and grow side by side, to the benefit of all." A well-implemented inclusive education policy is vital to safeguard the rights to education for children with disabilities. However, despite the various policies, there are still significant gaps between the actual goals of the policy and its implementation, especially in resource-limited settings (Chalise, 2020).

In Bhojpur District, the resource Classroom at Yashodhara Secondary School (YSS) and Bhojpur Residential Basic School of Deaf (BRBSD) serve as key institutions providing education to children with disabilities. Being two schools solely dedicated to the purpose of educating such children in the district Bhojpur, they face both opportunities and challenges in implementing the policies into practice. This study aims to look at the institutional arrangements provided to children with disabilities. It also looks at how well the policies on disability inclusion are put into practice and finally highlights the gaps between policy intention and their actual implementation. By closely examining these factors, it seeks to offer insights into how these institutions can enhance their resource allocation and create a more educational environment for children with disabilities.

The study incorporates the resourcist approach, drawing from John Rawls's quality of primary goods and Ronald Dworkin's equality of resources to look at the distribution of resources in the context of CWD in Nepal. These approaches argue for a fair allocation of resources that ensures individuals have the necessary means to function adequately, especially the disadvantaged. There should be a plausible resource metric that must include all and only the resources human beings need to function adequately and must weigh these resources according to their importance in fulfilling standard human needs (Pogge, 2004). While the resourcist approach offers a framework for analyzing educational resource allocation, this study also explores the limitations in addressing the numerous context-specific issues that children with disabilities experience.

In this context, understanding how resources are allocated and utilized within the education system is crucial. The study is also focused on how well government priorities and the funding system meet the needs of children with disabilities in Bhojpur District. By identifying the gaps between policy and practice, the study seeks to contribute to a more equal and successful approach to resource distribution.

1.2 Problem Statement

Children with disabilities are among the groups that are excluded from access to school and education. They face barriers that restrict their access to quality learning environments. In Nepal, there are about 4.5 to 5 percent of school-aged children with disabilities (WB Disability Project Directory, 1999). Opportunities to access

services are often restricted for CWD, despite policy provisions of specialized support. For example, illiteracy rates are high for children with disabilities (45% compared to 11% of children without disabilities), with many children with disabilities dropping out of non-specialized schools, largely in rural areas, as a result of their disability (UNICEF, 2018). The gaps between policy commitments and actual practice raise critical concerns regarding the accessibility, availability, and effective utilization of educational resources for CWD.

The educational provision and resource distribution for children with disabilities and special educational needs is a key area not just for those involved in it, students, parents, and professionals, but also for all those interested in the field of education more broadly conceived, as well as for society as a whole (Riddell, 2002). In the context of Nepal, achieving true equality in resource distribution remains an ongoing challenge, largely due to entrenched inequalities in access and availability. Nepal has adopted distributive justice in providing resources for children with disabilities, where there is a fair allocation of resources among diverse members of a community (Burgess, 2013). However, it has failed to take into consideration the unique needs of the CWD, thus hindering their full participation in education and the social system. This study looks at whether government resource allocation is based on individual needs or a blanket distribution model, questioning the effectiveness of the approaches in ensuring meaningful inclusion.

This research challenges the resources approach, which primarily focuses on the quantity of resources provided, often overlooking the quality, relevance, and usability for children with disabilities. Drawing from John Rawls' concept of primary goods and Ronald Dworkin's equality of resources, the study questions whether simply distributing resources guarantees meaningful inclusion or if a more tailored approach is required (Pogge, 2004). Moreover, this study advocates for a shift towards a capability-based approach, which recognizes human diversity and ensures that all children have the opportunity to realize their full potential.

1.3 Objectives of the Study

General Objective

The general objective of this research is to identify arrangements made for children with disabilities at the institutional level, to understand the availability and accessibility of educational and physical resources for the children and then to assess the gaps in the policy and practice. This research is focused on the resource classroom of Yashodhara Secondary School and Bhojpur Residential Basic School of Deaf.

Specific objectives

1. To identify the institutional arrangements for children with disabilities in Bhojpur district.
2. To examine the provisions and policies within Nepal's educational framework that address the needs of students with disabilities.
3. To analyze the resources available at the schools to support students with disabilities and how they are being distributed.

4. To identify the gaps between policy provisions and their practical implementation at the disability schools.

1.4 Research questions

1. How are institutional arrangements structured to support students with disabilities in Bhojpur District?
2. How do existing provisions and policies in Nepal's education framework address the needs of children with disabilities?
3. How have resources been made available to support students with disabilities, and how are these resources implemented in schools?
4. How do the gaps between policy provisions and their practical implementation manifest in the resource classroom at Yashodhara Secondary School and the Basic School of Deaf in Bhojpur district?

1.5 Significance of the Study

As a student of Bachelor in Community Development, where I had the opportunity to study disability management, this research is personally meaningful to me. It offers me a chance to apply my academic knowledge to a real-world context, enabling me to understand how the national/local policy for children with disabilities interacts with existing arrangements made for the children at the institutional level and how this interaction influences the availability and accessibility of resources for children with disabilities. Further, it also helps to identify the existing gaps. I will also be able to gain a deeper understanding of the challenges faced by schools implementing these policies.

This study holds significance for other researchers too as it can contribute to the existing body of knowledge on the policies on children with disabilities, especially in the context of Nepal. It will serve as a case study that can be used to compare the experiences of other districts in Nepal. The discrepancies in the policy implementation and the role of actors in addressing the barriers shown in the research can offer valuable information for future studies in the field of disability studies.

This research's findings focus on the resource distribution for children with disabilities, and the gaps between the policy and practice can inform the development of more effective policies. Such policies would meet the needs of children with disabilities in rural settings and remain not only well intended but also actionable at the local level, ensuring that the resources are available and accessible. This study can also play a role in shaping inclusive practices for children with disabilities.

1.6 Limitations of Study

It is important to acknowledge and address the limitations that may impact the validity and generalizability of the findings. This study also has some limitations. The study is limited to two schools in Bhojpur, the resource classroom at Yashodhara Secondary School and Bhojpur Residential Basic School of Deaf, which may not represent the experiences of all schools catering to students with disabilities in Nepal. Consequently, the findings may not be fully generalizable to other schools

or regions. Accurate and comprehensive data on the resources, policies, and implementation may be difficult to obtain due to the lack of proper documentation or transparency. The study is bound by time limitations, which restrict the depth of analysis or the inclusion of additional variables that could provide a more nuanced understanding of the issue. Limited participation or availability of stakeholders, such as teachers, administrators, and policymakers, might affect the comprehensiveness of the insights gathered. Understanding and interpreting the perspectives of students and educators who used sign language may be difficult, which could pose challenges in data collection and analysis.

Despite these limitations, the study aims to provide meaningful insights into the resource and policy gaps at Yashodhara Secondary School and Bhojpur Basic School of Deaf, laying the groundwork for future research and interventions to support inclusive education in Nepal.

Chapter 2

Literature Review

This chapter provides valuable insights into a diverse range of literature reviews that have been carefully selected as relevant for this study. This chapter has been divided into four sections: The first section defines disability. The medical and social model of disability and disability types is also covered in this section, followed by the second section, which explores the international and national policy for the provision of services for children with disabilities. The third section is about the theoretical framework, which is the resourcist approach of John Rawls's equality of primary goods and Ronald Dworkin's equality of resources. The research conceptual framework has been discussed in the fourth section.

2.1 Understanding Disability and its Types

2.1.1 Defining Disability

Disability is an evolving term influenced by various causes and experiences (UNCRPD, 2006). How we see and respond to disability has changed throughout time, particularly since the 1970s. This development is largely due to the efforts of people with disabilities who have come together to advocate for their rights (Maldon, 2018). According to UNICEF, there are about 240 million children who have some kind of disabilities worldwide (UNICEF, 2021). The World Health Organization and the World Bank estimated that in some countries, being disabled increases the chances of never enrolling in school. There are about one in three out-of-school children who have some kind of disability (WHO, 2023). These children often face conditions of extreme poverty, exclusion, and discrimination and are denied the basic services offered to their peers without disabilities.

Disability is part of being human. An estimated 1.3 billion people, or about 16% of the global population, currently experience some kind of disability (WHO, 2011). This number is increasing partially due to population aging and partially because of an increase in the prevalence of non-communicable diseases. Disability results from the interaction between individuals with a health condition, such as cerebral palsy, Down syndrome, and depression, with personal and environmental factors including negative attitudes, inaccessible transportation and public buildings, and limited social support (WHO, 2024).

Disability is also defined as having any restriction or lack of the ability to perform an activity in the manner or within the range considered normal for a human being (WHO, 1980). Similarly, Article 1 of Convention on the Rights of Persons with Disabilities (CRPD) defines disability as "a person with disabilities who includes those who have long-term physical, mental, intellectual, or sensory impairments that, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others" (CRPD, 2006).

2.1.2 Individual and Social models of disability

Disability is also defined as per the individual (medical) model and social model. The issue of disability has only emerged in the last three decades; the main contributors to the rising attention to the issues of disability have mainly originated from the Disabled People's Movement of 1981. It advocated against the prevailing analyses based on medical or mainstream sociological frameworks (UNICEF, 2016).

There are two main perspectives on disability, which are the individual model and the social model, each focusing on the cause of disability. The individual model views disability as an individual's health issue that requires personal treatment, while the social model believes that disability is caused by societal barriers such as stigmatizing attitudes that prevent individuals from full participation (Terzi, 2010).

The medical model or the individual model holds that disability results from a person's physical or mental limitations and is largely unconnected to social or geographical environments. It places the source of the problem within a single impaired person and concludes that solutions are found by focusing on the individual. On the other hand, the Social Model views disability as a consequence of environmental, social, and attitudinal barriers that prevent people with impairments from maximum participation in society. It is best summarized in the definition of disability from Disabled Peoples' International: "the loss or limitation of opportunities to take part in the normal life of the community on an equal level with others, due to physical or social barriers."

The argument between the individual and social models revolves around two key points of this definition. The first is a causality issue. Oliver, (1996) underlines the importance of breaking the causal link between impairment and disability in trying to overcome oppression. The second issue, intertwined with the previous one, is connected to the 'divide' between illness and disability. Oliver believes that the term disability first came into existence due to the materialistic analysis of the social and economic forces of capitalism. He argues that the whole ideology of normality originated with the rise of capitalism, its needs for a workforce defined by the people's capacity to be usefully trained and productively employed; this is the construction of 'able-bodied' and 'able-minded'; these were the individuals with physical capacity, and those individuals who could not be included in the category of ability identified in terms of productivity became identified as 'disabled' people (Oliver, 1996).

2.1.3 Definition of Disability in the context of Nepal

The National Census 2011 conducted by Government of Nepal (GoN) reported that 1.94% of the total population of Nepal lives with some kind of disability, whereas the National Living Standard Survey Report (NLSS) 2011 claims it to be 3.6% (GoN, 2011).

Mostly, people in Nepali society consider people with disabilities as feeble and a burden to society. Disabled children, especially girls with disabilities from low-caste communities, are further discriminated against and marginalized. A significant percentage of parents who had children with disabilities felt that it was their bad fate. Most people are unaware of the disease and lack of nutrition that caused the disabilities or impairment. Some people believe that disability is the result of sins committed by the parents. Some have superstitious beliefs regarding the causes of disabilities. Factors such as illiteracy and lack of knowledge about people with

disabilities often lead to the disabled being treated with low priority in respect to the fulfillment of their rights as members of society (UNICEF Nep, p. 8).

The Government of Nepal defined disability in 2006 as "the condition of difficulty in carrying out daily activities normally and participating in social life due to problems in parts of the body and the physical system as well as obstacles created by physical, social, and cultural environments and communication." (GoN, 2006).

All children with disabilities have the right to a quality education on the same level as non-disabled children. According to the Department of Education's (DOE) Flash Report 2013-2014, there are 179,000 children with disabilities (5-18 years old) across the country. A total of 73,985, or 41.3%, of all disabled children receive some form of schooling. However, over 60% of children with disabilities, mostly intellectual, psychosocial, deafblind, and multiple disabilities, are still denied the opportunity of basic education. These children have little possibilities for education, forcing them to live low-quality lives (DOE, 2020).

2.1.4 Disability Types

The Act relating to the Rights of Persons with Disabilities (2017) has classified disability into ten distinct categories: physical disability, disability related to vision, disability related to hearing, deafblindness, disability related to voice and speech, and multiple disability (Act relating to the rights of PWD, 2017).

- 1. Physical Disability:** Physical disability is the problem that occurs in the operation of physical parts, use, and movement in a person due to problems in nerves, muscles, and composition and operation activities of bones and joints.
- 2. Disability related to vision:** Disability related to vision is the condition where there is a lack of knowledge about an object's figure, shape, form, and color in an individual due to problems in vision. This is classified into two types: blind and low vision.
- 3. Disability related to hearing:** Disability related to hearing is related to problems that occur because of discrimination of composition of the parts of hearing and voice, rise and fall of position, level and quality of voice. There are two types: deaf and hard of hearing.
- 4. Deaf-Blind:** An individual who is without both hearing and vision.
- 5. Disability related to voice and speech:** Voice and speech-related disabilities include difficulties in speaking, trouble raising and lowering one's voice, difficulty speaking clearly, and difficulty repeating words and letters.
- 6. Mental and psycho-social disability:** The inability to behave as per age and situation and delay in intellectual learning due to problems arising in the brain, mental awareness, orientation, alertness, memory, language, and calculation are mental disabilities.
- 7. Intellectual disability:** A person who is in a condition that results in the problem of doing activity relative to the age or environment due to a lack of intellectual development resulting from the lack of development of intellectual awareness along with the increase in age (for example, Down syndrome).
- 8. Disability associated with hemophilia:** A condition in which a person has impaired blood clotting due to genetic defects affecting clotting factors in the blood.

9. **Disability associated with autism:** A person who has problems in the development of veins or tissues and functionality. Such a person has difficulty communicating, understanding, and applying general social rules, and does not show normal behavior as per their age, shows abnormal reactions, repeats the same activity, and does not assimilate with others, and falls in the category of disability associated with autism.
10. **Multiple disabilities:** Multiple disabilities are conditions involving two or more of the previously listed disability kinds (CRN, 2011).

Disability is also defined based on severity: 1) Profound disability 2) Severe disability 3) Moderate (Mid-level) disability 4) Mild disability. These four categories are reflected in Nepal through four types of disability identity cards, '*Ka, Kha, Ga, and Gha,*' which are colored 'red, blue, yellow, and white' colors, respectively, that are entitled to persons with disabilities (GoN, 2017).

1. **Profound disability:** A person who has difficulty in performing his or her day-to-day activities even with continuous support from others. People falling under this category get a red-colored card letter with '*Ka*' written on the card.
2. **Severe disability:** A person who needs the support of others continuously to perform personal activities and be involved in social activities. People with severe disabilities receive a blue-colored card with the letter '*Kha*' written on the card.
3. **Moderate (mid-level) disability:** A person who can regularly participate in his/her daily activities and in social activities if physical facility is available, an environmental barrier is overcome, or education or training is provided. Those people who fall under this group are issued a yellow-colored card with the letter '*Ga*' written on the card.
4. **Mild disability:** A person who can regularly participate in his/her daily activities and social activities if there are no physical and environmental barriers. Those people who fall under this group are issued a white-colored card with the letter '*Gha*' written on it.

2.2 International policy and framework for Inclusive Education

This section provides an overview of relevant international policies related to inclusive education. These international policies and legal frameworks describe human rights principles and legal requirements for upholding those principles (Hathaway, 2002). Here is a summary of some of the prominent international policies and legal frameworks that promote inclusive education for disabilities.

Table 1: International policy and framework for inclusive education

International Policy and Framework	Adoption
United Nations Convention on the Rights of the Child (UNCRC)	1989
World Declaration on Education for All	1990
Salamanca Framework for Action	1994
United Nations Convention on the Rights of Person with Disabilities (UNCRPD)	2006

1. United Nations Convention on the Rights of the Child (CRC)

The United Nations Convention on the Rights of the Child was adopted in 1989. The Article of the UNCRC specifically addresses the rights of children with disabilities and states that children with disabilities should have access to and receive education in a manner conducive to the child's achieving the fullest possible social integration and individual development (UNCRC, 1989).

2. World Declaration on Education for All

The World Declaration on Education for All adopted in 1990 serves as one of the first milestones to support inclusive education throughout the world. A total of 155 countries have adopted the declaration. This declaration aims to commit to universal primary education and stresses the need to provide access to education for all children with disabilities (UNESCO, 1990).

3. Salamanca Framework for Action

This framework was adopted in 1994 at the World Conference on Special Needs Education. The Salamanca Framework for Actions highlights the necessity to educate children with disabilities within the general education system (UNESCO, 1994).

4. United Nations on the Rights of Person with Disabilities

UNCRPD was adopted in 2006; it provides the most comprehensive international legal framework for supporting the educational rights of CWD. It states that countries that have ratified the CRPD must ensure an inclusive education system at all levels and that CWD have the right to free primary and secondary education and cannot be discriminated against based on their disabilities (UNCRPD, 2006).

5. Sustainable Development Goals

The SDGs were established in 2015. It serves as a set of aspirational goals for countries to work on over the next 15 years. Goal 4 on education specifically addresses two targets: 1) by 2030, eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples, and children in vulnerable situations (SDG target 4.5, 2015). 2) build and upgrade education facilities that are child, disability, and gender sensitive and provide safe, nonviolent, inclusive, and effective environments for all (SDG target 4.a, 2015).

2.3 Nepal Policy scenario for Children with Disabilities

This section provides an overview of the national policy that Nepal has ratified and adopted for PWD and inclusive education.

The new federal constitution of Nepal, which reaffirms education as a fundamental right, states that "every citizen shall have the right to free and compulsory basic education and free education up to the secondary level (GoN, 2017). This commitment has resulted in the expansion of learning opportunities for children and adults. However, several challenges have still been reported; particularly, lack

of learning resources, teacher capacity, and insufficient support provided at home, prevent children from obtaining education as well as skills. The figure below shows the milestones in disability-inclusive education.

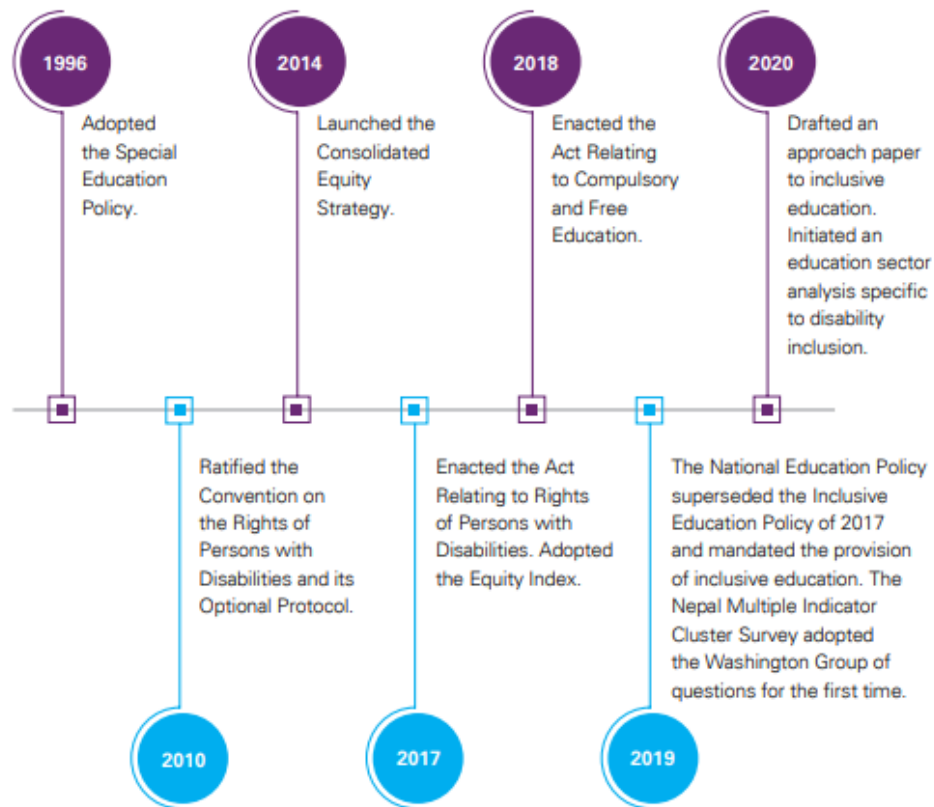


Figure 1: Milestone in disability and inclusive education, Source: UNICEF, 2012

The government has adopted a policy of increasing the participation rate in the education of children with disabilities. The national policy on education for children with disabilities aims to provide educational opportunities to children with special needs in an integrated manner in mainstream schools and establish separate special schools wherever necessary (CERID, 1998). The Ministry of Women and Social Welfare also plays the greatest role in protecting the welfare of disabled people. It plans policies, enacts legislation, and implements and coordinates programs to provide equal opportunities for people with disabilities.

The inclusion of persons with disabilities has acquired utmost importance in Nepal in recent years following the ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and the enactment of the Rights of Persons with Disabilities Act 2017. The Government of Nepal has taken several legislative and policy steps to address the challenges associated with disability. The most recent of these is the Rights of Persons with Disabilities Act 2017. The policies and acts that have been put in place not only aim to ensure a rights-based and non-discriminatory environment for people with disabilities but also include programs and services that entitle people with disabilities to discounts, subsidies, and social protection if they hold a disability card. Here are the relevant national policies on disability and education that have been ratified and adopted by Nepal.

Table 2: Main laws and policy on disability, Source: UNICEF, 2012

Government's Action on International Policies	Ratification
Convention on the Rights of Child (1989)	1990
Convention on the Rights of Persons with Disabilities (2006)	2010
Conventional on the Rights of Person with Disabilities and Optional Protocol (2006)	2010
Domestic laws and Policies Related to Disability Inclusive Education	Adoption
Education Act	1971
Children's Act	1992
Special Education Policy	1996
National Policy and Plan of Action on Disability	2006
Consolidated Equity Strategy	2014
National Child Policy	2014
The Act Relating to Rights of Person with Disabilities, 2074 (2017)	2017
The Act Relating to Children, 2075 (2018)	2018
The Act Relating to Compulsory and Free Education, 2075 (2018)	2018
National Education Policy	2019

As provided by the government of Nepal, some of the programs and services provided to PWD are (a) social assistance, subsidies, quotas, and scholarships; (b) assistive devices, physiotherapy, and health services (c) rehabilitation facilities and (d) specialized education.

a. Social assistance, subsidies, quotas, and scholarships

Nepal's disability allowance is one of five government-run social security allowance (SSA) schemes and provides cash transfers to people with disabilities. It is part of the government's approach to promoting the inclusion and welfare of people with disabilities by adopting a set of policy instruments that protect their rights and also entitle them to several discounts and services (Holmes, 2018).

Red and blue disability card holders receive a direct cash transfer as part of the social security allowance scheme. A person with a red card receives an allowance of Rs 2,000 per month, while a blue card holder receives Rs 600 per month. Those individuals who were disabled as a result of the Maoist conflict are covered by special provisions from the Ministry of Peace and Reconstruction and receive Rs 6,000 per month (given to the person with disabilities) and Rs 6,500 per month for their caregiver.

b. Assistive devices, physiotherapy, and health services

Assistive devices are sometimes provided free of charge to people with disabilities in Nepal, including hearing aids, glasses, crutches, and wheelchairs. In addition to this, physiotherapy sessions, speech therapy, and lessons in sign language for both parents and children, as well as prosthetics and corrective surgery for children with disabilities, are also available (Eide, 2016). These are provided through government institutions as well as INGOs and NGOs and are funded by donors and the government.

c. Rehabilitation services

Available rehabilitation services include a range of programs such as community awareness, family training, and legal and livelihood services for children with disabilities who have been abandoned and need legal support and money for enterprise (Neupane, 2016). Rehabilitation services also include short-term accommodation, particularly for women and girls with disabilities. These services are usually provided by rehabilitation centers and are funded by both government and non-government entities.

d. Specialized education

The newly adopted Constitution of Nepal, 2072 (September 2015), in its article 31, clearly declared that every person with a disability shall have the right to free education up to the higher secondary level. Similarly, it is also clearly stated that persons with visual disabilities shall have access to Braille and persons with deaf and hard-of-hearing disabilities to sign language (GoN, 2015). In the case of persons with disabilities, in materializing this clause, there are two types of education systems: special and integrated schools. There are 365 resource classes throughout the country to provide support for the education of children with disabilities. More than 4000 students with different kinds of disabilities that may be visual impairments, intellectual disabilities, or deafness are supported in various mainstream schools by such resource classes. These students also have access to the scholarship provided by the government. Some others, including children with physical disabilities, are also enrolled and benefit from their community schools as well. According to our sample telephone survey, 12 out of 20 persons have received or are receiving the education, whereas three of five children (5-18 years) are going to school at present (UNICEF, 2018). Specialized education includes integrated schooling, braille, and other educational support for children with disabilities. While there are both integrated and special schools available for children with physical disabilities, those with learning disabilities have fewer options, most of which are based within rehabilitation centers.

2.4 Inclusive Education and Disability

The Situation Analysis of Disability in Nepal (NPC/UNICEF/New Era, 2001) has revealed that 68.2 percent of all disabled people have no education. Among disabled people who are literate, 3.7 percent have attained their basic education from non-formal facilities. The study estimated that about 60 percent of males with disabilities and 78 percent of females with disabilities had no education. It is important to note that among children with disabilities aged 6–9 years, about 57 percent had no education compared to 26.8 percent of children in this age group

in the general population. Attainment of higher education is also less common among people with disabilities than in the general population.

Children with disabilities are among the groups most often excluded from access to school and education. About 4.5 to 5 percent of school-aged children have disabilities, but only two percent, who are severely disabled, are expected to need special education support (WB Disability Project Directory 1999). At present, disabled children who do go to school are either in special schools run by NGOs and the private sector or in special classes established by the government. The main obstacles to the education of people with disabilities are poverty and false beliefs prevalent in society. These are further aggravated by the inaccessible location of the school, its inconvenient physical infrastructure, and the lack of effective and required education resources. In addition, parents will often send their disabled sons to school but not their disabled daughters. Further, the school curriculum is not flexible and does not meet the learning needs of children with different abilities. All children are expected to follow the same lessons, disregarding differences in learning abilities and needs of the children. Teachers are not aware of methods and ways to manage and teach children with disabilities. There is a lack of motivation, awareness, knowledge, and skills in inclusion and quality education among teachers and administrators at educational institutes. In most schools, teachers are accustomed to the lecture method of teaching (Chalise, 2020).

The provision for students with disabilities and special educational needs is mainly characterized by systems of schooling that involve the coexistence of special institutions, special additional provisions in mainstream settings, and more inclusive schools. Inclusive education is established as the main policy imperative concerning children who have special educational needs or disabilities (Lindsay, 2003).

In the past, students with disabilities were taught in separate special schools. The perspectives based on human rights have questioned the practice of segregated institutions and expressed moral concerns about the placement of children in special schools. The move has progressively shifted provision from segregated institutions towards more 'integrated' settings, thus towards educating children with disabilities and special educational needs within mainstream schools. (Pijl and Meijer, 1994; Ainscow, 1999).

Considerations of resource requirements are a fundamental and complex element of the process of inclusion in education. The Salamanca Statement expresses the importance of this aspect by stating: 'The development of inclusive schools as the most effective means for achieving education for all must be recognized as a key government policy and accorded a privileged place on the nation's development agenda. It is only in this way that adequate resources can be obtained. Changes in policies and priorities cannot be effective unless adequate resource requirements are met. Political commitment, at both the national and community level, is needed both to obtain additional resources and to redeploy existing ones'. (UNESCO, 1994).

An example of Nepal's first attempt towards inclusion dates back to the early 1960s, with the inclusion of some students with visual impairment in the regular classroom at a school in Jawalakhel, Lalitpur District. Another prominent example of model practice for inclusive education is Daleki School, which has been functional in Nepal since 1993. In the 2002–2003 school year, the school had 320 students; among them, 167 were boys and 153 were girls. The school integrated physically and

mentally handicapped children within mainstream classes with the help of special education teachers and a qualified psychotherapist, who helped the students in the process of rehabilitation of disabled children counseling (Inclusive education practice in Nepal, 2021).

2.5 Understanding Resourcist Approach

2.5.1 The Resourcist Approach

The theories supporting the equality of resources, referred to as resourcist view, focus on giving people an equal share of resources to ensure fairness and equality in society. This approach looks at fairness and is justice based being focused on how resources like money, education, healthcare, or opportunities are distributed. It assumes that if everyone has access to the same general-purpose resources, they can use those resources to live a good life, whatever their idea of a 'good life' might be. It doesn't judge what kind of life people should aim for; it just focuses on giving them the tools to pursue their own goals (Ekmekci, 2015). This approach asserts that institutions and individual actions should be designed to improve the quality of life of those who are worse off than others. The resource approach mainly claims that distributive justice should be defined in the metric of resources. Pogge (2004, p. 34) defines the metric of resources as: 'A plausible resource metric must include all and only the resources human beings need to function adequately and must weigh these resources according to their importance in fulfilling standard human needs'. In this sense, there are at least two kinds of resource approaches: the resourcist of Rawls and the resourcist of Dworkin.

Rawls focuses on certain primary social goods (i.e., general social goods such as liberties, opportunities, income, wealth, leisure time, and the social bases of self-respect that are useful means for almost everyone), Dworkin speaks of resources in general (i.e., any resources), including the 'internal' resources of people like their talents; that is, he accepts that one's resources should include internal resources or talents as well as external resources such as material possessions (Terzi, 2010). Though there are important differences between Rawls' and Dworkin's approaches, both focus on resources in making interpersonal comparisons, and both seek to answer the question 'Equality of What?' in terms of means rather than what people can obtain from the means.

2.5.2 John Rawls, "Equality of Primary Goods"

John Rawls was an American political philosopher in the liberal tradition. His theory of justice as fairness describes a society of free citizens holding equal basic rights and cooperating within an egalitarian economic system (Wenar, 2008). John Rawls proposed a theory of justice that focuses on distributing primary goods. Here primary goods are social conditions, features of institutions, and resources that free and equal citizens need to live a complete life. These conditions included basic rights and liberties, freedom of movement, the ability to choose any occupation, money and wealth, and lastly, self-respect (Rawls, 2001). Given the conditions of social cooperation among human beings, free and equal individuals need some primary goods which Rawls calls social primary goods. People need them because these goods are required for pursuing a fulfilling life.

2.5.3 **Ronald Dworkin, 'Equality of Resources'**

Ronald Dworkin was an American legal philosopher, jurist, and scholar of United States constitutional law (Khoury, 2013). He advocated the theory of 'equality of resource'. This theory combines two key ideas. The first is that human beings are responsible for the life choices they make. The second is that natural endowments like intelligence and talents are arbitrary, and since these endowments cannot be controlled, they should not be the basis of how resources like money, education, or opportunities are distributed in society (Dworkin, 2003). Ronald Dworkin (2000) proposes a complex view regarding the equality of resources and the distinction between material goods and personal ones in his book *Sovereign Virtue*. Impersonal resources include material goods, inherited wealth, and assets, whereas personal ones include talents, health, general strengths and weaknesses. Dworkin sees resources as a means for leading fulfilling and worthwhile lives. He argues for an equitable distribution of privately owned resources as well as the elimination of unfair inequalities caused by disparities in wealth and assets (Gianni, 2015). The equalization process takes the form of a hypothetical insurance market and provides potentially a very interesting framework for the distribution of resources to those considered less favored by a 'natural' distribution of talents (Dworkin, 1981). The hypothetical insurance market focuses on treating people as equals, which means giving them a fair share of resources. Dworkin employs a choice-based notion of individual responsibility. According to Dworkin, people in a society should be compensated by others in the society for being in the unchosen circumstances they face. He proposes an equal distribution of resources, a so-called envy-free distribution (Terzi, 2010).

2.5.4 **Resourcist Approach and its application to Resource Distribution and Education**

The relevance of the issue of disabilities is related to the fair distribution of resources, since how we identify children who might require different amounts of resources will have wide implications on the distribution in setting priorities, for example, particularly in its guidance for policy (Terzi, 2010). The resource approach has been applied to this research. It is grounded in the idea that all individuals should have equal access to resources that are necessary for leading a good life. In the context of this research, it can be divided as follows:

1. **Equality of Access to Resources:** Individuals should be given equal access to resources that allow them to pursue a good life (Rawls, 2001). For children with disabilities, this means that access to educational resources and trained personnel should not be determined by their socioeconomic status or other factors. This research assesses whether all children with disabilities in Bhojpur have access to resources in disability schools, regardless of their socio-economic background or the locality they live in (Ives, 2021).
2. **Compensating for disadvantages:** Individuals who face problems due to factors beyond their control, such as disabilities, should be compensated with additional resources to ensure they can lead a fulfilling life (Kymlika, 2002). This compensating approach would demand that children with disabilities receive more or additional resources to counterbalance the social, physical, or cognitive barriers they face in accessing education. This research looks at the policies and practices that provide compensatory resources for children with disabilities in Bhojpur.

3. **The role of choice:** The equality of resources approach emphasizes that choice should be informed and fair (Dworkin, 2003). The societal structure should be ideally organized in such a way that all children, regardless of their background, should have an equal opportunity to choose their path and develop their potential. This research looks at whether children with disabilities have an equal choice to attend school and access appropriate resources.

2.6 Conceptual Framework

The conceptual framework for this research provides a structured approach to understanding how various factors like policies, resources, institutional arrangements, and the implementation of those resources interact to influence the education and well-being of students with disabilities in Nepal. This framework will help clarify the relationships among these factors and identify the actual gaps in the policy provision and its implementation.

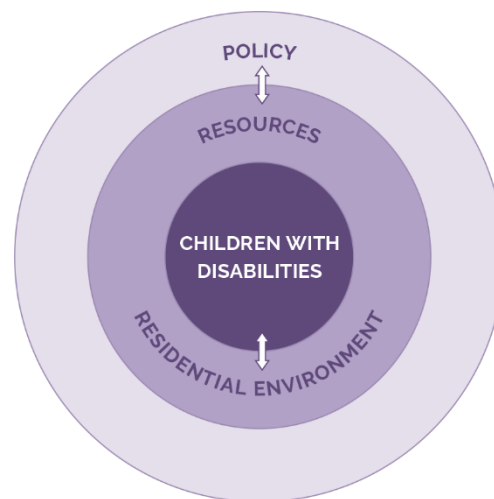


Figure 2: Conceptual framework to identify gaps between policy and practice regarding the provision of resources

The focus of the conceptual framework is on the children with disabilities, who are placed in the center, indicating that they are directly impacted by the surrounding factors. The inner circle represents the school environment in which Children with Disabilities (CWD) live. The resources include the educational, financial, and social resources available to these children. The resource acts as a bridge between the policy and children, determining how well policies are translated into practical support. The outer circle represents the regulations, laws, frameworks that govern resource allocation and support for children with disabilities. The arrows between CWD and the residential environment, and the arrow between the policy and resource show the interaction among them. The figure illustrates the gap between policy and practice, showing how policies shape resource distribution, which in turn affects CWD. It also emphasizes that while policies exist, the real impact on children depends on how well resources are implemented in their residential environment.

Chapter 3

Methodology

This chapter discusses the methodological procedures adopted to carry out the study (Porta & Keating, 2008). This chapter begins with the research design, description of field site, duration of study, sample size and techniques, and data collection methods (KII, FGD, observation, and case study). It goes on to discuss the data analysis tool, and, lastly, the quality standards to authenticate the research followed by the ethical considerations to maintain ethical consent among the participants.

3.1 Research Design

This study adopts qualitative research methods focused on case studies, observations, focus group discussions (FGDs), and key informant interviews (KIIs) with teachers and students to assess the availability of resources for children with disabilities and to identify gaps in policy and its implementation. The case study will facilitate an in-depth understanding of the policy provision and the specific areas concerning resource availability, with particular emphasis on the physical and educational resources accessible to students in the resource classroom at Yashodhara Secondary School and Bhojpur Residential Basic School of Deaf (Priya, 2020). Each of the employed methods will contribute to the distinct perspective, collectively providing a comprehensive understanding of the challenges and discrepancies between policy provisions and their practical implementation.

3.2 Description of the field site

The research was conducted in Bhojpur district, with a particular emphasis on the resource classrooms of Yashodhara Secondary School and Bhojpur Residential Basic School of Deaf in Bhojpur Municipality. Bhojpur District is one of the 14 districts in eastern Nepal's Province No. 1. It is the district's administrative center, covering 1,507 km², and has a population of 182,459 (2011).



Figure 3: Bhojpur District (Source: Nepal in Maps)

According to the CBS National Census, there are 2.53 percent of people with disabilities living in Bhojpur. RC at YSS and BRBSD are the only schools in Bhojpur

that provide education to students with disabilities (CBS, 2024). The resource classroom at Yashodhara Secondary School is located in Taksar, established in 2060 BS, and caters to 12 students with disabilities. Bhojpur Residential School of Deaf is located in Bhojpur, established in 2075 BS, and provides education to 23 students with hearing impairments.

3.3 Duration of study

The research was carried out for 5 months, from November to March. The study involved a week-long field visit to the research site, which was Bhojpur. The field visit was materialised from 24th November to 29th November and played a crucial role in collecting data and conducting observations in the study area.

3.4 Sample Size and Technique

In the process of sampling, a subset of individuals or units from a large population were selected to gather and draw conclusions about the population as a whole (Babbie, 2016). The goal was to obtain a representative sample that accurately reflected the characteristics of the population being studied. There were a total of 55 participants who were involved in the data collection process; among them, 20 were teachers and students, and 35 were students. This study uses purposive sampling, which refers to intentionally selecting participants based on their characteristics. For this study, 2 schools were taken into account, which were a resource classroom of YSS and BRBSD. Within these schools, 7 teachers and caregivers were selected for data collection: two teachers from Yashodhara Secondary School and five from the Basic School of the Deaf. Among 35 students from both schools, 10 were selected for focus group discussion: 6 from Yashodhara School and 4 from Deaf School. 13 head teachers were involved in focus group discussion.

Table 3: Students participants of YSS and BRBSD

School Name	Student Participants	Age	Boys	Girls
Yashodhara Secondary School	12	6 to 15	5	7
Bhojpur Residential Basic School of Deaf	23	5 to 15	10	13
Total: 35				

Table 4: Teachers and caregivers' participants of YSS and BRBSD

School Name	Teacher and Caregiver Participants	Male	Female
Yashodhara Secondary School	2	1	1
Bhojpur Residential Basic School of Deaf	5	1	4
Total: 7			

3.5 Data collection method

In this study, qualitative methods have been used for data collection. Primary data was collected using observation, key informant interviews, and focus group discussion, while secondary data was gathered from related articles, books, and reports. During the research, a variety of tools were employed to collect data, which are described below:

3.5.1 Observation

During observation in the field site, the participants were impartially observed in their natural environment, and their behaviors, daily activities, their classrooms, and residential areas were documented in notes (McLeod, 2018). Observation was done in the Resource Classroom of Yashodhara Secondary School and Bhojpur Basic School of Deaf during this research, which has also served as the foundation for supporting the case studies conducted during the field visit period.

3.5.2 Key Informant Interview (KII)

Seven key informant interviews were taken, including teachers and caregivers of Bhojpur Residential Basic School of Deaf and Resource Classroom at Yashodhara Secondary School. A semi-structured guideline of questions relevant to the research was listed for the interview. During the research, semi-structured interviews were conducted with a select group of respondents. These interviews played a crucial role in gathering detailed and comprehensive information (Pin, 2023). The insights and data collected from these interviews formed the foundation for developing a case study. These case studies provided in-depth and contextualized accounts of specific situations and experiences related to the research topic.

3.5.3 Focus Group Discussion (FGD)

A focus group was curated to explore participants' perspectives, experiences, beliefs, and attitudes related to the research topic in a group setting. For focus group discussion, a small group of individuals was brought together to plan and gather data on a specific topic from participants in a friendly and non-threatening environment for data collection (Krueger, 1994). It allowed an interactive and dynamic exchange of ideas, opinions, and insights with the students that helped us construct the conceptual framework for this study.

The discussion was conducted with head teachers of 13 different schools regarding the issues of disability and education for children with disabilities as well as about the resources and policies available for them. FGD was also done with 10 students, 6 from Yashodhara Secondary School and 4 from Bhojpur Basic School of Deaf.

3.5.4 Case study

The case study was used to generate an in-depth understanding of a contemporary issue or phenomenon (Coomb's, 2022). Through individual interviews and observation with the respondents, three cases were identified, comprising institutional arrangements for children with disabilities, resource availability, and local policies. These cases illustrate the gap in the policy and its implementation regarding the availability of resources for CWD. The names of the participants have been replaced with a pseudonym to protect their privacy, in this case study.

3.6 Data analysis tools

Thematic analysis was used to analyze the data from FGD, KII, and observations. The collected data was categorized into categories such as institutional arrangements, resource availability, policy provision, and policy-practice gaps.

3.7 Consent and Ethical Consideration

During the research process, each respondent was informed about the study, and their informed consent was obtained before proceeding with the interview. Furthermore, proper consent was obtained from individuals whose case studies were utilized in the study, ensuring that their participation was voluntary and well informed. This commitment to ethical research practices reinforces the credibility and integrity of the study and protects the rights and privacy of the participants.

Chapter 4

Findings and Discussion

This chapter provides different cases as an evidence to guide the response to the research question of this study. The cases are (1) institutional arrangements for children with disabilities; (2) availability of resources and their distribution; and (3) local policy and its implementation in Bhojpur. These cases will be further discussed in context of the national/local education policy framework of Nepal and with the resourcist approach.

4.1 Case 1: Institutional arrangements for children with disabilities

In Bhojpur Municipality, there are currently two institutions catering to the needs of CWDs. One is a resource classroom at YSS, and the other is BRBSD. This section provides a description of these two institutions as proactive contributors to the institutional arrangements for CWDs in Bhojpur.

Case 1.1: Resource classroom at Yashodhara Secondary School

Background

A resource room is a dedicated learning space in a conventional school where children with learning problems or disabilities receive extra help and specially created lessons (NH, 2024). The resource classroom at YSS in Bhojpur was established in 2060 BS, supporting 12 children with various intellectual disabilities aged 5 to 16 years. Among the 12 children, 5 are male and 7 are female. The children primarily have intellectual disabilities, including speech and hearing difficulties and Down syndrome. The municipality had assigned one special teacher and one caretaker for the students in the resource classroom.

Case Narratives

Maya, a seven-year-old girl, was brought to the resource classroom at YSS due to her speech difficulties. Her parents, fearing social exclusion and judgment, chose to leave her in the care of the school rather than raising her at home by themselves. Maya struggles with verbal communication and has difficulty expressing her thoughts clearly. Though she understands most instructions, forming words remains a challenge for her. The children get holidays during Dashain holidays. Parents of other children in the resource classroom come to receive their child for the holiday, but for Maya, it is only a hope, believing that someday her parents will come too.

Key findings

The CWD at the resource classroom at YSS are taught basic literacy skills, such as learning the Nepali and English alphabet as well as writing their names. Additionally, training in candle and essence making is provided to help them develop some practical skills. The resource classroom's main focus is the transition to mainstream education, with 5 students currently integrated into regular classrooms. However, after the age of 16, students must leave the residential facility and return to their

homes. Separate residential arrangements for boys and girls were recently implemented, marking progress in gender-sensitive practices.

Discussion

According to the Act relating to the rights of persons with disabilities (2017), chapter 5, under education for PWD, the educational institutes operated by the Government of Nepal or local level or that receive grants from the Government of Nepal shall provide free education to PWD, and vocational and technical education as prescribed shall be freely provided to PWD (Act relating to the rights of PWD, 2017). The YSS has established a resource classroom operated at the local level that receives funds from the Bhojpur municipality and provides free education and skill development training in CWD-including candle and essence making. However, after age 16, the students are sent to their homes, which is a challenge for the child, as resource classrooms at YSS and BRBSD are the only institutions that cater to the needs of CWD. Maya's case shows the intersection of disability, social stigma, and emotional neglect. While she is given education and a residential room, her longing for parental love remains a challenge that the school continues to address. Her case emphasizes the need for broader societal change, one where CWD are not seen as a burden but as individuals deserving of love, care, and opportunities to thrive. Dworkin's equality of resources focuses on the provision of resources, but he has failed to look at how other factors, like the community, could make the lives of CWD easier (Terzi, 2010). In the case of the resource classroom at YSS, the students are provided with resources they need to make their lives easier; however, there are other ways which could have facilitated inclusive learning environments for example, by educating other students about disability inclusion to foster a non-discriminatory learning environment.

Case 1.2: Bhojpur Residential Basic School of Deaf

Background

Bhojpur Residential Basic School of Deaf was established in 2075 Bs, approximately 2018 AD, by SitaRam Ojha. BRBSD serves 23 students, aged 5 to 15 years, who have hearing impairments and belong to Bhojpur and surrounding districts. Among the 23 children, 10 are boys and 13 are girls.

Case Narratives

Sarita Tamang, the principal of BRBSD, was assigned by the Bhojpur municipality to be the principal of the school, but she struggled initially as she had no training in sign language. Despite this, she has worked towards creating an inclusive learning environment for students with disabilities. In an interview conducted with her, she stated that during the early stage of the establishment of BRBSD, the municipality provided Rs 5 lakh to construct the schools. However, as the number of students increased, the classrooms became insufficient, so she submitted a proposal to the municipality requesting additional funds to build the classrooms, which was delayed. They had to rely on other external organizations for funds to finance the classroom, as it was fast and efficient. BRBSD now has three classrooms, which are further separated, with one classroom utilized to teach multiple grades of students at the same time.

Key Findings

The school has successfully transitioned six students to the Biratnagar Deaf school for further education. The school's focus on integrating students with hearing impairments into mainstream curriculum shows an effort to provide the students with quality education. The successful transitions of students to other specialized institutions like the Biratnagar Deaf School demonstrate that the students are capable of further academic progress, and it is possible if the students are provided with the opportunity to thrive academically. The school follows the mainstream curriculum and examination process. Essential supplies like books and hearing aids are provided, though the quality of hearing aids still remains a concern. The midday meal program allocated just Rs 15 per student, raising questions about nutritional adequacy.

Discussion

BRBSD has made efforts to provide quality education to students with hearing impairments. The school's provision of providing books, hearing aids, and structured learning aligns with the resource approach, which focuses on the equitable access to resources that enable individuals to function effectively (Dworkin, 2003). In Chapter 5: Education of PWD, the Act relating to the rights of PWD mentions that the educational institutes shall build school buildings and other physical structures in accordance with the standards determined by the Government of Nepal, to ensure the access to persons with disabilities. However, the reality remains different; if schools find it difficult to build classrooms for the students from the funds provided by the government, how will the schools be able to follow the physical structure determined by the Government of Nepal? The disparities in the policy provision and the implementation can be seen here.

4.2 Case 2: Availability and Accessibility of Resources and their Distribution

Background

This section describes the resources available for the CWD. Educational resources for students with disabilities are important for creating an environment where they can thrive academically. They range from educational materials to specialized instructional materials. These resources ensure a learning environment, and allow the students to achieve their full potential and participate fully in school. Non-educational resources ensure that these students have the physical and logistic support they need to access education on an equal footing with their peers. These resources also support the academic success of the children and promote their overall well-being, independence, and integration into society.

Case Narrative

At YSS, the resource classroom for 12 children with intellectual disabilities receives donations of books, stationery, and general learning materials from individuals that are interested in helping the student thrive academically. The individual donors have a well-intentioned interest in helping; however, these resources often do not align with the students' cognitive abilities or learning styles. During an interview with a caregiver at the resource classroom at YSS, she mentioned that "students in the resource classroom show interest in learning, but they are provided with the same books that children without disabilities use, making it hard for them to use, and the donations they have received are never used. They are now stored in a locker for decorative purposes only."

Key Findings

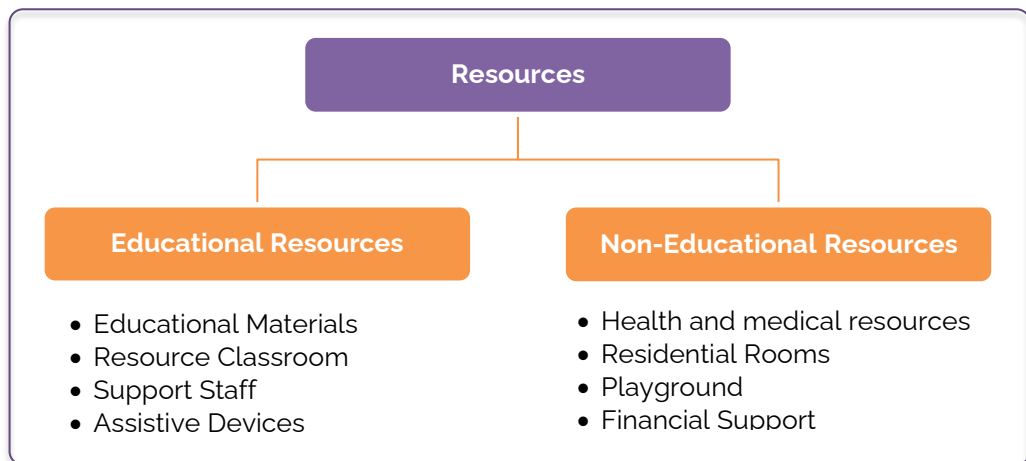


Figure 4: Resource available for CWD (Table needs to be redrawn)

4.2.1 Educational Resources

Educational resources for students with disabilities are tools, materials, and services that create a supportive learning environment. These resources help the students to fully participate in educational activities. The resources that are currently available in the resource classroom at YSS and BRBSD are as follows:

1. Educational materials

Both schools provide essential educational materials to their students, which include textbooks for basic literacy and numeracy skills. The books offered cater to the age and intellectual ability of the students, helping them to understand and learn basic concepts in a structured way. Standard learning tools like pens, pencils, erasers, and notebooks are provided to help the students complete their assignments and practice their writing skills. These resources are particularly important for children in the resource classroom, where basic writing and literacy development are key focus at YSS and BRBSD. These materials are designed to meet the needs of the students with

disabilities, and make the curriculum more accessible. This includes large-print books or large charts with pictures that help the students understand the words more clearly. Another resource is interactive multimedia, which includes videos and animation that appeal to different learning styles. Both schools provide large print charts and books for the students, and BRBSD has provided interactive media to students which helps young children with sign language.

2. Resource Classroom

The resource classroom is a dedicated space where students can focus on specialized learning, free from the distractions typically found in regular classrooms. This space is usually equipped with furniture, learning materials, and a conducive environment tailored to meet the students' needs.

3. Assistive Devices

Assistive technologies help students with disabilities overcome barriers to communication, learning, and participation. These devices enable students to interact with teachers, peers, and learning materials that meet their individual needs. During an interview with the teacher at BRBSD, she mentioned that *'free hearing aids were distributed by the municipality to the students at BRBSD, but the students could not wear them due to the poor quality of the hearing aids. Some students were able to wear it, but the durability was a challenge.'*

4. Support Staff

Support staff plays a crucial role in providing tailored services to meet the unique needs of students with disabilities. Support staff helps the student to build skills and do daily activities that the students find difficult when doing them individually. Both schools have provided the students with special teachers and support staff to help them in their academic and daily activities.

4.2.2 Non-educational Resources

Non-educational resources are any resources that are not directly related to academic content or teaching methods but are essential for creating an inclusive, supportive, and accessible environment for children with disabilities. These resources help to ensure that students with disabilities can participate fully in the education process.

In addition to the educational materials, the school also provides other resources that support the overall development and well-being of the students, such as toys and games, which are important for children's developmental needs, especially for younger students in the resource classroom. These materials help foster creativity and social development through play.

1. Residential Rooms

Both schools also provide essential accommodation for students. These residential rooms are designed to provide a safe and supportive environment for the students to live in while they attend school. Residential facilities typically have separate spaces for boys and girls. The rooms are equipped with basic amenities to ensure the children's comfort and safety, including beds, desks,

and storage for personal belongings. Students are also supervised by the caregivers, who ensure the children's daily needs are met and provide a safe, and structured living environment.

2. Assistive Devices

Assistive technologies help students with disabilities overcome barriers to communication as well as learning and participation. These devices enable students to interact with teachers, peers, and learning materials that meet their individual needs. Assistive devices are crucial for the CWD; however, the quality of these devices remains a question.

3. Health and medical resources

Health and medical resources are necessary to address the health needs of children with disabilities. Having the right medical resources in place ensures that these students are safe and receive the appropriate care. Both schools provide health and medical resources to these children as and when necessary.

The necessary physical and educational resources are provided to CWD. The resources are distributed by two main funding systems: the government and other external organizations. The funding system in schools refers to the method and source of financial support that the school receives to operate and deliver educational services. It ensures that the schools have the resources they need to provide quality education and maintain infrastructure. Special education funding is a key aspect of the school funding system for students with disabilities. The Bhojpur Municipality provides Rs 5000 annually to each child with disabilities, including Rs 500 as pocket money. For residential schools like YSS and BRBSD, the funding covers educational materials, food, and clothing. They also rely on individual donations from people who willingly donate the amount they want to as well as resources that the students may require. However, the allocation is insufficient to meet the comprehensive needs of the students. The school can access additional funds from external organizations. These external organizations play a crucial role in financing other expenses for the children. For example, *in 2012, the British Gurkha Nepal's Commander's Kadoorie Fund had funded Rs 300,000 to build the classrooms of the Bhojpur Residential School of Deaf.*

Discussion

According to the Act relating to the rights of persons with disabilities (2017), educational institutes shall make provisions for disability-friendly educational materials, having regard to the needs of persons with disabilities (GoN, 2017). When it comes to supporting CWD, access to appropriate educational resources is crucial for their academic and personal development. By incorporating educational and non-educational resources into the learning environment for CWD, the schools can provide them with the necessary tools and support to thrive (NUPALCDC, 2024). While the availability of basic educational resources such as textbooks, learning tools, and classroom furniture is essential, the reliance on external organizations for these resources creates an unstable foundation. The external donations for the various organizations may not always be consistent to fully meet the needs of the students. Thus, local partnerships, corporate sponsorships, and diversified fundraising efforts are necessary to ensure the sustainability of resource distribution. The funding system in schools is essential so that the students receive

quality education. However, it typically relies on government funding and also private donations. This funding helps the school to purchase all the necessary resources that are needed to improve educational outcomes and address the unique needs of the students.

According to Rawls 'equality of primary goods', primary goods include things like basic rights, education, healthcare, income, and freedom. He believes that everyone should have an equal share of these goods, as these are the basic things people need to live a complete and meaningful life (Rawls, 2001). When it comes to education, the primary goods approach does not address the actual needs of CWD. For example, a student with a hearing disability might face challenges in school, even if they have the same educational resources as other students (Teri, 2010).

Another alternative to the resources approach would be the capability approach. The Capability Approach is a theoretical framework developed by economist-philosopher Amartya Sen and further expanded by philosopher Martha Nussbaum and others. This approach focuses on evaluating human well-being, social arrangements, and policies based on what individuals can do and be, their "capabilities" and "functioning," rather than solely on the resources they possess or the happiness they experience. The capability approach has two main normative principles: first, it asserts that the freedom to achieve well-being is of fundamental moral importance; second, it suggests that well-being should be evaluated based on individuals' capabilities and functioning. Human diversity is central to the capability approach. It recognizes that individuals have different needs and abilities to convert resources into valuable functioning due to factors such as physical condition, social norms, or environmental context (Sen, 1992).

4.3 Case 3: Local Policy and its Implementation in Bhojpur

Background

A semi-structured interview was conducted with the teachers and caregivers about the local policies regarding the availability of resources for CWD in Bhojpur. In Bhojpur, the municipality plays a crucial role in distributing the resources for CWD allocated by the government of Nepal. This section describes the local policies in place for Bhojpur regarding the resource availability for CWD.

Case Narrative

In the Act relating to the rights of PWD to enhance access for the students, the Government of Nepal shall make provisions for special training for the teachers with disabilities and teachers who teach the students with disabilities (GoN, 2017). However, the reality remains different in the resource classroom at YSS and BRBSD. The teachers at schools had no formal training before they were assigned to teach the CWD. The only training provided to them was on sign language by the Deaf Committee twice a year. While this is a positive step taken by the Deaf Committee, it is far from enough to equip teachers to teach and take care of the students with unique needs.

Key Findings

4.3.1 Disability Identity Cards

The government's draft bill, "Disability Rights Bill 2017," has categorized the disability cards and thereby the allowance, by the severity of the disability. There are four cards, which are Ka, Kha, Ga, and Gha, which are colored red, blue, yellow, and white, which represent profound disability, severe disability, medium disability, and minor disability, respectively (GoN, 2017). The CWD in the resource classrooms at YSS and BRBSD have received their identification cards, with many of them receiving blue and yellow cards.

4.3.2 Disability Allowance on Card Issuance

Upon receiving their disability identity card, they are eligible for disability allowance. PWDs who have a red card and blue card holder annually receive payments of Rs 2000 and Rs 600 from the government, respectively (Disability Rights Act, 2017). This is referred to as a disability allowance and acts as an initial financial support mechanism for the students.

4.3.3 Mid-day Meal Allowance

According to the Education Sector Plan 2022, the government will maintain the provision of midday meals in school from ECED to grade 8 in areas where enrollment in basic education is lagging, and ensure that these meals are nutritious and healthy. It focuses on the provision of health care services, including periodic check-ups, availability of first aid kits, and deworming and adequate water, sanitation, and hygiene facilities; washing facilities; and access to clean drinking water (ESP, 2022). Under the midday meal program, students are given midday meals at the rate of Rs 15 per student per day. The midday meal is provided to the students from grades one to five in both the schools, the resource classroom at YSS, and BRBSD. These meals are prepared in the schools by the caretakers.

4.3.4 Provision of Specialized Staff

The Disability Rights Act, 2017, includes a provision that requires educational institutions to ensure that CWD have access to appropriate educational services. This act stresses the need for specialized human resources to cater to their specific needs; it mandates the inclusion of specialized staff such as special education teachers and support staff in schools (GoN, 2017). Specialized staff for students with disabilities refers to trained professionals who work with students to address their specific educational needs. These professionals play a key role in helping the students receive the support they need to participate in the classroom and develop academic as well as social skills. The specialized staff creates a supportive learning environment where students receive the individual support they need academically and socially. They play a crucial role in identifying and addressing any challenges they face.

4.3.5 Training for Staff

In the Act relating to the rights of PWD to enhance access for the students, the Government of Nepal shall make provisions for special training for the teachers with disabilities and teachers who teach the students with disabilities (GoN, 2017). Teacher training for CWD refers to the preparation and ongoing professional development that teachers undergo to effectively teach and support students with

disabilities. The teachers are equipped with the knowledge, skills, and strategies necessary to create an inclusive learning environment and provide individualized support to meet the diverse needs of students with disabilities. Understanding the characteristics and challenges associated with different disabilities helps teachers recognize the needs of the students and develop strategies to support their learning. The deaf committee organizes training for the teachers twice every year for sign language.

4.3.6 Financial support

The Government of Nepal shall provide financial assistance as prescribed for the development of physical infrastructure and other services and facilities of the schools that operate special education programs for the students with disabilities (Act relating to the rights of PWD, 2017). Financial support refers to the provision of funds or resources to help individuals, groups, or organizations meet their financial needs. This financial support can come from various sources, including government programs, charitable organizations, or financial institutions. The schools in Bhojpur are also financially supported by the municipality and other charitable external organizations. For instance, when the municipality gave free hearing aids to the children of the Basic School of Deaf, the quality of hearing aids was a concern, which affected the students' ability to participate fully in learning activities.

Discussion

The policy in Nepal on PWD is entrapped within a compensatory model of distributive justice (Corbett and Slee, 2000), where the government allocates financial aid, specialized staff, disability identity cards, and assistive devices to support CWD. These policies aim to ensure resource availability, but their effectiveness remains questionable, as seen in the issues surrounding low-quality hearing aids and insufficient midday meal funding. This shows the limitation of a purely distributive approach that assumes simply providing resources is enough to level the playing field (Kaufman, 2014).

Wilson argues that distributive justice, which is about fairly distributing resources and opportunities, does not apply well to certain human activities, especially education. According to him, the idea of equal educational opportunities is flawed as it assumes that everyone has an equal capacity to learn (Wilson, 1991). In the case of CWD in the resource classroom at YSS and BRBSD, education cannot be about equal opportunities alone for the CWD; as children have different abilities and capacities. Therefore, just providing them with the same resources or opportunities and expecting them to succeed equally is illogical. To make education truly fair, the system needs to account for individual differences and provide additional support where necessary, not just equal access to resources.

4.4 Gaps between policy and practice in Bhojpur

Background

In Nepal, policies on inclusive education and disability exist, but the reality of the ground often tells a different story. This section describes the several gaps that were identified between the policy and its implementation after understanding the institutional arrangements for CWD, the resource availability at the resource classroom in YSS and BRBSD and its distribution. It also focuses on the local policies

of Bhojpur and how they are being implemented in the resource classroom at YSS and BRBSD. The gaps between the policy and its practice have been shown in the table below:



Figure 5: Gaps between policy and practice in Bhojpur

Case Narrative

Niroj, a 12-year-old at BRBSD has a yellow disability identity card. Niroj faced significant delays in receiving his card, which reflects broader systemic inefficiencies. This delay can lead to a range of issues, including denial of necessary educational resources, healthcare, and other support services, which are vital for children with disabilities. The long wait times and complicated application processes hinder children from receiving the assistance they need on time; simplifying the application process and ensuring faster issuance of disability identity cards would significantly improve access to support systems and help integrate children with disabilities more seamlessly into the educational environment.

Key Findings

4.4.1 **Insufficient and Delays in Fundings**

Sufficient and adequate funding is essential for schools to provide the resources and infrastructure necessary to support CWD. Unfortunately, insufficient funds and delays in municipal approvals for additional funding often hinder the school's ability to promptly meet the needs of the students. The inability to address these urgent needs on time limits the ability of schools to provide an inclusive learning environment where CWD can thrive. To improve this situation, local authorities must ensure that financial resources are allocated quickly and efficiently. This would enable the schools to make necessary improvements. The local authorities must provide necessary accommodation and ensure that students with disabilities receive the full support they need to succeed academically and socially. During an interview with the teachers, they mentioned that a representative from the municipality visits the school to evaluate the available infrastructure and resources, observes the students, and interviews the teachers. The official notes the lack of accessible learning material; and he assures that these resources will be provided to the school after a formal request is presented to the municipality. However, despite the assurance, there is no further action, resulting in schools not being able to meet the needs of the students.

4.4.2 Lack of training for teachers and support staff

Another gap that was identified between policy and practice was seen in the context of teacher training. The Act relating to the rights of PWD states that to enhance access of the students with disabilities to quality education, the Government of Nepal shall make provisions for special training for the teachers (GoN, 2017). During the interview with the teachers and caretakers at the resource classroom at YSS and BRBSD, it was shared that they had not received any formal training by the government. However, they had been receiving training on sign language organized by the deaf committee twice a year. Devi Maya Pradhan is a teacher in BRBSD. During an interview she mentioned that there is a lack of institutional support for teacher training that focuses on teaching sign language. She had received no training when she was assigned a teacher's role by the municipality for BRBSD. She also said that *"if the teachers are not trained, how will the teachers teach the students who depend on the teachers for almost everything?"*

4.4.3 Delay in implementation of local policy

The Nepal government's "Disability Rights Bill 2017" (GoN, 2017) has categorized the disability cards, and thereby the allowance, by severity of disability. There are four cards colored red, blue, yellow, and white, which represent profound disability, severe disability, medium disability, and minor disability, respectively. Disability identity cards play a crucial role in recognizing the legal status of children with disabilities and ensuring that they receive their rightful entitlements, including access to specialized services, financial support, and accommodations. However, the process of obtaining these cards can be, creating additional obstacles for the families and the CWD in getting the benefits of receiving the card, like disability allowance and education in the institutions that are established for CWD (Thapaliya, 2016). Despite the efforts of the policy makers, the students still struggle to get a disability identity card.

4.4.4 Unfriendly curriculum

In the Act relating to the Rights of Persons with Disabilities in Chapter 4: Rights of Children with Disabilities, it has stated that the Government of Nepal shall make appropriate provision on curricula, course books, and teaching and learning matters in order to address the learning needs of the CWD, mental disabilities, autism, mental paralysis, or hearing and sight disabilities (GoN, 2017). Despite these policies and acts for inclusive education and a disabled-friendly curriculum, the resource classroom at YSS and BRBSD still teaches CWD the same curriculum that is designed for non-disabled children, which makes it unfair for the CWD. The curriculum and examinations tend to follow a "one-size-fits-all approach," which can be a significant barrier to the effective learning and assessment of students with disabilities (Lamichhane, 2019). For example, children who are deaf, face considerable challenges in taking exams that are designed primarily for non-disabled students, as the materials and methods do not accommodate their unique needs. To address this issue, the curricula should be made as per the requirements of the CWD. This would ensure that students with disabilities can demonstrate their knowledge and abilities without being unfairly disadvantaged.

Discussion

The gaps that were identified between the policy and its practice included insufficient and delayed funding, lack of training for teachers, slow implementation of local policy, and unfriendly curriculum. These gaps between policy and practice illustrate the shortcomings in Bhojpur's approach to inclusive education. The Act relating to the rights of persons with disabilities (2017) lays out comprehensive policies for the education of CWD; but its implementation remains fragmented, limiting the actual benefits for Children with Disabilities.

A critical concern in the gaps between policy and practice is the lack of specialized teacher training in sign language, a challenge that hinders the learning experience for students with hearing impairments at BRBSD. Globally, research highlights that 90 percent of children who have hearing impairments are illiterate due to inadequate sign language instruction (Rau & Barriga, 2010). This reality is reflected in the gaps between policy and practice as well as the limitation of the resourcist approach, which assumes that allocating resources such as occasional training is sufficient without addressing deeper structural barriers.

The resource approach argues that to ensure justice or equality in education for CWD, resources should be equally distributed among individuals. To have a fulfilling life, everyone should have equal access to social goods like income, education, and wealth (Rawls, 2001). However, Sen and Nussbaum criticize this approach as it overlooks human diversity and the varying efficiency of individuals in converting resources into well-being. People are different in terms of physical abilities, talents, health, and needs. These differences mean that simply giving everyone the same resources doesn't ensure that everyone is actually equal in terms of their well-being or equality of life (Terzi, 2010). For example, consider two people: one person has no disabilities, while the other has a hearing impairment. If both people are given the same resources and the same amount of money or the same access to education, they might not be able to use these resources in the same way. The person with the hearing impairment might need additional resources like a hearing aid or translator to achieve the same outcomes as the person without disability. The resources alone don't address the difference in needs between the two people. Sen and Nussbaum argue that to achieve real equality, people's differences, whether due to disability, health, or talents, affect their ability to turn resources into actual opportunities for a good life and should be considered (Sen & Nussbaum 1992). This leads to the conclusion that social primary goods and resources do not fully constitute appropriate standards for interpersonal comparisons and provide a partial answer to the 'equality of what' question. While it suggests important elements towards a conception of equality in education, it is still unable to provide significant guidance in the important case of disability and special educational needs (Robyns, 2014).

Chapter 5

Conclusion

Inclusive education focuses on building an educational system where all children, regardless of their abilities or disabilities, can learn together in the same environment. However, achieving true inclusivity, particularly for CWD, requires addressing various barriers at both the policy and implementation levels. The case of Bhojpur, particularly the experiences within the resource classroom at YSS and BRBSD, shed light on the gaps between the policy and its actual application. Despite sincere efforts made at the national level to formulate policies that support the inclusion of CWD, challenges persist at the local level. Some of the identified gaps between policy and practice are (1) insufficient and delayed funding; (2) lack of training for teachers and support staff; (3) delay in implementation of local policy; and (4) unfriendly curriculum.

One of the gaps between policy and its implementation is the lack of consistent and timely funding. While national policies allocate resources for CWD, funds are often delayed or insufficient, resulting in a scarcity of essential materials that are needed to cater to the diverse needs of CWD. Lack of training for teachers and support staff is yet another gap that persists. While the municipality allocated special teachers and support staff to the institutions, they failed to give them appropriate training to help them teach and look after CWD. Without proper training, teachers may struggle to effectively teach and care for the children. Even when national policies for inclusive education are in place, their translation into local practice is often slow. This delay in implementing local policy is another gap, limiting the potential benefits for CWD. Another critical gap identified is the unfriendly curriculum for CWD, making it difficult for the students to learn and for the teachers to teach. This makes it challenging for the children to succeed in a system that was not designed with their specific needs in mind. The integration of policy and practice is essential to create a truly inclusive educational environment for CWD. Prioritizing teacher training, improving local support systems, ensuring timely funding, adapting the curriculum, and strengthening monitoring mechanisms can bring inclusion closer to an educational system that genuinely serves the diverse needs of all children, regardless of their abilities, where they are not just accommodated but actually included.

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Annexure

Checklist for the interview

Section 1: Available Resources

Educational resources

- What kind of educational resources are available for the students?
- Are the resources sufficient for the students?
- Who is responsible for providing those resources?

Physical resources

- What are the physical resources available for students with disabilities?
- Are there dedicated classrooms for students with disabilities?
- Are the washrooms accessible?

Trained teachers

- How many teachers are specifically trained to teach students with disabilities?
- What type of training have these teachers received? (E.g. sign language)
- Are there opportunities for additional training to support the needs of students with disabilities?
- Who provides training for the teachers?

Assistive devices

- Are there any assistive devices available for students with disabilities?
- Who is responsible for providing these devices?
- Are the students guided on how to use these devices effectively?

Communication tools

- Are sign language interpreters or training available for students with hearing impairments?
- Do teachers use communication aids (e.g., picture boards and speech devices) in the classroom?

Section 2: Disability Policy and Implementation

Free education policy

- Are children with disabilities receiving free primary education as per government policy?

Distribution of resources

- Who provides educational resources for students with disabilities (school fund, government, NGO, or community)?
- Are the resources provided timely as per the needs of the students?

Local policy

- What are the local policies for students with disabilities?
- Does the local policy fulfill the unique needs of the students?

Mainstream education

- Are the students with disabilities being included in mainstream classrooms?
- What challenges or successes have been observed in the integration process?

Community and stakeholders

- How is the community involved in supporting the education of children with disabilities?
- Are there any collaborations with local organizations or NGOs to enhance resources?

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