

REPUBLIC OF SOUTH SUDAN
Ministry of General Education and Instruction
Office of the Minister

Our Ref: RSS/MoGE&I/OM/J/33/3-

Date: 24th November 2017

Ministerial Order No. 28/2017

Subject: Inclusive Education in the Republic of South Sudan

In accordance with Article 114 of The Transitional Constitution of the Republic of South Sudan, 2011 (Amended 2016) and Section 21(b) of *The General Education Act, 2012*, read together with Section 8(a) and Section 34, I, Deng Deng Hoc Yai, the Minister of General Education and Instruction of the Republic of South Sudan do hereby issues this Ministerial Order as follows:

1. Title and Commencement

This shall be cited as *The Ministerial Order on Inclusive Education in the Republic of South Sudan, 2017*, hereafter abbreviated as the Ministerial Order and shall come into force on the date of its signature by the Minister.

2. Purpose

The Ministerial Order provides the framework within which inclusive education programmes and practices in the learning institutions in the Republic of South Sudan shall be developed, implemented and enforced.

3. Application

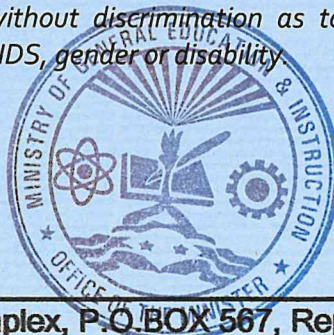
The Ministerial Order shall apply to all levels of general education in the Republic of South Sudan.

4. Legal Authority

(1) **The Ministerial Order on Inclusive Education in the Republic of South Sudan, 2017**, is based on Section 6(a), Section 7(b) and (c) and Section 34 of The General Education Act (2012).

(2) The Ministerial Order are also in harmony with The Transitional Constitution , 2011, (Amended 2015), Article 29 (1):

(1) *Education is a right for every citizen and all levels of government shall provide access to Education without discrimination as to religion, race, ethnicity, health status including HIV/AIDS, gender or disability*



- (3) Furthermore, **The United Nations Universal Declaration of Human Rights, 1948**, Article (26) sub-section (1) states –

Everyone has the right to education. Education shall be free, at least in the Primary and fundamental stages. Primary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

- (4) Also, **The UN Convention on the Rights of Persons with Disabilities (2006) Article 24 (i) and (ii)** states:

- (i) *Persons with disabilities are not excluded from the general education system on the basis of disability...*
- (ii) *Persons with disabilities can access an inclusive, quality and local free primary and secondary education on an equal basis with others in the communities in which they live;*

- (5) **The UNESCO Salamanca Statement, 1994**, states that-

“Those with special educational needs must have access to regular schools which should accommodate them within a child-centered pedagogy capable of meeting these needs, regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all.”

- (6) Last but not least, the Order supports the implementation of **Transformation our World: The 2030 Agenda for Sustainable Development, especially SDG 4** as well as **The South Sudan Vision 2040**.

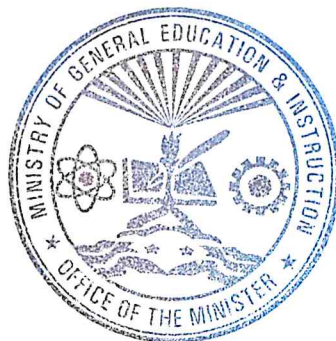
5. Interpretations

Unless the context otherwise requires, the following words and expressions, which are contained in the Order, shall have the meanings assigned to them respectively:

Children at risk of exclusion describes groups of children that are less likely to access education or are less likely to be retained in the education system on the basis of gender, disability, socioeconomic status, ethnicity and other marginalising situations. Children at risk of exclusion include children with disabilities, children living on the streets, children in emergency situation/child soldiers, children affected by HIV, girl child, orphans.

Disability the preamble of the UNCRPD recognises that: ‘disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others’.

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Inclusion is a process of addressing and responding to the diversity of needs of all children and youth, through increased participation in learning, cultures and communities, and reducing and eliminating exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision that covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children.

Inclusive education is a process of strengthening the capacity of the education system to reach out to all learners based on the principle that education is a basic human right and the foundation for a more just and equal society' (UNESCO (2009) p. 8).

Minister means the Minister responsible for the Ministry of General Education and Instruction, Republic of South Sudan.

School or institution of learning are used interchangeably in the Ministerial Order, and is defined as an educational institution, public, assisted or private, recognised by the Ministry and the relevant State Ministries responsible for Education which has teachers, learners and learning space.

Reasonable accommodation (within inclusive education) are practices, measures and procedures that allow learners with disabilities to learn, have access to, and be tested on the same curriculum as learners without disabilities.

Learner means a female or a male person of any age pursuing education in a formal, non-formal or informal, public or private education setting.

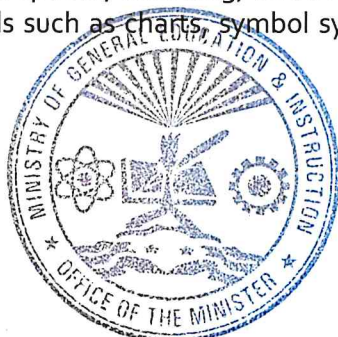
Compulsory school age is the age range prescribed by the Ministry during which learners are obliged to attend school.

Curriculum is the overall organised course of study for any level of education including the vision, goals and objectives for learning organised into a sequence of courses over a specified period of time, guided by a syllabus. Inclusive classrooms have multiple levels of learning with appropriate learning tasks and materials

Development partners means any officially registered organisations that work in the Republic of South Sudan in support of development.

Early intervention means intervening early and as soon as possible to address issues emerging for children, young people and their families that would hinder their full development, participation and enjoyment of Rights or with a population most-at-risk of exclusion or harm.

Augmentative and alternative communication (AAC) Methods of communication other than oral speech that enhance or replace conventional forms of expressive and receptive communication to facilitate interaction by and with persons with disabilities who are nonverbal or have limited speech, including, but not limited to: specialized gestures and signs; communication aids such as charts, symbol systems, visual supports, and language



boards; mouth sticks; and electronic communication devices such as switches, head pointers, eye tracking, dynamic displays, auditory scanning, and voice output devices.

6. The Guiding Principles

The following are the guiding principles of inclusive education:

- (a) Education is a basic human right and all citizens are entitled to exercise this right.
- (b) Education shall inculcate in the individual awareness and respect for life, human dignity in general and human rights, especially the rights of the child.
- (c) Inclusive Education shall promote the development of Sign Language, Braille system and other assistive devices for the benefit of learners with disabilities.
- (d) Inclusive Education shall promote the reduction of illiteracy, acquisition of skills and development.
- (e) Inclusive Education shall provide equitable access to quality general education for people with disabilities.
- (f) All the stakeholders shall promote collaboration, cooperation and coordination among themselves to promote inclusive education.
- (g) Inclusive Education shall be truly learner-centred and inclusive, in belief and in practice.

7. The Strategic Goals of Inclusive Education

(1) The following strategic goals shall be achieved through inclusive education:

- (i) To create an inclusive education system with a conducive, enabling environment for those excluded and/or at risk of exclusion, particularly learners with special educational needs, to have equal access to quality general education;
- (ii) To promote inclusion of children with special educational needs into the mainstream schools as the goal that the education system shall pursue and achieve to transform itself into an inclusive education system;
- (iii) To provide inclusive learning resources to facilitate learning for people with special educational needs; and
- (iv) To promote parity of learning outcomes for children with special educational needs as much as possible.

(2) The Ministry, the State Ministries responsible for education; the development partners and other stakeholders shall work together to achieve the strategic goals of the Ministerial Order.



8. Access to General Education for Learners with Disabilities

(a) In accordance with Article 24 of **The UN Convention on the Rights of Persons With Disabilities, 2006**, the Ministry, State Ministries responsible for education and all the other education stakeholders shall:

- (i) Promote the full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
- (ii) Facilitate the development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- (iii) Enable persons with disabilities to participate effectively in a free society.
- (iv) Ensure that Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
- (v) Ensure that Persons with disabilities can access an inclusive, quality and free early childhood development, primary education and secondary education on an equal basis with others in the communities in which they live;
- (vi) Ensure that reasonable accommodation of the individual's requirements is provided;
- (vii) Ensure that Persons with disabilities receive the support required, within the general education system, to facilitate their effective education; and
- (viii) Ensure that effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

(b) The Ministry, the State Ministries responsible for Education and other education stakeholders shall act jointly or in their individual capacities to enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community by taking appropriate measures, including:

- (i) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- (ii) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community and



- (iii) Ensuring that the education of persons, and in particular children, who are blind, deaf or deaf blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.
- (c) In order to help ensure the realization of the right, the Ministry and the State Ministries responsible for education shall take appropriate measures to employ teachers, including teachers with disabilities.
- (d) The Ministry shall develop quality standards for Inclusive General Education and facilitate use of these standards to create, expand, or enhance high quality, inclusive general Education.
- (e) The Ministry, the State Ministries, the County Education Departments and other relevant education actors shall conduct research on barriers to inclusive education as well as issues related to supporting learners excluded and/or at risk of exclusion and make recommendations for promoting inclusive education throughout the country;
- (f) The Ministry, the State Ministries, the County Education Departments and other relevant education actors shall develop a national communication, lobby and mobilization strategy to create awareness, mobilize resources and scale up actions that effectively promote inclusive education in the Republic of South Sudan.

9. Institutional Responsibilities for Inclusive Education

- (a) The Ministry, the State Ministries of Education and all learning general education institutions at the three levels of the government shall promote inclusive education and protect the rights of learners with disabilities.
- (b) The Ministry, in collaboration with the State Ministries and with the support of the development partners, shall pursue these priorities:
 - (i) Support Teacher Education and Professional Development, among others, Professional development of teachers in the application of Augumentative and Alternative Communication(AAC), Sign Language, Braille, inclusive ICT and assistive technology in Inclusive Education setting.
 - (ii) Improve physical access to learning spaces or institutions.

10. Transforming the Education System

- (a) In accordance with Article 24 of **The UN Convention on the Rights of Persons with Disabilities, 2006**, the Republic of South Sudan recognizes the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, the Republic of South Sudan shall ensure an inclusive

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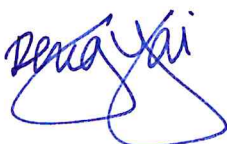


education system at all levels as well as lifelong learning.

- (b) The Ministry, the State Ministries responsible for education, development partners and other education stakeholders shall effectively enhance growth and provide leadership in developing inclusive education practices at all levels of General Education.
- (c) The Ministry, the State Ministries responsible for education and development partners and other education stakeholders shall jointly undertake advocacy activities to promote inclusive education.
- (d) The Minister may establish an Advisory Committee to advise the Minister on ways and means of promoting inclusive education.
- (e) The Ministry, the State Ministries responsible for education and development partners and other education stakeholders shall support reasonable accommodation of learners with special educational needs within the National curriculum and assessment, among others, by:
 - (i) Facilitating the development of the National Curriculum; tailoring the assessment to the needs of learners with special educational needs; and making reasonable adjustments or accommodation to support learners excluded or at risk of exclusion.
 - (ii) Reviewing and developing the national textbook policy to provide for publishing, procurement, distribution, utilization and cost recovery of learning materials suitable for all children and especially children with disabilities.
- (f) The Ministry, the State Ministries responsible for education, development partners and other education stakeholders shall support use of Augmentative and Alternative Communication (AAC), Sign Language, Inclusive ICT and assistive technologies in education including but not limited to Braille and Braille materials, South Sudan Sign Language as language of instruction and Inclusive ICT and Assistive Technology.
- (g) The Ministry, the State Ministries responsible for education and development partners and other education stakeholders shall support development of inclusive Education Management Information System.

11. Allocation of the Budget

- (a) The costing and budgeting process for Inclusive Education shall be done within the overall costing and budgeting for General Education by the Ministry.
- (b) The Ministry shall be responsible for linking and coordinating with the relevant authorities responsible for costing and budgeting.
- (c) The following four main budget categories shall be considered for budgeting and planning purposes:

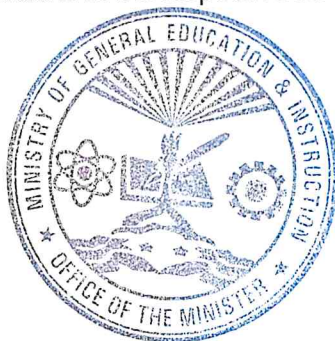


- (i) Provision for strengthening institutional capacity of the directorate – costs of suitably qualified personnel/consultants able to support institutional capacity development of the Directorate of Gender Equity and Inclusive Education to develop tools, guidelines and streamline processes and coordination mechanisms as required in the policy.
 - (ii) Costs of training across all sectors of education (Initial and on-going training and other capacity development activities) at National, state, County, Payam Educational and technical support personnel in developing guidelines and tools, school administrator, Committees and teachers.
 - (iii) Support for piloting and testing developed tools and guidelines – costs associated with research, pilot project and demonstration sites.
 - (iv) Generic policy implementation activities – costs relating to establishing and maintaining dialogue with stakeholders, data collection, monitoring and evaluation and co-ordination activities, lobby and advocacy.
- (d) The Financing of the implementation plan of Inclusive Education shall be the responsibility of the Ministry through the budget allocation formula.
- (e) The Ministry shall supplement the budget allocated for Inclusive Education and shall explore other funding streams.
- (f) The Ministry jointly with Partners Coordination will promote, where possible, a partnership with non-governmental organizations, charitable institutions, companies, individuals and other local organizations to support identified specific initiative.

12. Co-operation, Collaboration and Co-ordination

- (a) The Ministry shall, within two months from the publication of this Order, establish Thematic Working Groups on Inclusive Education for co-operation, collaboration and co-ordination on Inclusive Education at national, state and County levels as part of the existing education forums:
- (i) The National Education Forum;
 - (ii) The State Education Forum; and
 - (iii) The County Education Forum.
- (b) The Thematic Working Groups at the three levels of the government shall report and make recommendations to the respective forums at least quarterly.

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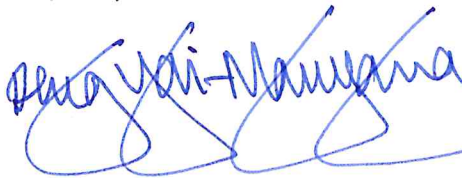


13. Miscellaneous Provision

- (a) The Undersecretary of the Ministry, the Director General of Gender, Equity and Inclusive Education and the Director General of Basic and Secondary Education shall support implementation of this Ministerial Order.
- (b) The Minister may issue an Improvement Order to any school as he or she deems necessary or appropriate, from time to time, with the view to safeguard the interests of the learners.
- (c) If a private school fails to comply with an Improvement Order, the Minister may close and de-register a private school.
- (d) If a public school fails to comply with an Improvement Order, the Minister may close such a school or order change of the management of the school.
- (e) Any matters not addressed by these Regulations, which are related to private schools, shall be raised to the attention of the Minister for appropriate or necessary action.

14. Signature of the Minister

Signed under my hand and seal at the Ministry of General Education and Instruction in Juba this 24th day of the month of November in 2017 AD.



Hon. Deng Deng Hoc Yai (Hon)

Minister of General Education and Instruction

