



RESPONSE TO PUBLIC NOTICE ON

DRAFT GUIDELINES FOR CONDUCTING WRITTEN EXAMINATION FOR PERSONS HAVING LESS THAN 40% DISABILITY OR PERSONS HAVING MEDICAL CONDITION THAT MAY RESTRICT THEIR WRITING CAPACITY

We make these recommendations taking into consideration the challenges faced by children and students with neuro-developmental disabilities (ASD, ADHD etc) in writing examinations. Our recommendations are divided into 3 sections:

Section A – Suggestions for re-articulating certain clauses of the Draft Guidelines

Section B – Suggestions for Inclusion of Additional Provisions

Section C – General Concerns in the Guidelines

Section A – Suggestions for re-articulating certain clauses

*Yellow highlighted text signifies suggestion for additional language

Para.	Current Provision	Recommended Provision	Comments
2(x)	Persons with specific learning disabilities, intellectual disabilities can face difficulty in comprehending and in coordinating which may affect their writing capability with required speed. Similar is the case for persons with autism spectrum disorder.	Persons with specific learning disabilities, intellectual disabilities can face difficulty in comprehending and in coordinating which may affect their writing capability with required speed. * <i>Inter alia</i> , this includes people with: 1. Autism spectrum disorder; 2. Slow learner/borderline intellectual ability, including those with IQ	Explicit inclusion of certain recognized disabilities



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Para.	Current Provision	Recommended Provision	Comments
		<p>between 80-90;</p> <p>3. ADHD (Attention Deficit Hyperactivity Disorder)</p> <p>children with developmental coordination disorder;</p> <p>4. Multiple Disability</p> <p>5. Psychiatric illness such as anxiety and/or depression.</p>	<p>children with inattention/impulsivity may face difficulty to stay and write the scheduled time of examination</p>
3(c)	<p>The facility of scribe/reader/lab assistant should be allowed to any person having less than 40% disability or persons having medical condition that may restrict their writing capacity subject to production of a certificate to the effect that person concerned has limitation to read, write and that of speed, and that scribe is essential to write examination on his/her behalf from the competent medical authority of a Government healthcare institution as per proforma</p>	<p>The facility of scribe/reader/lab assistant should be allowed to any person having less than 40% disability or persons having medical condition that may restrict their writing capacity, including those listed in paragraph 2 (x) above, subject to production of a certificate to the effect that person concerned has limitation to read, write and that of speed, and that scribe is essential to write examination on his/her behalf from the competent medical authority of a Government healthcare institution as per proforma at</p>	<p>Explicit inclusion of certain recognized disabilities;</p>



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Para.	Current Provision	Recommended Provision	Comments
	at Appendix-I.	Appendix-I.	
3(g)	There should also be flexibility in accommodating any change in scribe/reader/lab assistant in case of emergency. The candidates should also be allowed to take more than one scribe/reader/lab assistant for writing different papers especially for languages. However, there can be only one scribe per subject.	There should also be flexibility in accommodating any change in scribe/reader/lab assistant in case of emergency. In case of inability of the exam giver to access any or adequate scribe/reader/lab assistant, the examination must be postponed for the individual as per the notified procedure. The candidates should also be allowed to take more than one scribe/reader/lab assistant for writing different papers especially for languages. However, there can be only one scribe per subject.	Additional sentence to allow for postponement of exam in case of inadequacy or lack of prompter/scribe/reader/lab assistant. Also inclusion of “adult prompter”



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Section B – Suggestions for Inclusion of Additional Provisions

Para.	Required Provision	Recommendation
3(e)	Additional Proviso for Children with Autism Spectrum Disorder	<p>Provided that, children with Autistic Spectrum Disorder shall be allowed, if requested, to have their parents/guardians as their scribe or prompter.</p> <p>Note: CBSE already recognizes that adult prompters can be provided for certain intellectual disabilities.¹</p>
	<p>Provision for Online Exam: The facility of scribe/reader/lab/assistant must be extended to online examination for persons with restricted writing capacity to ensure access. Currently, Guideline IX of ‘Guidelines for Written Examination for persons with Benchmark Disability’ (Dept.EPwD) contemplates the situation of online examination.²</p>	<p>Similar provision of prompter/ scribe/reader/lab assistant as applicable should be made available for online examination.</p>

¹ CBSE Circular No. CBSE/COORD/112233/2019 dtd. 12th April, 2019; Annexure 3, Pgs. 14-16

² “In case, the persons with benchmark disabilities are allowed to take examination on computer system, they should be allowed to check the computers system one day in advance so that the problems, if any in the software/system could be rectified. Use of own computer/laptop should not be allowed for taking examination. However, enabling accessories for the computer based examination such as keyboard, customized mouse etc should be allowed.”

Guideline IX. “Guidelines for Written Examination for persons with Benchmark Disability”. Department of Empowerment of Persons with Disability (MSJ&E), F.no. 34-02/2015-DD-III, 29th Aug, 2018. Access at: disabilityaffairs.gov.in/upload/uploadfiles/files/Guidelines-29_08_2018.pdf

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Para.	Required Provision	Recommendation
	Need to mirror provisions available for persons with benchmark guidelines: This policy needs to be with in consonance with the policies by the Department of Empowerment of Persons with Disability, Ministry of Social Justice & Empowerment. ³	<p>Proper seating arrangement (preferably on the ground) should be made prior to the commence of the examination to avoid confusion or distraction during the day of the exam. The time of giving the question paper should be marked properly and timely support of supplementary papers should be ensured.</p> <p>As far as possible, the examining body should also provide reading material in Braille or E-text or on computers having suitable screen reading software for open book examination. Similarly, online examination should be in accessible format i.e. websites. question papers and all other study material should be accessible as per international standards laid out in this regard.</p> <p>Alternative objective or multiple choice question in lieu of the descriptive questions should be</p>

³ "Guidelines for Written Examination for persons with Benchmark Disability". Department of Empowerment of Persons with Disability (MSJ&E), F.no. 34-02/2015-DD-III, 29th Aug, 2018. Access at: disabilityaffairs.gov.in/upload/uploadfiles/files/Guidelines-29_08_2018.pdf
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Para.	Required Provision	Recommendation
		<p>given to hearing-impaired, ASD, ADHD persons in addition to the existing policy of giving alternative in lieu of questions requiring visual inputs for persons with visual impairment. This is because these children find it difficult to articulate longer form answers.</p> <p>As far as possible the examination for persons with disability should be held at the ground floor. The examination center should be accessible for persons with disabilities.</p>



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Part C- General Concerns in the Guidelines

1. Paragraph 3(l) reads as follows:

“These guidelines are independent of the Guidelines for conducting written examination for persons with benchmark disabilities issued by the Department of Empowerment of Persons with Disabilities on 29.08.2018.”

Concern: This paragraph establishes independence of the current guidelines from the guidelines issued by the Department of Empowerment of Persons with Disabilities on 29.08.2018. Distinguishing these may create irregularity between the facilities available to those following the 2018 guidelines for persons with benchmark disabilities and those with <40% disabilities. Such difference in accommodations is unlike what is intended by the *Vikash Kumar Vs. Union Public Service Commission*. Further, it may lead to difficulties during compliance.

2. Paragraph 3(e) reads as follows:

“The candidate should have the discretion of opting for his own scribe/reader/lab assistant or request the Examination Body for the same. The examination body may also identify the scribe/reader/lab assistant to make panels at the District/Division/State level as per the requirements of the examination. In such instances the candidates should be allowed to meet the scribe two days before the examination so that the candidates get a chance to check and verify whether the scribe is suitable or not.”

Concern: There is no laid out procedure to be followed if the scribe is found to be not suitable? Also explicitly permitting adult (preferably parent prompter) in addition to other accommodations will benefit children with neurological diversity.

3. Paragraph 3(k) reads as follows:

“These guidelines are applicable to written examinations conducted by central recruitment agencies as well as academic institutions. The States/UTs may adopt these guidelines or issue similar guidelines to maintain uniformity.”



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Concern: It may not be appropriate to have blanket standards and accommodations for across examinations for education and employment. Further the developmental age of the person should form the basis of the accommodations for employment examinations.

- 4. Grievance Redressal:** The guidelines should also specify that the examination boards/ employment agencies/ other bodies shall set up and be subject to an internal **Grievance Redressal Mechanism** for those aggrieved. Appeals against these decisions can then be filed before the Special Courts under Section 84 of the RPWD Act, 2016.
- 5. Reporting Mechanism:** A set procedure for reporting compliance, say to the State or Chief (Central) Disability Commissioners with these guidelines will give a view of the practices across the various boards and types of examination and will enable the adaptation of emulation of good practices. This will also provide a rich pool of data for understanding numbers of children and persons with disability who wish to access school education, higher education and employment and the impediments faced by them in this process.

Concluding Remarks

As per the UNESCO's 'State of the Education Report for India 2019- Children with Disabilities', 3 out of every 4 children with disabilities at the age of 5 years and 1 out of every 4 children with disabilities between 5-19 years do not go to any educational institution. This results in a very low employment rate, with 1 in every 2 disabled non-workers (half of approximately 1.7 Crores persons) dependent on their respective families. The latest estimates, with a wider set of recognize disabilities as per The Rights of Persons with Disabilities Act, 2016, is likely to reveal appalling figures. Thus, there is a need to attain greater inclusion in education and employment throughout the country. Access to reasonable accommodations through impactful policies is the way forward to achieve this goal.