

Introduction

This is a FAQ (frequently asked questions) to aid parents of children with special needs to obtain their rights in inclusive education. The FAQ is focused on obtaining inclusive education rights for children with special needs in mainstream education. It is currently in English but will be translated into Bahasa Malaysia and Chinese.

1. The rights here are based on three key documents and policies approved by our government (plus some supplementary circulars/documents) and are the expected national standard of support to be given to children with special needs. The documents include Persons with Disabilities Act 2008 (especially section 28, **PWD 2018**), the Malaysia Education Blueprint 2013-2025 (**PIPP**) and recent Zero Reject Policy (**ZRP**) from our Ministry of Education.
2. Children with special needs are not small in number and comprise 10 to 15% of all children in Malaysia. They are covered in these three documents and policies.
3. While this advisory is focused mainly on Ministry of Education (MOE) schools, the rights are also applicable to private schools and international schools in Malaysia.

Note: If there are issues not covered by this FAQ please email us and we will update this advisory.

Situations Commonly Faced by Parents and Suggestions on How to Deal with Them

Situation A: Refusal to accept a child with special needs (SEN) into a school

What do we do if a school, HM or teacher refuses to accept your child with special needs in to their school?

1. Quote the following statements from the relevant documents to support your child's entry into the school:
 - a. PWD 2008 (section 28-1): "Persons with disabilities shall not be excluded from the general education system on the basis of disabilities, and children with disabilities shall not be excluded from pre-school, primary, secondary and higher education, on equal basis with persons or children without disabilities....."
 - b. Education Act 1996 (Act 550) on Compulsory primary education (Section 29A-2): "Every parent who is a Malaysian citizen residing in Malaysia shall ensure that if his child has attained the age of six years on the first day of January of the current school year that child is enrolled as a pupil in a primary school in that year and remains a pupil in a primary school for the duration of the compulsory education."
 - c. ZRP: "Semua MBK (murid berkeperluan khas) perlu diterima masuk ke mana-mana sekolah pilihan" "MBK boleh mendaftar ke mana-mana sekolah pilihan; termasuk sekolah yang tidak ada Program Pendidikan Khas Integrasi (PPKI)" As has been stated by the Minister of Education & MOE DG a number of times, no school can reject any children with SEN and the choice of school is the parents. This applies to both primary and secondary schools.
2. If the school authorities refuse request for a written letter of rejection by the school.
3. If they still refuse (either don't give a letter or give a rejection letter) complain to MOE using the following mechanisms:
 - a. Call your relevant district (Pejabat Pendidikan Daerah) or state MOE officer.
 - b. Email MOE to complain, see: <https://moe.spab.gov.my/eApps/system/index.do>
4. If MOE does not entertain you, contact the National Parent Support Group for Children with Special Needs (use emails at the end of this document) and we will try to advocate for you.

Situation B: Refusal to accept a child with special needs (SEN) into mainstream class (inclusive education)

What do we do if a school, HM or teacher refuses to accept your child with special needs in the mainstream class in their school but insists on a special education class (PPIK)?

1. Quote the following statements from the relevant documents to support inclusive education for your child:
 - a. PIPP (section 4-18): “The aim is to give every child with special needs access to a high quality and relevant education that is tailored to his or her particular needs, and to have 75% of students with special needs enrolled in inclusive programmes by 2025”
 - b. ZRP: “MBK boleh mendaftar ke mana-mana sekolah pilihan; termasuk sekolah yang tidak ada Program Pendidikan Khas Integrasi (PPKI)” (Ucapan Penggulangan Perbahasan Titah Diraja Peringkat Dasar di Dewan Rakyat, 26 Mac 2019 oleh YB Menteri Pendidikan, rujuk Penyata Rasmi Parlimen 26/03/2019). Hence you have the right to choose the school and class for your child with special needs and even a school without a special needs programme/class.
2. If the school authorities refuse, request for a written letter by the school regarding their refusals for inclusive education.
3. If they still refuse (either don't give a letter or give a rejection letter) complain to MOE using the following mechanisms:
 - a. Call your relevant district (Pejabat Pendidikan Daerah) or state MOE officer.
 - b. Email MOE to complain, see: <https://moe.spab.gov.my/eApps/system/index.do>
4. If MOE does not entertain you, contact the National Parent Support Group for Children with Special Needs (use emails at the end of this document) and we will try to advocate for you.

Situation C: Extra time and Support for a child with special needs (SEN) during examinations

How can we to obtain extra time and support for our child with special needs during major examinations in school?

1. The MOE examination board website has a number of circulars and examination implementation manuals as well as a written examination centre management guide. It clearly outlines the privileges and rights of a child with special needs when sitting examinations (Hak Calon Bekeperluan Khas Menduduki Peperiksaan Awam).
2. Panduan Pengurusan Peperiksaan, Lembaga Peperiksaan, Kementerian Pendidikan Malaysia, edisi 2018 (especially Page 22-23):
[http://lp.moe.gov.my/images/bahan/penerbitan/BUKU%20P%20EDISI%202018%20\(20%20JULAI%202018\).pdf](http://lp.moe.gov.my/images/bahan/penerbitan/BUKU%20P%20EDISI%202018%20(20%20JULAI%202018).pdf)
 - a. “Calon Bekeperluan Khas ialah calon yang memerlukan perkhidmatan peralatan serta perisian khas dalam peperiksaan. Segala keperluan calon berkenaan disediakan oleh sekolah berdasarkan permohonan dengan persetujuan Guru Besar/Pengetua/ibubapa.”
 - b. “Calon yang keperluan khas hendaklah membuat permohonan kepada pihak sekolah (lampiran 15)”
 - c. “Pihak sekolah hendaklah menggunakan borang ‘Maklumat Calon Bekeperluan Khas’ LP/Am 89 berserta dokumen sokongan seperti laporan perubatan atau kad Orang Kurang Upaya (OKU)”
3. The document includes support for all types of disabilities.
4. The rights for your child with special needs include extra time, service of a reader to support your child, teacher companion (Guru Pendamping) to support your child, bilingual print, braille print, large font print, separate room, access to use a computer, etc.

5. If your child has a disability registration (OKU registration) then use that to request for extra time and support. If there is no disability registration obtain a doctor's letter (preferably your paediatrician) to support the need for extra time during examinations (see the Panduan Pengurusan Peperiksaan above).
6. For ADHD or Autism, if your child is easily distracted, the school should offer your child extra time, a separate classroom, a reader and guru pendamping. Get your supporting letter from your paediatrician to indicate these needs.
7. For those with dyslexia you can make a request to have services of a reader to support your child.
8. For those with visual impairment you can make a request to have the examination papers in braille print or large font print.

Additional points and procedure/policy on extra time and support for a child with special needs during examinations from the **Panduan Pengurusan Pusat Peperiksaan Bertulis, Lembaga Peperiksaan, Kementerian Pendidikan Malaysia 2016** (especially Page 58-62, section 7.4 Calon Berkeperluan Khas, CBK):

<http://lp.moe.gov.my/images/bahan/penerbitan/BUKU%20P%20%20OKTOBER%202016.pdf>

It is seriously worth reading these 5 pages as DETAILS of the support is outlined and it also spells out who is responsible to make this happen.

Another detailed and excellent guideline from MOE is the Panduan Pengurusan Peperiksaan Bagi Calon Bekeperluan Khas: <http://ppdkotatinggi.moe.gov.my/download/3796>

It also outlines the details rights and responsibilities for examination. It has 27 pages dedicated to special needs with forms and procedures. One of the key (important) things to do is to make sure your child is registered in the system "memastikan data CBK dimasukkan dengan betul dalam sistem pendaftaran" (APDM - aplikasi pangkalan data murid).

Situation D: School authorities demand an OKU card before any support is given

What can we do as a parents if the school authorities demand that you register your child as disabled (OKU registration) before they offer any support?

1. There is no legal requirement to register your child as disabled (OKU) to enter school, obtain inclusive education support or receive extra support during examinations.
2. Registration as disabled (OKU) does offer some financial support (RM 150/month) that is meant to go towards your child's education needs. This financial support is coming from MOE and only applies to students who are studying in the government schools.
3. However some school authorities take disability registration (OKU registration) as a permit to place all such children in special education class (PPIK), even if they can be included in mainstream.
4. You can always register your child later. For example, if you require disability registration (OKU registration) for vocational training this can be done when she/he is a teenager.
5. Also note that any disability registration (OKU registration) will become void (no longer valid) at the age of 18 years and will require you to re-register at that time if your child still has a disability.

Situation E: Support for physical disability and students with mobility access issues

How can you get support in schools for your child with special needs (SEN) that has mobility difficulties (in a wheelchair, on crutches, using a walking frame, etc)?

1. Speak to the school and quote the following statements from the relevant documents to support your child needs in school:
 - a. PWD 2008 (section 28-2): “The Government and private educational providers shall, in order to enable persons and children with disabilities to pursue education, provide, among others, infrastructure, equipment and teaching materials, teaching methods, curricula and other forms of support that meet the diverse needs of persons or children with disabilities.”
 - b. PIPP (section 4-16): “Current mainstream schools lack disabled-friendly facilities such as ramps, railings, handicap toilets and lifts. The Ministry will review the state of these facilities and provide upgrades where needed to ensure conducive learning environments for special education needs students.”
 - c. ZRP –Surat Pelaksanaan Zero Reject Policy: “Memastikan pihak sekolah perlu membantu memenuhi keperluan asas MBK dengan melaksanakan penyesuaian munasabah (reasonable accommodation) seperti: mengubah kelas ke tingkat bawah; membenarkan MBK menggunakan tandas guru sekiranya tiada tandas mesra OKU; dan menyediakan susur landai (ramp) mudah alih.
2. At the minimum the school should be able to ensure that your child’s class is always on the ground floor (for every year).
3. The school authorities should request for an allocation to modify the school environment (universal design). Ask them to show you the request that they have made to MOE for funding.

Situation F: Support for teaching visually impaired students

How can you get support in schools for your child with special needs (SEN) that has visual impairment (blind or low vision)?

1. Speak to the school and quote the following statements from the relevant documents to support your child needs in school:
 - a. PWD 2018 (section 28-2): “The Government and private educational providers shall, in order to enable persons and children with disabilities to pursue education, provide, among others, infrastructure, equipment and teaching materials, teaching methods, curricula and other forms of support that meet the diverse needs of persons or children with disabilities.” (section 28-3): “The Government and private educational providers shall take appropriate steps and measures to facilitate the learning of Braille, alternative script, ...”.
 - b. PIPP (section 4-16): “Current mainstream schools lack disabled-friendly facilities The Ministry will review the state of these facilities and provide upgrades where needed to ensure conducive learning environments for special education needs students. It will also ensure provision of appropriate technical aids for the successful operation of an integrated education system. Examples include Braille typing machines for visually impaired students and hearing aids for hearing impaired students.”
2. The school authorities should request for an allocation to obtain the necessary equipment. Ask them to show you the request that they have made to MOE for funding.
3. Braille typing machines for visually impaired students are critical for learning. If none are provided make a formal complaint to MOE using the following mechanisms:
 - a. Call your relevant district (Pejabat Pendidikan Daerah) or state MOE officer.
 - b. Email MOE to complain, see: <https://moe.spab.gov.my/eApps/system/index.do>

Situation G: Teacher Aide (shadow aide) for a child with special needs (SEN) in mainstream class (inclusive education)

What can we do as parents if the school authorities refuse to allow parents to have a teacher aid to support our child's inclusive education?

1. Teacher Aide (shadow aide) is a valuable resource to enable you child with SEN to successfully integrate into a mainstream class. The teacher aide can be an additional teacher provided by the school, the special education teacher in the school, a therapist the parents provide, the parent themselves or any volunteer who has an interest in special education.
2. MOE has a guideline on this: Surat Pekeliling Ikhtisas Bilangan 1 Tahun 2018 - Garis Panduan Penglibatan Ibu Bapa, Penjaga dan Komuniti Sebagai Sukarelawan Di Dalam Kelas: <https://www.moe.gov.my/pekeliling/1934-surat-pekeliling-ikhtisas-bilangan-1-tahun-2018-garis-panduan-penglibatan-ibu-bapa-penjaga-dan-komuniti-sebagai-sukarelawan-di-dalam-kelas/file>
3. Speak to the school and quote the following statements from this guideline: "Sdk (Sukarelawan di dalam kelas) dilaksanakan secara pilihan iaitu sekolah tidak diwajibkan untuk melaksanakannya, tetapi bergantung kepada kesesuaian dan keperluan sekolah."
4. Although the teacher Aide (shadow aide) is not compulsory, if there is a need the parents can request for it.
5. If the school authorities refuse, request for a written letter from the school that the school will be responsible for the child's learning and progress.

Situation H: Extra support for a child with special needs (SEN) in mainstream class (inclusive education)

What can we do as a parent to get additional support for your child with special needs in the mainstream class?

1. The right school selection is vital for inclusion. Parents can consider low enrolment schools (Sekolah Kurang Murid) for inclusion. Low enrolment schools may have chances to support child's learning better due to the small sized classrooms. PIPP (section 4-18) under inclusive education states : Currently, 34% of Malaysian primary schools have fewer than 150 students and are officially classified as under-enrolled schools or Sekolah Kurang Murid (SKM). They account for just 7% of total primary school enrolment."
2. Please discuss with the school management (class teacher/ principal) for some modification to accommodate child's learning. Example: request for the child's sitting position near to the teacher's table so that teacher can have control over the child frequently.
3. Parents can also request for remedial classes (kelas pemulihan) to support children's learning.
4. Parents can negotiate with teachers for differentiated instructions like; simplified teaching method and worksheets appropriate to child's ability.

What to do if the mainstream syllabus is too much for your child and they cannot cope?

5. The essential elements of inclusion are not academic alone but social inclusion as well. It is good for parents to be realistic when it comes to academic expectations. Helping the child to cope with syllabus is a shared responsibility between school and parents. Identify the strength topics of the child in each subject and work more on those. Focus only on examination subjects if child is unable to cope with all subjects. Do not force for good results in areas children are struggling (do not add unnecessary stress to the child). That is the reason why low enrolment schools are one of the best option for inclusion. There is less distraction and we can expect for more attention from teachers.

What to do if the teacher does not have or does not show you the individual education plan (IEP)?

6. The IEP is a must when children are in the inclusion program through Program Pendidikan Khas Integrasi (PPKI). IEP for children in the inclusive education (through PPKI) is prepared by the PPKI teachers. In the case of teachers who do not have or do not show parents the IEP, parents can highlight the issue to the school principal first. If the principle is not helpful, then speak to the PPD officers (Unit Pendidikan Khas). The final step will be the e-complaints to MOE (see sections above). However, as for children who are in the inclusion mainstream (without the support of PPKI), the child's progress report is available 4 terms in every year for Standard 4 to 6. Standard 1, 2 & 3 are free from exams now but school based assessment reports should be given twice a year.

Situation I: What to do if you want to delay your child's school entry for one year, so as to get more therapy & better prepare her/him?

1. There are two options here to delay entry into Standard 1.
2. For the child without disability registration (OKU registration), the parents must register the child in any public schools. Then parents must then submit an application in writing for delay to PPD/JPM/KPM with the relevant supportive documents (paediatricians supportive letter and parents request with reasons why). This will be approved on a case to case basis. However, after the period of deferment, the child will then be placed in the age-appropriate classroom i.e. if you delay entry into Standard 1, when your child enters school the next year she/he will be placed in Standard 2.
3. For the child with disability registration (OKU registration), the parents must register the child in any public schools. Then parents must then submit an application in writing for delay to the special education unit of that state with the relevant supportive documents. This will be approved on a case to case basis. After the period of deferment, the child can then be placed back into Standard 1 (despite being older) i.e. if you delay entry into Standard 1, when your child enters school the next year she/he can be placed in Standard 1. Of course if the child has become more capable, she/he can enter the age-appropriate class. One concern with using this second mechanism is that some school authorities take disability registration (OKU registration) as an authorisation to place such children in special education class (PPIK), even if they can be included in mainstream

Situation J: What to do if you want to report a case/situation but worry that your child will be victimised by teacher/school?

1. Before reporting a case/situation, check which policy statement is applicable for the situation that you would like to take up. If you are not sure, discuss with other parents or refer to National Family Support Group for Children & People with Special Needs for advice (you are welcome to join our Telegram discussion group).
2. If the case/situation is not only affecting your child but also other children, then report it as a group instead of an individual approach. Talk to other parents and persuade them to support your approach. Write down their names, IC numbers, the child's name and get their signature as well in the complaint letter. A group approach is usually more effective.
3. Always talk to teachers and the school authorities first. If the issue cannot be resolved, it is courtesy to tell the school HM that you will escalate the issue upwards. After that, write a written complaint and follow up with PPD/JPN.
4. If PPD/JPN are not able or unwilling to help, email MOE to complain, see:
<https://moe.spab.gov.my/eApps/system/index.do>

5. If MOE does not entertain you, contact the National Family Support Group for Children & People with Special Needs (use emails at the end of this document) and we will try to advocate for you.
6. If victimisation happen after you reported a case/situation, try to manage the issue. If you are not able to manage it, get advice from the National Family Support Group for Children & People with Special Needs. If possible, we will try to advocate for you.

This advisory was prepared by the **National Family Support Group for Children & People with Special Needs** (Version 1.1, November 2019). Authors:

1. Dato' Dr Amar-Singh HSS, Senior Consultant Paediatrician & Adviser, National Early Childhood Intervention Council (NECIC) <amarhss@gmail.com>
2. Dr Shyielathy Arumugam, parent of a child with special needs and parent advocate <shyielathy@gmail.com>
3. Mr Alvin Teoh, parent of a child with special needs and parent advocate <alvintyh99@gmail.com>