Report on the educational inclusion of visually impaired children and young persons in Latin America

Dean Lermen González

01/05/2014
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Socal Communicator and Journalist from Universidad Externado de Colombia, with a master’s degree in Political Studies from Universidad Javeriana. As the Director of the National Institute for the Blind INCI (1992-2003) he supported the development of public policy towards the inclusion of visually impaired persons in every aspect of national life, and introduced the use of the latest technology for access to information and communication for persons with visual impairment, such as production of Braille material and audio books. Since 1997 he has worked as a professor in various universities in Bogotá. He has been Consultant for CERLALC, the Regional Center for the Promotion of Books in Latin America and the Caribbean, where he did research on production of reading material and availability of library services for the visually impaired in Latin America and the Caribbean. He coordinated the Commission for Prevention of Blindness of ULAC, the Latin American Blind Union, and he was part of the team that negotiated the Convention on Human Rights of Persons with Disabilities with the United Nations. Since 2008 he has acted as an adviser for DICAPTA and Closed Caption Latina in Video Description for Hispanic television to be broadcast in the United States of America. He was Consultant for the Fundación Corona – IDB in Communications for a Business Program for the Promotion of Labor for Persons with Disabilities “Pacto de Productividad”. He formed the research group of the Observatory of Society, Government and Information and Communication Technology of the Universidad Externado de Colombia for the evaluation of the impact of disability projects developed by the Ministry of Information and Communication Technology –MinTic, in 2011. In 2010, he was Consultant for the Interdisciplinary Studies Institute of the Universidad Externado of Colombia, for the making of the document The Process of Construction of Public Policy for Access to Information, Communications and Information and Communication Technology for Persons with Sensory Disabilities (Proceso de Construcción de la Política Pública para el acceso a la información, las comunicaciones y las tecnologías de la información y las comunicaciones para las personas con discapacidad sensorial). Since 2007 he has been spreading information about the Convention on the Rights of Persons with Disabilities and promoting the appropriation of the Convention by blind and visually impaired persons and their organizations throughout the country. As a representative for CONALIVI, the National Coordinator of Organizations of the Visually Impaired, he supported and assisted the formulation of Law 1680 of 2013 and the Licencia País project CONVERTIC to guarantee the access to information, communication and information and communication technology to blind and visually impaired persons in Colombia. He is currently a member of two of ULAC’s Commissions, the Commission on Strategic Planning and the Commission on Human Rights.

Mábel Cárdenas Ruiz

Professional with experience in management and coordination of research projects. She has been Dean Lermen’s collaborator since 2005. As Director of Planning for the National Institute for the Blind, from March 1992 to December 2004, she was in charge of the coordination of interdisciplinary teams for the design, presentation and execution of investment projects; of controlling their budgetary execution; and of compliance verification over goals and objectives and feedback action implementation. She was in charge of the Institute’s Subdirectory, from February
to December 2002, where she coordinated the work of technical teams responsible for advising
service providers to guarantee the attention of the visually impaired population in education,
health, economic development, access to information and ITC usage, among others.

Paula Gutiérrez Cárdenas

Licensed in Modern Languages by the Universidad Javeriana, she is currently finishing a master’s
program in Economics in the Universidad Católica Argentina. She has been Dean Lermen’s editor,
translator and collaborator since 2004.
It is not blindness that categorizes us as strange, foreign or exotic. Discrimination is based on the fanatical cult, of persons who see, towards shape and color.

The persons who see are constituted as true devotes of fetishes and adorers of the eyes and the light, they have made of truth and knowledge a religion of the optical and they renounce science, civilization and the concept of humanity to remain stationary in comfort, in laziness and in negligence, due to that biological preference for the path of least resistance.

“Although I maintain a healthy respect for evolution, I have come to believe that it can be explained basically as a product of the Universal Law of Laziness. This law preaches convenience and usefulness: the path of least resistance. Light is free (daylight, I mean). It doesn’t cost a thing to use it. And what happens? If you tumble the evolutionary drive that takes advantage of the fact that light energy is free and easy to catch, you get plants that make their own food, or you get a patch of skin that becomes an eye and can make images of the external world. All of this comes from taking the low road. Take what works and discard what doesn’t, and above all avoid risks.” ¹

Dean Lermen

Presentation
The International Council for Education of People with Visual Impairment (ICEVI), on its Executive Committee meeting (EXCO) that took place in London, in February 2013, considered that the regions should be able to furnish parallel reports on the state of the education of visually impaired children, using the tools of the CRPD and the World Blind Union (WBU). These reports could be shared with international non-governmental organizations and those under the United Nations.

Thus, the Regional President for Latin America transmitted this concern to the representatives of our organization in every country.

Dr. Dean Lermen furnished and presented a proposal to undertake an investigation stemming from ICEVI’s field of action to make a report on the educational inclusion of visually impaired children and young persons in the region. An instrument was designed for the recollection of information.

The proposal was accepted and the document was produced with support from Universidad Externado de Colombia, Colombian Fundación Ver, and professors Mabel Cardenas and Paula Gutierrez.

The recollection of information was done during 2013 through the team of ICEVI's contributors and an answer was received from 14 countries.

In the EXCO meeting that took place in Vienna in November, our region was the only one that presented a research paper, all the members considered that due to the global nature of the instrument it could be adopted for all the regions and they expressed their interest in seeing the results once they became available.

This year, the team furnished the final report. I am pleased to share this report with all of you today.

We would like to express our sincere appreciation to Dr. Lermen and to the team that carried out the investigation.

The analysis of the results urges us to look for strategies that allow us to overcome the reality the report exposes. Even though we have international means to guarantee the educational inclusion of visually impaired children and young persons, it is clear that we have not achieved this.

We must unite our efforts to take definite actions in order to guarantee the full exercise of the right to education for visually impaired children and young persons.

Cristina Sanz
Latin America Regional President
ICEVI
Report on the educational inclusion of visually impaired children and young persons in Latin America

Shadow Report Analysis

The Convention on the Rights for Persons with Disabilities CRPD established forms and means for its follow up and monitoring through the presentation of reports by the Participant States in the Convention and Optional Protocol.

Once the requirements of the Convention and the Protocol were met, the Committee on the Rights of Persons with Disabilities was formed. The Committee has already fixed the procedures and requirements for the presentation of reports and communications by the Participant States in the Convention and Protocol. It also set the mechanisms for preparing and presenting the shadow reports regarding compliance with the Convention in each country, and indicated that these reports should be presented by people with disabilities and their organizations, and by people with disabilities individually, in groups, or through those who carry their legal representation.

It is not usual to think of a continental or regional shadow or alternative report. These can rely in reports presented by the Participant States in the Convention and in the Optional Protocol, and have to do with the observance and the advances in favor of the population that is subject to special protection by treaties or international agreements. Shadow reports aim to broaden the perspective and to establish effective monitoring and follow up mechanisms to international treaties by civil society organizations, and can include specific Human Rights violation cases to particular persons. Any civilian from a Participant State can prepare and present a shadow report even if the state has not presented the corresponding report.

What should be the role of an international organization?

An international organization is not called to prepare or present a report or shadow report, taking into account that the Optional Protocol is very clear in establishing who presents reports and who presents individual communications.

However, international organizations have played an important role in the construction and approval processes of the Convention by the United Nations, and also in the ratification of the Convention by the countries. Moreover, they continue to work in the promotion and protection of Human Rights of people with disabilities.

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2 Optional Protocol of the Convention on the Rights of Persons with Disabilities. (December 2006). New York: United Nations. Article 1, Number 2: “No communication shall be received by the Committee if it concerns a State Party to the Convention that is not a party to the present Protocol.”

3 Regardless of the term “national” included in the text of the Convention, the mechanisms provided in Article 33 can be replicated at the local level (provincial, regional or municipal), as stated in Numbers 32 and 58 of the Study of the High Commissioner for Human Rights on the structure and role of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities. (January 2009). United Nations.
Here we propose a methodology for international organizations to support those who can and should present shadow reports regarding observance to the Convention in their countries, and also to promote the reporting of cases of Human Rights violations by people with disabilities and their organizations to the Committee on the Rights of Persons with Disabilities.

It is recommended to start with a recollection of information that allows the identification, in each country, of the degree of knowledge held by civil society, people with disabilities and their organizations, about the CRPD and the Optional Protocol, about their ratification, and about the progress and developments made. Experts in related topics, people with disabilities, organizations that represent them and their families should be involved in the gathering of information.

It is recommended to work with the following aspects in each country, taking into account the field of action of the ICEVI:

1) Construction of the alliance for the preparation of shadow reports
   To set up a team composed of associations of blind and visually impaired persons, associations of parents of blind and visually impaired children, associations of educators of blind and visually impaired children, nongovernmental organizations specialized in education, protection and promotion of Human Rights, universities and Human Rights watch institutions, networks and experts.

2) Study and analysis of the Convention on the Rights of Persons with Disabilities CRPD and the Optional Protocol

3) Verification of CRPD and Optional Protocol ratification in the country and judicial status given to the Convention

4) Knowledge of the Committee on the Rights of Persons with Disabilities and its regulations

5) Study and analysis on shadow reports, what they are for, how they are made and presented to the Committee on the Rights of Persons with Disabilities

6) Study and analysis of the inclusion indicators of the UNESCO

7) Study and analysis of government reports about the progress and developments of the Convention the on Rights of Persons with Disabilities, if they exist

8) Identification of agreements and disagreements with governmental reports, if they exist

We propose a survey as a tool that will allow the gathering of information about the situation in each country, and will facilitate regional information consolidation to the ICEVI and to organizations that might be interested, aiming to provide support in the preparation of its agenda on political incidence regarding educational inclusion at national and international levels.

**Context**

Education and Disability are the subject matter of research and analysis that start from the circulation and analysis of the high indicators on exclusion from the educational system.

As a first point, we would like to recall the obligations of the States Parties of the Convention on the Rights of Persons with Disabilities as they are expressed in Article 24 - Education, Number 3:

a) 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;

b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, 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.4

In the Report done by the United Nations Special Rapporteur on the right to education, Vernor Muñoz admits that the right to education is not recognized to an alarming amount of persons with disabilities in most parts of the world and asserts that:

As the estimate of persons with disabilities is between 500 and 600 million persons (of which 120 to 150 million are children, 80 to 90 per cent of whom live in poverty in developing countries) and some 15 to 20 per cent of all students have been estimated as having special needs at some point in their educational careers, the current and potential future impact is both unacceptable and causes considerable concern.5

Below, he condemns the deficiency of public supervision on the education of persons with disabilities and expresses that notwithstanding the lack of precise data on the degree of exclusion from the educational system, available information shows that:

First, while the net enrolment rate in primary education in the developing world has now increased to 86 per cent over all regions, estimates of the number of children with disabilities attending school in developing countries range from less than 1 per cent to 5 per cent. Second, literacy rates for disabled women are 1 per cent, as compared to an estimate of about 3 per cent for people with disabilities as a whole.

The magnitude of these numbers is confirmed two years later in the Study Las personas con discapacidad en América Latina: del reconocimiento jurídico a la desigualdad real (Persons with Disabilities in Latin America: from Legal Recognition to Real Inequality), which emphasizes that, according to the data for 2009 from the United Nations, more than 90 per cent of boys and girls with disabilities do not attend school.6

Regarding the subject of disability and information and communication technologies the Consultant for Latin America, Dr. Pilar Samaniego concludes that in this region “There are no specific policies on digital inclusion, much less on the use of ICTs for persons with disabilities” and even though there has been some progress with respect to the constitutional framework on Human Rights, “more specific, integrating legislation is required to ensure access, use, accessibility and usability”.7

On the topic of visual impairment, the World Health Organization informs that “285 million people are estimated to be visually impaired worldwide: 39 million are blind (...).”8

In addition, the 2011 Consultative Expert Meeting Report on Accessible ICTs concluded that:

4 Convention on the Rights of Persons with Disabilities. (December 2006). New York: United Nations. Article 24, Number 3: “States Parties shall 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.”


In total, an estimated 186 million children with disabilities worldwide have not completed their primary school education. Thus, children with disabilities make up the world’s largest and most disadvantaged minority in terms of education. Meanwhile, both governments and educational authorities face the challenge of meeting the Millennium Development Goals which have set a target of full enrolment and completion of primary school for all children by 2015.

Concerning the population with visual impairment, there are no trustworthy figures for Latin America. Existing data present much variation, derived in the most part from the differences in the methodology used. To come the closest possible to the real situation we must say that, as is the case with persons with disabilities in general, 90 per cent of this segment of the population lives in developing countries and has serious shortages in nutrition, health and education.

Likewise, there are no trustworthy numbers on access to education, ICT usage, nor mobile education for boys, girls or young people with disabilities.

On the matter of specific information about this type of disability, the Global Report on ICTs for Persons with Disabilities explains that the term “disability” encompasses different types of disabilities. It also presents the technologies by the specific functionalities that support persons with particular conditions. However, the studies conducted in the field of education tend to provide information about persons with disabilities in general and not about each particular type of disability. Similarly, the Model Policy for Inclusive ICTs in Education for Persons with Disabilities reaffirms the fact that indicators about persons with disabilities in general are not very precise. Consequently, to inquire on the progress made by type of disability is even more difficult. In this context, and as a reply to the lack of accurate data, we have designed a survey to examine what lies beyond the inclusive normative framework, aiming to obtain information on the existing actual guarantees in Latin America.

**The Instrument**

The instrument is composed of 58 questions that inquire into the guarantees on the access to education for citizens with disabilities in general and of people with visual impairment specifically.

The survey starts with questions about whether the Constitution of each country guarantees the right to education, whether there are laws and/or regulations that limit or deny this right to people with visual impairment, and whether there is an office or institution with specific functions on the educational attention of this population.

Another block of questions refers to the existence of a General Law of Education, whether it specifically contemplates visually impaired persons, and whether it is regulated. If it is not, the survey asks about the existence of any law, decree or regulation that guarantees inclusion and/or states guarantees in favor of visually impaired persons.

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The instrument also includes questions about the existence of a General Law of Disability that takes into account the educational inclusion of persons with disabilities in general and of visually impaired persons specifically.

Likewise, it inquires into the existence of educational institutions and libraries for the blind.

It includes another series of questions regarding the existence of public policies on Education, Disability, Access to ITC, delivery of reading material and schoolbooks in accessible formats, also regarding plans, programs and projects that make it possible to comply with these policies, and also regarding the existence of indicators that allow the calculation of the degree of compliance.

The survey aims to find out whether there is any educational television programming and whether it includes the possibility of video description for the blind.

Concerning the teachers the survey contains questions about the existence of specialization and updating courses for them, and whether they cover topics like daily living skills for the blind, assistive technology for the visually impaired, and low vision.

Other aspects measured by the questions are the practice of school sports activities and/or competitions, and cultural events, with active participation by visually impaired students.

Similarly, the instrument asks about the existence of school and university library networks and whether they hold reading and consultation material in formats accessible to visually impaired persons.

Another group of questions cover the supply of schoolbooks and educational material in formats accessible to visually impaired persons, school supplies and assistive devices such as screen readers, Braille displays, specialized reading devices and screen magnifiers, among others.

There are also questions about the existence of tests to evaluate the quality of secondary and higher education and whether these tests are adapted for blind and visually impaired persons. These questions allow us to find out whether there is a Law that concedes guarantees, like school or university grants and financial aid for specialized supplies.

The instrument also inquires about the existence of institutions that require additional payments for the enrollment of blind or visually impaired students or that require that families hire support staff. The sources of the funding for the educational inclusion of blind and visually impaired students are also examined.

The instruments allows us to measure whether the Constitution states criteria for equality and creates mechanisms that attempt to protect the most vulnerable persons and guarantee real and effective equality, and to find out if there are Laws in place that forbid and criminalize discrimination.

Finally, the survey includes a series of questions that aim to learn if there is jurisprudence in favor of persons with disabilities in general and in favor of blind and visually impaired persons specifically, whether there are documented cases about Human Rights violations through denial of education and whether reports have been filed about them to the competent authority, whether
the verdicts were favorable, whether the sentences were carried out, and whether the access to justice was denied.

**The Answers**

The instrument was sent to the countries of Latin American and 14 of them answered it: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Peru and Uruguay. We present the information that was obtained below. Under each section we have added the details added by the respondents.

**The Country’s Constitution**

The Constitution of all the countries surveyed guarantee the right to education and all of them, except for Uruguay, guarantee rights in favor of persons with disabilities. Only Argentina, Costa Rica, El Salvador, Guatemala and Uruguay do not guarantee the right to education for persons with disabilities. However, only Brazil, Chile and Dominican Republic specifically guarantee the education to blind and visually impaired persons. In Mexico there is a rule that denies or limits access to education to the blind or visually impaired. There was no answer from Uruguay.

Costa Rica: the Constitution was approved in 1949. In chapter VII “Education and Culture” it states that Pre-school, elementary and diversified education are mandatory, in the public system the costs are covered by the Nation. It uses the term Costa Ricans in general and does not specifically mention any group.

Mexico: the country’s Constitution guarantees rights in favor of persons with disabilities implicitly, because the 1st Article emphasizes that “nobody can be discriminated for their condition.” And the 3rd Article says that “every Mexican has the right to education”.

Peru: the Constitution of Peru was set in 1993 and it guarantees, in Article 16, that nobody is kept from receiving adequate education due to their economic situation or because of physical or mental limitations.

**Existence of special offices**

In every country surveyed there is an office, entity or institution that specializes in the educational attention of persons with disabilities. In every country, except for Bolivia, Ecuador and Peru, there is an institution that has specific functions regarding the educational attention of the blind and visually impaired.

Ecuador: the office assists all persons with disabilities.

Peru: within the Ministry of Education there exists the National Direction of Basic Special Education which is charged with providing assistance to all persons with disabilities. It relies on specialized personnel for each type of disability, and among them, visual impairment.
Mexico: when the responsibility on educational services was decentralized to federal entities, some state rules that gave place to restrictions came forward. However, we are in the process of overcoming them.

Uruguay: within the Council of Initial and Primary Education there is an Area for Special Education that encompasses the nationwide assistance of all the disabilities. In the Council of Secondary Education there is a Student Department that assists young people with special educational needs (including disabilities).

**Normative Framework on Education**

In every country surveyed there is a General Law of Education. In all of them, but El Salvador, this Law explicitly includes the educational inclusion of persons with disabilities. Only in Argentina, Brazil, Chile, Colombia, Costa Rica and Dominican Republic the General Law of Education includes the educational inclusion of the blind and visually impaired. We obtained no answer from Guatemala.

Costa Rica: the Fundamental Law of Education, No. 2160, states that every resident of the Republic has the right to education, and specifically in 1996 Articles 27 and 29 of this Law were reformed to concede a new role to special education in the Costa Rican educational system, going from a type of education directed to a specific group of students to a set of support tools and services available to students with temporal or permanent special educational needs.

Ecuador: the General Law of Education does not explicitly consider the inclusion of the blind and visually impaired. However, it does consider the adaptation of texts to Braille.


Peru: the Law takes into account the inclusion of all the students with disabilities, and within lies visual impairment.

Uruguay: Law 18,437, Article 33 mentions persons with disabilities.

In every country surveyed there are regulations over the General Law of Education, except for Costa Rica, El Salvador, Honduras and Mexico. Excluding the one from Bolivia, all the regulations state the educational inclusion of persons with disabilities, and all of them, excluding Ecuador, Peru and Uruguay, state the inclusion of the blind and visually impaired. We did not obtain an answer from Argentina.

Peru: the regulations are fairly general on this topic because they consider the inclusion of every disability, including visual impairment, without specifically mentioning it.

In every country surveyed, except for Bolivia and El Salvador there is another law, decree or regulation that guarantees the educational inclusion of persons with disabilities. Only in Ecuador, Peru and Bolivia this norm does not specifically guarantee the educational inclusion of blind and visually impaired persons. For Argentina and Dominican Republic there were no answers.
Costa Rica: “Policy and Normative Framework for the Access to Education of Students with Special Educational Needs” (promulgated in 1997). And for the specific case of visual impairment, “Normative and Procedures for the technical-administrative management of educational services for visually impaired students”.

Peru: the normative is for all the students with disabilities: persons with hearing impairment, intellectual disabilities, visual impairment, motor deficiency, among others.

**General Law of Disability – GLD**

In every country surveyed there is a General Law of Disability. In none of them, excluding Colombia and Guatemala, is educational inclusion considered in the GLD. However, those of Brazil, Chile, Costa Rica, Mexico and Dominican Republic specifically consider the educational inclusion of blind and visually impaired persons. There was no answer from Argentina. In Brazil, Colombia, Costa Rica, Ecuador, Peru and Uruguay there is a law, decree or regulation in force that states guarantees in favor of the blind or visually impaired persons. We did not obtain an answer from Argentina nor Guatemala.

Costa Rica: Law 7600, title II, chapter 1, states the access to education for persons with disabilities in general... apart from Law 7600, the Convention on the Rights of Persons with Disabilities was ratified and made into Law 8661.

Ecuador: in addition to the GLD there is a Law of the Blind.

Peru: Law 29973, General Law of Persons with Disabilities, considers all the persons with disabilities in general and mentions the visually impaired. The only specific law is Law 27861 that suppresses the payment of copyright costs for reproduction of books in formats accessible to the blind. Apart from this, the normative offers guarantees for all the people, specifically mentioning vulnerable persons, where persons with any type of disability are included.

Uruguay: Law 18,651 (Integral Protection for Persons with Disabilities) and Law 18,418 (Ratification of the CRPD)... these do not consider the visually impaired specifically but do encompass every disability, and so guarantee the rights... Municipal Decree in favor of Guide Dogs. Free pass for persons with disabilities in transportation in the Capital City. Agreements between public and private institutions in favor of all the visually impaired but not for every institution. For example, Agreement between the National Library and the National Blind Union for the access to all the material in digital format.

**Institutions for the Blind**

In every country surveyed there are educational institutions for the blind. In all of them, excluding Colombia, Costa Rica, El Salvador, Honduras and Peru, there are also libraries for the blind.

Mexico: there are educational institutions only in the Federal District that belong to the public sector. The tendency after the reorientation of the special education services in 1996 was the generalization in the Centers of Multiple Attention for students with
disabilities. The teachers found themselves compelled to assist all the disabilities and without enough time to attend to specific needs. The civil society organizations are the ones taking care of this to the extent which they are capable of.

Uruguay: there are Special Education Schools within the Council of Initial and Primary Education and also Special Classrooms in some departments within the country. The Rehabilitation Center Tiburcio Cachón that depends on PRONADIS MIDES. The CRC is a rehabilitation center for persons with visual impairment (blind and low vision) that assists young people and adults in Montevideo and carries out Rehabilitation Services based in the Community (SRBC) in Maldonado, Artigas, Salto, Paysandu, Rivera, Tacuarembo, Soriano, Durazno, Lavalleja. The Center of Resources for Secondary Education for blind and visually impaired students. The Braille Foundation of Uruguay possesses early intervention equipment and provides visual rehabilitation. REDMATE of the National Blind Union of Uruguay relies on teachers that provide pedagogical support to visually impaired students enrolled in Secondary Education and preparation of accessible material. The Uruguayan Library for the Visually Impaired that depends on the Central Pedagogical Library of the Council of Initial and Primary Education.

Peru: if we talk about libraries for the blind like those that exist in Argentina, Brazil, the United States, Japan, the United Kingdom, etc., we do not have a similar model in Peru. However, there are libraries with some Braille books and audio books in some institutions for the blind or schools, and also reading halls for the blind in the National Library and in some municipal libraries with little bibliographical material, as is the case of the Municipal Library of San Borja and more recently the one in Miraflores.

Public policies, plans, programs and projects in education and disability

In every country surveyed there are plans, programs and projects on education in general and on disability, as there are public policies on education, excluding Bolivia and Honduras, and public policies on disability, excluding Bolivia and El Salvador. Only in Brazil and in Uruguay are there indicators that measure educational attention of the blind or visually impaired.

Mexico: the plans, programs and projects on disability are excessive and far from reality, in practice they have not yielded significant results.


Policies, plans, programs and/or projects on access and usage of ITC

We did not obtain an answer from Guatemala.
In every country surveyed, excluding Bolivia, Chile, Honduras and Mexico, there are policies, plans and/or projects that guarantee the access and usage of ITCs to students. However, in El Salvador and Mexico these policies do not guarantee access and usage of ITCs by blind and visually impaired students. Only in Brazil, Colombia and Ecuador are there indicators that measure the access and usage of ITCs by blind and visually impaired students. For Argentina, El Salvador, Honduras, Mexico and Peru there was no answer.


Colombia: the principal programs to guarantee access and usage of ICTs by students are: Total Connection from the National Ministry of Education, and Computers for Educating from the Vive Digital Plan from the Ministry of ICTs... Through its Live Digital Plan, the Ministry of ICTs is making progress on the ConverTIC project. The aim of this project is to provide nationwide access to screen reader software, with free download from the internet, to benefit more than 1,200,000 visually impaired Colombians in the country. More information available in: http://www.vivedigital.gov.co/convertic/... Even though each of the screen reader software licenses will be unlimitedly available for download online within the Colombian territory during its span, the goal is to have at least 12,000 software downloads on the first year of the project, in places where it is most important to have them. These places are Vive Digital kiosks and access points, public educational institutions, public libraries, universities, business centers (internet cafés, etc), public assistance offices (notaries and public offices, etc.) and territorial or local public entities (governor’s and mayor’s offices, etc.).

Costa Rica: Law 7600, through its subprogram 4 provides funding for the purchase of technical aids, and Law 8283 (for the funding and development of support equipment for the education of students with disabilities enrolled in III and IV regular education cycles and in services III and IV of special education cycles) finances the purchase of technical aids for students with disabilities, after the educational center or person in charge of the student has filed a request.

Ecuador: Indicator 1: Computers with screen reader software. Description: delivery of computers to all the visually impaired children enrolled in the national system. Value: number of computers delivered. Source: Secretaría de Discapacidades.

Peru: actually, in contrast with countries like Chile, Argentina, Brazil, etc. there is currently no policy, no plan or program that guarantees access and usage of ITCs by blind and visually impaired students. Furthermore, there is a total lack of knowledge regarding this technology among most teachers in charge of assisting blind and visually impaired students in the inclusion process.
**Policies, plans, programs and/or projects on delivery of reading material and schoolbooks**

An answer for Chile was not obtained.

In every country surveyed, except for Argentina, Bolivia and Uruguay, there are policies, plans, programs and/or projects that guarantee the delivery of reading material and schoolbooks to the students. In Uruguay and all the countries where there is a guarantee, except for Colombia and Mexico, the delivery of reading material and schoolbooks in accessible formats is guaranteed for blind and visually impaired students. We did not obtain an answer for Bolivia.

There are indicators that measure the delivery of these supplies to blind and visually impaired students only in Brazil, Ecuador, Honduras and Dominican Republic. There was no answer from Bolivia and Guatemala.

- **Colombia:** Indicator: 3000 audio books.
- **Honduras:** Indicator for visually impaired person: 3 texts. Persons with no visual impairment: 4 texts.
- **Peru:** unfortunately, even thought the program for schoolbooks delivery exists in theory, the Braille schoolbooks delivered are very few and no large print material is delivered... As mentioned before, the program exists in theory but there are no mechanisms that guarantee the delivery of texts to all the students in public schools... The transcription of the schoolbooks to Braille is underway, these are the schoolbooks that are used by students with no visual impairment and which the Ministry [of Education] delivers to all the children enrolled in the regular basic educational system. However, there are currently no indicators for measuring the delivery of these texts.
- **Dominican Republic:** the Center for the Production of Adapted Texts transcripts, for delivery to visually impaired students, the same texts that are delivered to students with no visual impairment.

**Educational Television**

No answer was obtained from Chile.

In every country surveyed, except for Costa Rica and El Salvador, there is educational television programming. Only in Bolivia, Brazil and the American Republic does this programming have an available video description track. There was no answer from Argentina.

- **Peru:** actually, only one or two news broadcasts from the State channel is presented in sign language for the hearing impaired, but there is no commercial or educational programming presented with video description.
- **Uruguay:** there is educational television programming in the State channel.
Other aspects within the educational sector of the country

There was no answer from Chile.

Within the educational sectors of all the countries surveyed there are specialization and updating courses for teachers. These courses do not cover topics like daily living skills for the blind, assistive technology for the blind and visually impaired, low vision, etc. in Bolivia, Colombia, Costa Rica, Ecuador and Uruguay. Only in Costa Rica is low vision covered.

Mexico: in some federal entities there are courses about daily living skills for the blind, but they are not generalized or structured. Often, teachers that are not in contact with visually impaired students attend and those that are do not attend because the courses do not meet their personal expectations. There are no national references, the available bibliography does not correspond to the reality of the country, it is about institutions in other countries.

Peru: the Ministry of Education offers updating courses to all the teachers, but the concepts are not studied deeply due to the short time employed in the courses... teachers are trained in these topics theoretically, but they do not go deeper or cover all the aspects. However, CBM (a German institution) offers courses by levels, in accordance with the needs of special schools where children with visual impairment are enrolled.

Uruguay: semi-presential training. Right now the subject is sexual education, computers, autism... regarding daily living skills for the blind there is currently no coverage at the public level, but these topics have been addressed in past trainings.

In every country surveyed the educational sector holds sports competitions and events. Blind and visually impaired students participate actively in these competitions in every country surveyed, except for Bolivia, Ecuador, Honduras and Peru. We did not obtain an answer for Costa Rica. In all the countries the educational sector holds cultural events, and students with visual impairment participate in every country surveyed, excluding Peru. For Argentina and Costa Rica no answer was obtained.

Costa Rica: it is assumed that children enrolled in an educational center have the possibility of participation but there is no indicator that specifically quantifies this involvement.

Honduras: blind and visually impaired students actively participate in music festivals, poetry competitions and chorus activities. They do not take part in theatre or dance activities.

Mexico: the Paralympics are not organized by the educational system. In most cases, the children and young people that attend are trained and signed up because private sports associations for persons with disabilities gather and represent them. Occasionally they cooperate with teachers organizations. The sports events and competitions in which blind and visually impaired students actively participate are the yearly National Paralympics. Children and young persons with disabilities participate. The indicators are for each disability and subgroup... Cultural events in which blind and visually impaired students
participate are oratory and declamation contests and knowledge Olympics. The indicators are the same as the ones for all the students.

Uruguay: at the school level they participate through educational trips, expositions, exhibitions of the work done. In parties and celebrations through music, vocals, reading marathons in the International Book Day.

All the countries surveyed have school and university library networks, excluding Ecuador and El Salvador. These libraries hold consultation material in accessible formats for blind and visually impaired students in all but Bolivia, Costa Rica, Honduras and Peru. There was no answer for Argentina and El Salvador.

Mexico: in isolated cases, in some federal entities, there are some libraries with consultation service in accessible formats for the visually impaired, but they are not generalized or structured. As is the case with everything, in the Federal District there are many more opportunities. There are some titles in Braille, large print and audio books in the libraries.

Peru: in two libraries there is material transcribed to Braille but it is not enough and there is no large print material for visually impaired children or magnifying glasses for them to read any printed text comfortably.

Uruguay: an agreement was achieved recently between the National Library and the National Union for the Blind to digitalize the books requested in accessible formats.

Supply of schoolbooks, books, educational material and assistive reading and technical devices

There is no answer from Chile.

In every country surveyed, except for Bolivia, Ecuador, El Salvador, Honduras and Peru, there is supply of schoolbooks, books and educational material in formats accessible for blind and visually impaired students. Of the countries surveyed, in Bolivia, Costa Rica, Ecuador, El Salvador, Guatemala and Honduras there is no supply of school supplies for blind and visually impaired students (slates, stylus, abacus, Braille writing devices, magnifiers, among others). In Argentina, Brazil, Colombia, Mexico, Dominican Republic and Uruguay there is also supply of screen readers, Braille displays, specialized reading devices and screen magnifiers, among other assistive devices.

Costa Rica: within the Ministry of Public Education, in the National Center for Inclusive Education the Centro Braille Relieve y Sonoro is charged with the transcription or amplification of textbooks used by the students upon request of the educational center, the teacher or person in care of the visually impaired student.

Mexico: there is restricted supply of books and material for the visually impaired; these are available in few places... There is supply of school supplies for visually impaired students but it is, in general, supported by enterprises and civil associations... The supply on screen readers, Braille displays, specialized reading devices and screen magnifiers,
among others (sales, training, consumption and maintenance) comes only from enterprises and civil associations.

Peru: no schoolbooks, books or accessible educational material of any kind for blind and visually impaired students are available. What we do is send the digitalized versions of texts to institutions that have Braille printers for them to be transcribed into Braille at low cost. However, the Ministry of Education delivers them free of charge, although the transcription often takes long due to lack of input supplies... In reality there are only some institutions (founded by blind persons for blind persons) that sell some materials such as slates, stylus, abacus and batons but it is not easy to find Braille machines or other sophisticated instruments for sale... At the moment, except for a company that could eventually import some kind of assistive technology, we do not have in the country the possibility for the parents to purchase these tools for their children.

Uruguay: the supply of schoolbooks, books and educational material in accessible formats for blind and visually impaired students is scarce.

**Educational quality testing**

There was no answer for Argentina, Chile and Dominican Republic.

In every country surveyed there are tests to evaluate the quality of middle and higher education in place. These tests are adapted for blind and visually impaired persons in Brazil, Ecuador, Honduras, Mexico, Peru and Uruguay.

Peru: in reality, there is no type of adaptation in the tests; in the universities a teacher reads the test out loud to students with visual impairment.

Uruguay: the tests are adapted for each case. The teachers specialized in the areas are charged with making the adequate adaptations.

**Funding for the educational inclusion of blind and visually impaired students**

Only in Peru, Dominican Republic and Uruguay there are educational institutions that request additional payment for the enrollment of blind or visually impaired students. There was no answer for Brazil and Chile. In these three countries and also in Chile, Guatemala and Mexico there are institutions that required the families to hire support staff for the enrollment of blind or visually impaired students. An answer from Brazil was not obtained.

The funds for the education of students with disabilities are part of the general education budget in every country surveyed, excluding Argentina, Brazil, Guatemala and Honduras. In Argentina, Brazil, Chile, Colombia, El Salvador and Uruguay the source of funds is by disability and in Guatemala, Honduras and Peru it has no specific funding.

El Salvador: funding for the educational inclusion of blind and visually impaired students is part of the general education budget only for basic education and the source of funds is Disability through the annual transfer to school centers on a student basis.
Mexico: there are private schools that require a “shadow teacher” that in reality becomes the blind or visually impaired child’s “nanny”. This “strategy” tends to be imitated in public schools.

Peru: in general, in private institutions the monthly payment is the same as the one the other children pay. However, in workshops done with parents it has been learned that there are regular basic schools that charge additional fees arguing that these resources are employed in providing more personalized assistance to the child. The parents have said this is not true but they have not denounced it for fear of the school taking actions against their children. There are a few private institutions that request the additional fee but the other school institutions receive the service of the Support and Advice on Special Educational Needs (SAANEE), which periodically comes to the schools where visually impaired children are enrolled. However, the SAANEE team does not come with the frequency needed by the student due to the amount of students assigned to each teacher. The funds from the State to public schools are executed to two sectors: regular basic education and special basic education. However, the State does not finance any assistive material such as magnifying glasses, Braille machines, digital recorders, etc., therefore, the special basic education centers must request this equipment as donations through international cooperation and those students that are included must purchase these devices on their own.

Uruguay: it can generally happen in private institutions. The Bank of Social Prevision grants disability pensions and financial aid for treatment or transportation. The institutions must be registered in order to be reimbursed for the aid given as consumer care. Some families hire a specialized guide on their own if the institution requires it.

Aspects that favor compliance of the rights of those in explicit weakness or vulnerability in the countries’ Constitutions

In every country surveyed, except for Honduras, the Constitution states criteria for equality. In all of them, excluding Bolivia, the Constitution creates judicial means to protect those in explicit weakness or vulnerability. These means’ function is to guarantee real and effective equality in Argentina, Brazil, Colombia, El Salvador, Mexico, Peru and Dominican Republic.

Mexico: most of all, there are secondary state laws or codes that “create mechanisms like the acción de tutela or the derecho de amparo to protect those in explicit weakness or vulnerability”.

Peru: Article 2nd, Section 2 of the Constitution: every person has the right: ...2. To equality before the law. No person should be discriminated on the basis of origin, race, sex, language, religion, opinion, economic condition or any other aspect. Within the judicial means there is the General Law of the Persons with Disabilities, Law 29973.
Laws against discrimination

In every country surveyed, excluding El Salvador, there is a law or general bylaw that forbids all forms of discrimination. For Guatemala no answer was obtained. Only Ecuador, El Salvador and Guatemala do not have a law that criminalizes discrimination. There is no answer from Brazil.

Peru: Constitution of Peru: Article 2\textsuperscript{nd}, Section 2 forbids all forms of discrimination... Penal Code, Article 323: “the one who, by their self or through others, discriminates one or more persons, or group of persons, or publicly promotes discriminatory acts, by racial, religious, sexual, genetic, filial, age, disability, language, ethnic and cultural identity, dress, political or any sort of opinion, or economic condition motives, with the objective of suppressing or diminishing recognition, possession or exercise of the rights of the person, will be repressed with the deprivation of their liberty for a period not shorter than two years nor longer than three or with the provision of services to the community from sixty to one hundred and twenty days. The same deprivation of liberty will be imposed if the discriminatory offense has been materialized through acts of physical or mental violence.”

Law that concedes guarantees to blind and visually impaired students

Only in Colombia and Honduras is there a law that concedes guarantees to blind and visually impaired students, in Honduras there are also school grants. There are university grants in Argentina and Ecuador. For Colombia there is no answer regarding grants. In Brazil, Chile, Costa Rica and Dominican Republic there is financial aid for school material and supplies, whereas in Argentina, Brazil, Costa Rica and Dominican Republic financial aid is provided for assistive technology, and there are other guarantees in Mexico and Dominican Republic. No answer was obtained from Colombia.

Costa Rica: there are school grants for children in poverty. If the visually impaired student lives in a low-income level the school grant is conceded.

Mexico: it depends on each federative entity. There is not much diffusion in many cases.

Peru: in reality, there is no law or regulation of that nature and only a percentage or quota for persons with disabilities in general exists in some public universities. There is nothing more specific for blind or visually impaired students.

Sentences in favor

In every country surveyed, excluding El Salvador and Uruguay, there have been sentences in favor of persons with disabilities in general, and in all of them, except for Chile, Honduras and Mexico, have there been sentences in favor of blind and visually impaired persons. In the specific question for blind or visually impaired persons there was no answer from El Salvador, Guatemala, Dominican Republic and Uruguay.

Peru: in general, the judicial records of Peru favor all persons with disabilities, except for two particular cases: the first one, related to the sentence in favor of a visually impaired lawyer for his blindness not to be cause of exclusion to the postulation as Judge of the
National Council of the Magistrate; and the second one, the sentence of which was recently dictated, in favor of providing the reasonable adjustments for a visually impaired postgraduate student of Law, who failed two courses in a private university, because the teacher denied her the possibility of presenting the final exam in a format different to writing.

**Human Rights violations**

There was no answer from Argentina, Colombia and Uruguay.

In Brazil, Chile, Mexico and Peru there are perfectly documented cases on the violation of Human Rights due to denial of education to blind or visually impaired persons. In Brazil, Chile and Peru reports have been filed to the corresponding administrative or judicial authorities and favorable sentences have been dictated. However, there have been no carried out sentences and the access to justice has not been denied. In Costa Rica, Honduras, Mexico and Peru these denunciations have not happened and there was no answer from Ecuador, El Salvador and Guatemala.

Mexico: the report was filed in the National Human Rights Commission, but this entity emits only “recommendations” that are not mandatory or binding, or if taken into account do not result in an adequate solution.

Peru: the second case indicated above exposes a violation of equality in the right to education and the denial of receiving the reasonable adjustments needed to guarantee equality of opportunities to persons with visual impairment.

**General comments**

Mexico: at the moment the majority of the visually impaired children enrolled in regular schools are verbalist and illiterate. In the best-case scenario they go to civil associations to receive the attention that is adequate for their needs. Answering the question posed would be exhaustive, suffice it to mention that they are being limited to the usage of audio texts and their literacy is being neglected, none of which takes places regarding the other students. The same phenomenon happens with regard to the specific areas in which they develop their other possibilities and that make them autonomous people with authentic inclusion character. We hope this kind of survey proves useful in orienting the actions of the States towards the necessary and urgent teacher training concerning disability in general and visual impairment in particular.

Peru: attached the sentence of the case of the Law student mentioned above.

**Final considerations**

The instrument presented has allowed us to obtain specific information about the current state of the countries surveyed in theoretical equality. The results represent an approximation to the real situation that takes place beyond the normative framework. Thus, it is a useful tool in the learning
of what is the direction to be taken regarding measures for the advance into real and effective equality for blind and visually impaired persons.

From the information that was gathered it is possible to say that there is an evident gap between the inclusive constitutional and policy framework and the exclusion that goes on in reality. The changes in inclusive theory have shown that the States have the intention of complying with the Convention on the Rights of Persons with Disabilities; however, there is still an obstacle that prevents the transition from theory to practice. For this reason it is of the utmost importance to create strategies for the execution of the written regulations.

It seems that the word “disability” encompasses so much that it falls into invisibilization of persons with disabilities in terms of their particular needs. There must be greater interest in obtaining detailed information about each type of disability and the focus must shift to the particular needs of each of these groups. Without these measures there will not be any real advance into the inclusion of persons with disabilities in the educational system.

Moreover, the creation of precise indicators is essential to monitor the current state of the matter and to quantitatively measure the progress made. These indicators must, for each case, inform about registration, school assistance, access to schoolbooks, access and usage of ICTs, access to multimedia and to sporting supplies, among others. This will allow us to move forward in the process of inclusion with measures that provide support by providing answers to the particular interests and needs of the persons with different types of disabilities. As a matter of fact, the lack of indicators serves as proof that the policies have not been implemented through any plans, programs or projects that can transform the levels of exclusion and marginality in which visually impaired boys, girls and young persons live in Latin America.

References


Stang Alva, M. F. (April 2011). Las personas con discapacidad en América Latina: del reconocimiento jurídico a la desigualdad real. Santiago de Chile: Naciones Unidas, CEPAL, Centro Latinoamericano y Caribeño de Demografía (CELADE) - División de Población de la CEPAL.
Appendix I: Instrument

EDUCATIONAL INCLUSION OF BLIND AND VISUALLY IMPAIRED PEOPLE IN LATIN AMERICA
INFORMATION-GATHERING INSTRUMENT

Country: ____________________________

1. Does the country’s Constitution guarantee or establish rights for people with disabilities? Yes__ No__

2. Is the right to education guaranteed in the country’s Constitution? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 3, otherwise skip to question 4)

3. Is the right to education for people with disabilities in general guaranteed in the country’s Constitution? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 4, otherwise skip to question 5)

4. Is the right to education for the blind and the visually impaired specifically guaranteed by the country’s Constitution? Yes__ No__

5. Is there a law or regulation in the country that denies or limits access to education to the blind and the visually impaired? Yes__ No__

6. In the educational sector of the country is there an office, entity or institution with functions specialized in education for people with disabilities? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 7, otherwise skip to question 8)

7. Does this office, entity or institution have functions that are specific to the attention of the blind and the visually impaired? Yes__ No__

8. Is there a General Law of Education in the country? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 9, otherwise skip to question 14)
9. Does the General Law of Education explicitly consider the inclusion of people with disabilities? Yes  No  
   (If the answer to the previous question was “Yes” go on to question 10, otherwise skip to question 11)

10. Does the General Law of Education explicitly consider the inclusion of the blind and the visually impaired? Yes  No  

11. Does the country’s General Law of Education have regulations? Yes  No  
   (If the answer to the previous question was “Yes” go on to question 12, otherwise skip to question 14)

12. Do the General Law of Education’s regulations establish the educational inclusion of people with disabilities? Yes  No  
   (If the answer to the previous question was “Yes” go on to question 13, otherwise skip to question 14)

13. Do the General Law of Education’s regulations specifically establish the educational inclusion of the blind and the visually impaired? Yes  No  

14. Does the country have any other normative that guarantees the educational inclusion of people with disabilities? Yes  No  
   (If the answer to the previous question was “Yes” go on to question 15, otherwise skip to question 16)

15. Does this normative guarantee the educational inclusion specifically for the blind and the visually impaired? Yes  No  

16. Does the country have a General Law of Disability? Yes  No  
   (If the answer to the previous question was “Yes” go on to question 17, otherwise skip to question 19)

17. Does the General Law of Disability consider educational inclusion? Yes  No  
   (If the answer to the previous question was “Yes” go on to question 18, otherwise skip to question 19)

18. Does the General Law of Disability specifically consider the educational inclusion of the blind and the visually impaired? Yes  No  

19. Is there a law, decree or regulation currently in force that establishes guarantees in favor of the blind and the visually impaired? Yes  No  
   (If the answer was “Yes”) specify __________________________________________

20. Are there educational institutions for the blind in the country? Yes  No  

21. Are there libraries for the blind in the country? Yes  No  

22. Are there public policies, plans and projects in education and disability in the country? (mark all that apply from the following list with an X) 
   __ public policies in education 
   __ public policies in disability 
   __ plans, programs and projects in education in general 
   __ plans, programs and projects in disability
23. Are there indicators that measure the educational attention of the blind and the visually impaired? Yes__ No__
   (If the answer was “Yes”, write down the indicators, the description, the values, and the sources in
   the following table. Example: students enrolled in relation to total students, alumni, graduates, etc.)

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<th>Name of the Indicator</th>
<th>Description</th>
<th>Value</th>
<th>Source</th>
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24. Are there policies, plans, programs and/or projects that guarantee access and usage of ICT by
   the students in the country? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 25, otherwise skip to question 27)

25. Among the policies, plans, programs and/or projects are the access and usage of ICT
   guaranteed for blind and visually impaired students? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 26, otherwise skip to question 27)

26. Are there indicators that measure access and usage of ICT by blind and visually impaired
   students in the country? Yes__ No__
   (If the answer to the previous question was “Yes” write down the indicators, description, values, and
   sources in the following table. Example: computers with software for screen reading and magnifying,
   accessible educational portals, accessible portable devices, etc.)

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<tr>
<th>Name of the Indicator</th>
<th>Description</th>
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27. Are there policies, plans, programs and/or projects that guarantee the delivery of reading
   material and schoolbooks to blind and visually impaired students? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 28, otherwise skip to question 30)

28. Is the delivery of reading material and schoolbooks in accessible formats guaranteed to blind
   and visually impaired students by these policies, plans, programs and/or projects? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 29, otherwise skip to question 30)

29. Are there indicators that measure the delivery of reading material and schoolbooks in
   accessible formats in the country? Yes__ No__
   (If the answer was “Yes” write down the indicators in comparison with the rest of the students.
   Example: compare the number of titles that a blind or visually impaired student received with those
   received by a student with no disability.)
   ______________________________________
   ______________________________________
   ______________________________________
30. Is there educational television programming in the country? Yes___ No___
   (If the answer to the previous question was “Yes” go on to question 31, otherwise skip to question 32)

31. Is there video description available for this programming? Yes___ No___

32. Are there specialization and updating courses for teachers in the educational sector of the country? Yes___ No___
   (If the answer to the previous question was “Yes” go on to question 33, otherwise skip to question 34)

33. Do the specialization and updating courses cover topics like daily living skills for the blind, assistive technology for the blind and visually impaired, low vision, etc.? Yes___ No___

34. Are there sports activities or competitions held in the educational sector of the country? Yes___ No___
   (If the answer to the previous question was “Yes” go on to question 35, otherwise skip to question 36)

35. Do blind and visually impaired students actively participate in these sports activities or competitions? Yes___ No___
   (If the answer was “Yes”) specify and include indicators if there are any

36. Are cultural events held in the educational sector of the country? Yes___ No___
   (If the answer to the previous question was “Yes” go on to question 37, otherwise skip to question 38)

37. Do blind and visually impaired students actively participate in these cultural events? Yes___ No___
   (If the answer was “Yes”) specify and include indicators if there are any

38. Are there school and university library networks in the country? Yes___ No___
   (If the answer to the previous question was “Yes” go on to question 39, otherwise skip to question 40)

39. Is there material in accessible formats for the blind and visually impaired in these libraries? Yes___ No___
   (If the answer was “Yes”) specify and include indicators if there are any

40. Are schoolbooks, books and educational material in accessible formats for the blind and visually impaired available in the country? Yes___ No___

41. Are there school supplies for blind and visually impaired students available? These include slates, stylus, abacus, Braille writing devices and magnifiers. Yes___ No___

42. Are there assistive devices such as screen readers, Braille displays, specialized reading devices and screen magnifiers, among others, available in the country? Yes___ No___
43. Are there tests to evaluate the quality of secondary and higher education? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 44, otherwise skip to question 45)

44. Are these tests adapted for blind and visually impaired test-takers? Yes__ No__

45. Are there educational institutions in the country that require additional payment for the enrollment of blind or visually impaired students? Yes__ No__

46. Are there institutions in the country that require families to hire support staff in order to allow the enrollment of blind or visually impaired students? Yes__ No__

47. The educational inclusion of blind and visually impaired students in your country:
   (Mark the option with an X accordingly)
   __ is part of the budget for education in general.
   __ is covered under the budget for disability.
   __ does not have specific funding.

48. The country’s Constitution: (mark the following list with an X accordingly)
   __ establishes equality criteria.
   __ creates judicial means to protect those in explicit weakness or vulnerability.
   __ creates judicial means to guarantee real and effective equality.

49. Is there a law or general bylaw that forbids all forms of discrimination in the country? Yes__ No__

50. Is there a law that criminalizes discrimination in the country? Yes__ No__

51. Is there a law that concedes guarantees to blind and visually impaired students in the country?
   Yes__ No__
   (If the answer to the previous question was “Yes” mark the following list with an X accordingly)
   __ school grants
   __ university grants
   __ financial aid for materials and school supplies
   __ financial aid for assistive devices
   __ other

52. Are there court sentences in favor of people with disabilities in the country? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 53, otherwise skip to question 54)

53. Are there court sentences in favor of the blind and visually impaired in the country? Yes__ No__

54. Are there perfectly documented cases of violation of Human Rights through denial of education to blind or visually impaired people in the country? Yes__ No__
   (If the answer to the previous question was “Yes” go on to question 55, otherwise the survey has been completed)

55. Was a report filed adequately at the administrative or judicial authority? Yes__ No__
56. Was or were the verdicts favorable? Yes  No

(If the answer to the previous question was “Yes” go on to question 57, otherwise skip to question 58)

57. Were the sentences carried out? Yes  No

58. Was access to justice denied? Yes  No

(Register and perfectly document specific cases of discrimination of the blind and visually impaired who are excluded from the Public Education System, or who are enrolled in the Public Education System but are not covered by the same guarantees as the other students.)

(The survey taker is thanked)

THE SURVEY HAS BEEN COMPLETED

Example of a decision adopted by the Committee for the Rights of the People with Disabilities about a communication that was lodged under the Optional Protocol (http://www.internationaldisabilityalliance.org/es/decisiones-del-comit%C3%A9-de-la-cdpd-sobre-comunicaciones)

• Szilvia Nyusti & Péter Takács v Hungría (no 1/2010):

“On 16 April 2013, the Committee on the Rights of Persons with Disabilities adopted its views in an individual communication lodged under the Optional Protocol to the CRPD against Hungary. The case was brought by two Hungarian nationals with visual impairments who had separately concluded contracts for private account services with OTP bank. Despite the obligation for them to pay the same level of fees as other OTP clients, they were denied access on an equal basis with others to the use of their banking services and transactions on account of OTP’s inaccessible ATMs which lacked Braille fonts, audible instructions and voice assistance.

The CRPD Committee found a violation of Article 9(2)(b), that the State party failed to comply with its obligation to ensure accessible banking services for persons with visual impairments, including those provided by OTP and other private financial institutions. The Committee upheld the obligation incumbent on the State to ensure that private entities that offer facilities and services open or provided to the public take into account all aspects of accessibility for persons with disabilities, and this obligation must be maintained regardless of contractual relationships concluded between individuals and private entities.”

This document is the product of years of exchange of information, and of learning experiences, and of construction and deconstruction of ideas. As knowledge is a social and cultural product, I must not impose limits nor give permission or authorization for it to be distributed or copied in its entirety or its fragments. Regarding the author I can only tell you that a name is a metaphor and that you will find what is essential in these lines.