

NEP 2020 and Transgender communities' Education: A Transformative Approach or Missed Opportunity?

Gladis S Mathew¹

Abstract

A new age of educational reform in India has begun with the National Education Policy (NEP) of 2020, with its grand promises of inclusion and fair access to high-quality education. We will examine the policy's possible effects on transgender education in this critical study, delving into the question of whether it is a transformative strategy or a lost opportunity. We are able to reveal the intricate network of obstacles that the transgender community faces when attempting to further their education by dissecting important legislation and implementation issues. Though the NEP 2020 offers hope for a more welcoming educational environment, overcoming deeply ingrained cultural prejudices and systemic impediments will be necessary for the program to succeed in eliminating long-standing inequities within the transgender population. This paper provides an overview of our extensive research, which analyzes the complex interactions between policy intentions and practical implementations, providing insight into the way forward for achieving true educational parity for transgender people in India.

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¹ Doctoral Fellow at Department of Tribal Studies, Art, Culture & Folk Literature, Indira Gandhi National Tribal University, Amarkantak, Madhya Pradesh

Introduction

Many people hail education as the great equalizer, a basic right that should be available to everyone. But a harsh reality still exists in the world of education: transgender² people usually experience a particular kind of discrimination that makes it difficult for them to fully engage and succeed in a learning setting. The situation of transgender people in the field of education has historically been characterized by inequities and problems, reflecting cultural prejudices and systemic hurdles, according to numerous research studies and reports. Numerous scholarly investigations have thoroughly documented these discrepancies. For example, compared to their cisgender peers, transgender students frequently experience higher rates of discrimination, bullying, and harassment in school settings, according to a 2011 research by Grant et al. Their school experiences and results may be greatly impacted by this unfriendly environment. Other frequent problems faced by transgender youngsters include changing their name and gender marker on school records, participating in activities that are gender-segregated, and gaining access to restrooms and locker rooms. This lack of adjustments makes it difficult for them to fully engage in the educational process and raises their stress levels. According to this study, 34% of transgender students reported experiencing physical harassment because of their gender identity, while 86.3% of transgender students reported verbal harassment (GLSEN, 2019). Additionally, transgender people frequently experience mental health issues, such as greater rates of anxiety and depression, which can be made worse by prejudice and a lack of acceptance in educational settings, as noted by Clements-Nolle et al. (2006) in their study. Furthermore, the National Transgender Discrimination Survey (2014) reports that the challenges encountered by transgender people frequently result in their departure from educational institutions. This has an impact on their individual destinies as well as the ongoing economic inequality experienced by the transgender community.

Positive changes have, nevertheless, occurred recently. As was already said, the National Education Policy (NEP) 2020³ in India acknowledges the significance of diversity and non-

²Transgender is an umbrella term which defines people who identify or express their gender in a way that is different from the sex they were assigned at birth. They might not exclusively identify as male or female, or they might identify as a gender other than the one assigned to them.

³The National Education Policy 2020, or NEP 2020 for short, which was officially announced by the Government of India on July 29, 2020 is an Indian Education policy designed to modernize the nation's educational framework. It focuses on a broad range of reforms and enhancement approach to learning, more technology use, and a concentration on critical thinking and research.

discrimination in education, especially for transgender people. Gender-neutral facilities and LGBTQIA+⁴ student organizations are only two examples of the policies and programs that some educational institutions and organizations have put in place to help transgender students. The situation of transgender people in school is still complicated and full of obstacles. Though much work remains to be done to guarantee full inclusion and equity for transgender kids, there is promise for a more inclusive educational future because policies such as NEP 2020 acknowledge these challenges and assist advocacy groups and supporting educators in their efforts.

Objectives

- To assess NEP 2020's commitments to equitable education access for marginalized groups, especially transgender individuals
- To examine the challenges in implementing NEP 2020's inclusiveness agenda, with a focus on transgender individuals, for a better understanding of policy effectiveness and the areas needing improvement.

Significance of the Study

This study delves into the heart of social and educational equality. By scrutinizing the hurdles faced by transgender individuals within the framework of NEP 2020, it unveils the stark disparities that persist despite policy promises. These insight carriers' immense implications, enabling policymakers, educators and activists to pinpoint areas requiring immediate attention and action. Ultimately, the study's findings will not only inform policy refinements but also contribute to dismantling societal barriers, fostering true inclusivity, and empowering a marginalized community through education.

Method and Methodology Adopted for the Study

The methodology employed for this study centers around a qualitative approach, primarily utilizing a comprehensive literature review and policy analysis. This methodology is chosen to facilitate an in-depth exploration of the NEP 2020's impact on transgender education. It

⁴It is an inclusive acronym that stands for a wide variety of gender identities and sexual orientations. Lesbians, Gay, Bisexual, Transgender, Intersex, Asexual, and other identities are all represented by this acronym. The whole community's diversity is acknowledged and supported by this acronym.

entails an extensive collection of data, encompassing academic literature, governmental documents, policy papers, and reports from various sources. Through a systematic review, thematic analysis is conducted to discern recurring themes and patterns relevant to NEP 2020's promises and challenges in promoting transgender-inclusive education. These findings are then critically evaluated to assess the policy's effectiveness and to identify gaps and limitations within both the policy itself and its implementation concerning transgender education. Ultimately, this research aims to generate evidence-based recommendations for policy refinement. This methodology ensures a robust examination of NEP 2020's role in transgender education, offering valuable insights to guide policy improvements and advocate for greater equity within the educational landscape.

NEP 2020: Nudging Towards Inclusivity for Transgender Students

The National Education Policy (NEP) 2020 has several sections and initiatives targeted at enhancing education for marginalized people, even if it does not specifically address transgender education. These passages obliquely seem to commit to expanding educational opportunities and inclusivity, which may be advantageous to transgender people. It's crucial to remember that these clauses do not provide special protections for transgender education, which highlights possible shortcomings in meeting the various demands of various marginalized groups as within the general category of marginalized communities, different groups have specific needs that call for specific policy measures in order to provide fair access and high-quality education for everyone. The following are excerpts from NEP 2020 that discuss the marginalized section's inclusion in general:

- ***Inclusive Education (Section 6.1):*** It emphasizes inclusive education and aim to provide equitable access to quality education for all students, respecting their social-economic background, gender identity, geographical background, socio-economic condition, vulnerable situation, etc.
- ***Flexible learning (Section 3.5):*** Expanding education pathways is a positive step for Socio-Economically Disadvantaged Groups, in their regional language through Open Distance Learning (ODL), National Institute of Open Schooling (NIOS), and State Open Schooling (SIOS).

- **GIF⁵ (Section 6.8):** It support equitable education access for both girls and transgender students, addressing specific barriers and needs such as sanitation facilities, bicycles, and community-based interventions, with a broader goal of eliminating disparities for socio-economically disadvantaged groups.
- **Curriculum Reforms (Section 11.1):** Rekindling India’s tradition of holistic and multidisciplinary learning, encompassing arts, sciences, vocations, and soft skills contributing to reduced gender bias and promoting understanding of various issues among students.
- **Teacher training and sensitization (Section 6.14):** This section emphasized on the training on teaching children with special needs, addressing gender sanitization, and promoting inclusivity for underrepresented groups.

These sections are designed to give equal access to education and to include the socially and politically marginalized groups in society. Nevertheless, we must remember that each marginalized communities and groups are fairly included in the educational system, policies must be created especially for them. While the NEP 202 has made an effort to cover everyone, many areas require more particular details while taking the transgender population into account.

NEP 2020: A Transformative Approach or an Illusion of Change?

The introductory section of NEP 2020, which affirms that “*education is fundamental for achieving full human potential, developing an equitable and just society, and promoting national development*”, underscores the pivotal role of education as a cornerstone of both individual empowerment and nation’s progress. This declaration highlights the notion that education is not just a privilege but an essential right for every human being, serving as the catalyst for unlocking their complete human potential while simultaneously advancing the broader development and equality goals of the nation. The foundational statement within NEP 2020, clearly emphasized the critical role of education in a human being’s life, which inherently implies that education is an essential right for every individual, irrespective of their gender identity. However, the policy's exclusive concentration on

⁵It stands for Gender Inclusion Fund, a feature of NEP 2020, which attempts to increase the country’s ability to offer transgender students and all girls an equal, high quality education. Numerous projects will be supported by this fund.

transgender individuals raises significant questions about how inclusive and sensitive the educational system is to the requirements of this significant gender category. This loss of concentration necessitates careful consideration and explanation. NEP 2020 promotes inclusivity and equality, but it falls short in addressing the unique needs and challenges that transgender individuals confront. It missed a fantastic opportunity to address the entrenched discrimination, marginalization, and exclusion that transgender students face by acting in this way. It's important to emphasize that transgender children commonly encounter major challenges in the educational system, including identity crises, bullying, mental health issues, and a lack of support networks, in order to put this situation into context. Because the policy only addresses transgender-specific issues—such as gender-neutral facilities, appropriate curriculum representation, and awareness campaigns—it is unable to fully address the special requirements of this population. The National Education Policy (NEP) 2020 in India has been hailed as a new approach to education because of its emphasis on fairness and inclusivity. While it addresses many educational subjects, it's crucial to evaluate its impact on transgender education as well. The NEP 2020 introduces progressive initiatives in the area of education for marginalized groups, however it's unclear if this is a true shift or only a front.

Uncovering the Transgender Education Gaps in NEP 2020:

Despite the NEP's laudable aspirations for inclusivity and equality, it lacks specific provisions and comprehensive strategies to cater to the needs of the transgender community. Following analysis sheds light on the policy's missed opportunities to foster a more inclusive and supportive educational system, one that recognized and rectifies the disparities and discrimination that persists in educational institutions. It's time to uncover these gaps, understand their implications, and work towards a more just and equitable educational landscape for all, irrespective of gender identity. There are several problems and challenges within the NEP 2020 that need to be addressed when it comes to representing transgender education. These issues include:

Lack of Specific Provisions:

The lack of specific provisions within the National Education Policy (NEP) 2020 regarding transgender education is a notable shortcoming that makes the policy's ability to create a truly inclusive and equitable education system. Although the NEP generally supports

diversity and anti-discrimination, it does not provide specific, practical solutions to the particular requirements and difficulties faced by transgender people working in the educational field. Many obstacles, including assault, prejudice, and societal stigma, can prevent transgender students from taking advantage of educational possibilities. The policy fails to identify and address these issues since the NEP does not contain specific restrictions. Educational institutions might not have clear guidelines on how to establish a welcoming environment for transgender students in the absence of formal rules addressing transgender education. As a result, transgender issues may be handled inconsistently, depriving many pupils of the assistance they require. Furthermore, the absence of explicit legislation fosters a lack of knowledge and comprehension of transgender identities and problems, which can exacerbate an antagonistic or unwelcoming environment in educational institutions.

Gender-Inclusive Curriculum:

One of the main problems with NEP 2020 with regard to transgender education is that it makes no mention of a gender-inclusive curriculum. Although the NEP stresses a comprehensive and interdisciplinary approach to education, it is unclear whether or not transgender-related topics must be included in the curriculum. This oversight is significant because it contributes to the persistence of prejudice and discrimination in educational institutions by maintaining a lack of knowledge, comprehension, and acceptance of transgender identities and issues (Jones, 2020). In addition to teaching kids about the variety of gender identities, a gender-inclusive curriculum is critical for promoting acceptance, tolerance, and empathy in them. It can be extremely important in dispelling prejudices and stereotypes, lowering discrimination, and fostering an inclusive learning environment in schools. Transgender kids may still be forced to deal with an educational system that does not recognize their presence or give them the tools and resources they require to succeed if this problem is not addressed. Furthermore, transgender students may unintentionally be marginalized by a curriculum that does not include transgender-inclusive content since they may feel alone and alienated from the educational system. On the other hand, transgender children can feel more empowered by a gender-inclusive curriculum that affirms their identities, offers them as role models, and helps them feel like they belong. To effectively tackle these crucial facets of transgender education, the NEP must include explicit guidelines defining how gender diversity and transgender-related content will be incorporated into different courses and grade levels.

Inclusive Facilities:

The NEP 2020 does advocate for gender-inclusive and accessible facilities, recognizing the importance of providing safe and supportive environments for all students. However, a significant issue arises in the lack of detailed guidelines within the NEP for ensuring that these facilities are genuinely inclusive, especially for transgender students. Restrooms and changing facilities stand out as prime examples of areas where specific guidance is essential to bridge the gap between policy intent and practical implementation (Brown, 2019). The NEP's commitment to gender-inclusive facilities is a positive step, acknowledging the need for safe spaces in educational institutions. However, the policy's vagueness in terms of how these facilities should be designed and maintained to accommodate transgender students poses a challenge. It does not provide educational instructions with the necessary specifics to create environments where transgender students can comfortably access restroom and changing facilities without fear of discrimination or harassment. Moreover, inclusive facilities extend beyond restrooms and changing areas. Locker rooms, dormitories and other shared spaces need attention to ensure that they are welcoming and safe for transgender students. NEP recognizes the importance of this kind of inclusivity, but it doesn't provide the specifics needed to implement these ideas.

Anti-Bullying Measures:

One other major issue with the NEP 2020 concerning transgender education is that it makes no mention of specific anti-bullying measures. The NEP acknowledges the significance of establishing a safe and secure learning environment, but it makes no specific recommendations or guidelines for resolving the particular difficulties faced by transgender students, who frequently experience bullying, harassment, and discrimination. Because transgender issues are not well understood and there is a widespread societal stigma associated with them, transgender adolescents are more susceptible to bullying. The psychological well-being, sense of self-worth, and scholastic achievement of students can be adversely affected by bullying and prejudice. The lack of dedicated anti-bullying provisions in the NEP ignores how urgent it is to address these problems and deprives transgender pupils of the assistance and safety they require.

In order to lessen the incidence of bullying, the NEP should also stress how crucial it is to foster an inclusive and accepting culture in educational institutions. It is important to support

schools in creating a secure, supportive, and respectful environment for all students, regardless of their gender identification. This strategy can safeguard transgender students while simultaneously fostering a more peaceful and encouraging learning environment for all students. Through the integration of all-encompassing anti-bullying protocols customized to address the unique obstacles encountered by transgender kids, the NEP can foster a more secure, fair, and welcoming learning atmosphere where every student can flourish without worrying about prejudice or mistreatment.

Teacher Training:

A vital component of NEP 2020 pertaining to transgender education is the requirement for thorough teacher preparation. The NEP mentions the value of establishing an inclusive and non-discriminatory learning environment, but it makes no mention of any particular rules or specifications for preparing educators to recognize and assist in this regard. The NEP's conspicuous omission of specialized teacher training is concerning since teachers are crucial in establishing the school environment and influencing the attitudes and perceptions of students. Inadequately trained educators may unintentionally reinforce prejudices or stereotypes, creating an environment that is hostile to transgender pupils. Furthermore, inexperienced educators could find it difficult to meet the particular demands of transgender pupils. Furthermore, inexperienced educators could find it difficult to meet the special requirements of transgender children and might not have the resources necessary to establish a welcoming and supportive learning environment.

The NEP should place a strong emphasis on the need for teacher training on topics pertaining to gender sensitivity, inclusion, and diversity in order to address this important issue. Understanding transgender identities, identifying and combatting bias and discrimination, and fostering a welcoming classroom climate should all be covered in this kind of training. Programs for teacher training ought to be easily accessible, and instructors ought to be urged to take use of them in order to further their careers. This helps to build a more welcoming and tolerant society in addition to helping transgender students.

Affirmative Actions:

Although the NEP promotes equity and inclusivity, it does not specifically address the historical disadvantages and inequalities that transgender people have experienced in the

educational system (Johnson, 2019). Transgender students have historically faced prejudice and social marginalization, which has impeded their ability to receive a high-quality education. These obstacles come in many forms, involving social, cultural, and economic aspects. These systemic disparities may continue since the NEP does not contain clear affirmative action measures, which could impede transgender people from pursuing their educational goals and reaching their full potential. The NEP should take into account the adoption of affirmative action guidelines designed specially to assist transgender students in order to seriously address these concerns. To guarantee that transgender students have equal access to education, such measures may include financial help, admission quotas, or targeted scholarships. In education, affirmative action aims to create an inclusive and diverse learning environment in addition to righting historical wrongs. It makes a strong statement that all kids should have equal access to high-quality education, regardless of their gender identification. The NEP has the potential to be a key player in removing the structural obstacles that have impeded transgender students' access to higher education for so long by putting affirmative action policies into place.

Data collection and Reporting:

The lack of a mandate or comprehensive rules for gathering precise data on transgender kids in the NEP has important ramifications for comprehending the scope of the difficulties they encounter. Precise and exhaustive statistics regarding transgender kids are necessary for developing efficient policies, assigning funds, and monitoring advancement. It is difficult to pinpoint the unique requirements and inequalities experienced by transgender pupils in the absence of such data. This knowledge gap may impede the creation of focused interventions and support networks. The NEP should stress the significance of gathering and disclosing gender identification data in order to effectively address this issue. It ought to give instructions to educational establishments on how to accomplish this while protecting transgender students' privacy and confidentiality. Establishing clear criteria would incentivize educational institutions to gather precise data regarding transgender students. This data may then be utilized to monitor policy efficacy, pinpoint areas in need of adjustment, and guarantee that transgender pupils are not overlooked. To further hold educational institutions responsible for their dedication to inclusion, data collection and reporting are essential.

Institutions are more likely to take proactive steps to support transgender students when they are mandated to collect and report data on them. This makes them more aware of the difficulties these students encounter. Including data collection and reporting in the NEP is an essential step in ensuring that transgender students' needs are acknowledged, taken care of, and incorporated into practice and policy in the field of education. It goes beyond simply compiling numbers.

Conclusion

The NEP 2020 is a revolutionary vision for India's educational environment, aimed at achieving inclusive and equitable education. But it's clear that the NEP might not be able to provide the much-needed change that transgender populations face when we concentrate on their particular struggles. Is the NEP 2020 a game-changing plan or a wasted opportunity for transgender communities to receive education? It's not as easy to solve as we would want. Although the NEP lays the groundwork for an inclusive learning environment, it is not comprehensive or rigorous enough to address the complex web of challenges that children who identify as gender not confirmed or transgender experience. It's a squandered chance since the NEP does not specifically offer the direction, encouragement, and workable solutions that have the power to drastically alter the school environment for transgender people. Its inclusion objective is compromised by the lack of specific provisions for transgender-inclusive curriculum, teacher preparation, anti-bullying initiatives, affirmative action, data gathering, and addressing social stigma and discrimination. But it's also a revolutionary strategy because it offers a foundation, a call to action, and an architecture upon which a more inclusive educational system may be constructed. The NEP emphasizes the value of diversity, equity, and dignity in education and stresses the necessity of establishing an atmosphere that allows every person to reach their full potential, regardless of gender identity. Ultimately, the NEP 2020 is a canvas upon which we must collectively paint a more inclusive and equitable educational picture for transgender communities. It signifies the beginning of a transformative journey, but the onus is on us to fill in details, to ensure that this policy evolves from a missed opportunity into a resounding success story of inclusivity and equality in education, or will we allow it to remain unfilled? The answer, dear readers, lies in our collective actions, commitment, and dedication to fostering an educational system where no one is left behind.

Suggestions:

The following suggestions aim to transform the NEP 2020 from a missed opportunity into a framework that truly fosters inclusivity and equality in education for transgender communities:

- Including explicit provisions within the NEP that caters to the unique needs of transgender students, outlining strategies for their inclusion and support can be helpful.
- Mandate the integration of content related to gender diversity and transgender issues across various subjects and grade levels.
- Providing detailed guidelines for making educational facilities, such as restrooms and changing rooms, will be truly inclusive for transgender students.
- Describe particular anti-bullying guidelines and practices that take into account the difficulties transgender students encounter.
- Stress the value of thorough teacher preparation courses that cover gender sensitivity, inclusivity, and knowledge of transgender problems.
- Use affirmative action strategies to encourage transgender student enrollment and retention, such as targeted scholarships and admission quotas.
- Include steps to promote an environment of acceptance and respect for transgender people by educating educators, students, and the general public about these concerns.
- Make sure that educational establishments are held responsible for fostering an inclusive atmosphere and attending to the particular difficulties encountered by transgender pupils.
- Review and update the NEP on a regular basis to reflect changing requirements and difficulties in transgender education.
- In order to better understand and meet the needs of transgender pupils, mandate the collection and reporting of data pertaining to gender identification.

- A committee should be formed which includes Transgender representatives and experts for a better designing of the curriculum.
- More Transgender teachers should be employed in various Educational Institutions.

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