

INCLUSIVE EDUCATION FOR CHILDREN ON MOBILE OXYGEN: ETHICAL AND LEGAL ISSUES

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Abstract for research report submitted to the Faculty of Health Sciences, University
of the
Witwatersrand, in partial fulfilment of the requirements for the
degree of Master of Science in Medicine in the branch of Bioethics and Health Law,
Steve Biko Centre for Bioethics

Supervisor: Dr Norma Tsotsi

Johannesburg, 2021

ABSTRACT

In 2001, the government implemented Inclusive Education (IE), with the aim of integrating children with special needs in mainstream schools. However, the guidelines on IE that were put in place to implement the system, including other school guidelines from Department of Education, do not include learners with chronic lung disease carrying mobile oxygen.

To answer the research question, 'Is it ethically justifiable to exclude children carrying mobile oxygen in school guidelines?', I searched for literature on children carrying mobile oxygen, both nationally and internationally. I also explored the legal framework with regard to the right to education and integrating children with special needs in mainstream schools. I reported that the right to basic education is a fundamental right. Everyone has the right to education without being discriminated against and any kind of discrimination is unlawful and unethical.

I applied the Utilitarian and Deontology moral theories, and focused on Kant's Categorical Imperative to support the argument, it is unethical to exclude learners carrying mobile oxygen in the school guidelines. I also used ethical principles such as autonomy, maleficence, non-maleficence, and justice to support my assertion. The implications of excluding children carrying mobile oxygen in school guidelines is also discussed.

I conclude that everyone has the right to basic education. It is the responsibility of the state to make sure that the 4As of the right to education, i.e., availability, accessibility, adaptability and acceptability, are achieved. Therefore, children carrying mobile oxygen must be included in the school guidelines like all other children with other barriers to learning have been included.

DECLARATION



PLAGIARISM DECLARATION TO BE SIGNED BY ALL HIGHER DEGREE STUDENTS

SENATE PLAGIARISM POLICY: APPENDIX ONE

I OMPHILE TSHEGOFATSO MEKGOE, (Student number: 0420060e) am a student registered for the degree of **MSc Med Bioethics & Health Law** in the academic year 2021.

I hereby declare the following:

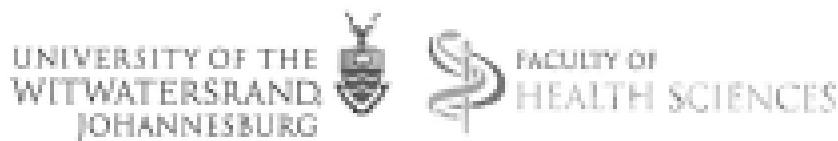
- I am aware that plagiarism (the use of someone else's work without their permission and/or without acknowledging the original source) is wrong.
- I confirm that the work submitted for assessment for the above degree is my own unaided work except where I have explicitly indicated otherwise.
- I have followed the required conventions in referencing the thoughts and ideas of others.
- I understand that the University of the Witwatersrand may take disciplinary action against me if there is a belief that this is not my own unaided work or that I have failed to acknowledge the source of the ideas or words in my writing.
- I have included as an appendix a report from "Turnitin" (or other approved plagiarism detection) software indicating the level of plagiarism in my research document.

Signature:

A handwritten signature in blue ink, appearing to read 'Omphele Tshegofatso Mekgoe', written over a faint grid background.

Date: 15 / 09 / 2021

ETHICS WAIVER



University of the Witwatersrand Student Ethics Declaration Form

(To be completed during the protocol assessor meeting)

Background

All Research conducted by a University of the Witwatersrand student, with human subjects or animals, requires approval by the Wits Human Research Ethics Committee or Animal Research Ethics Committee, respectively.

If research has been undertaken without the necessary ethics approvals, this is considered an ethics violation. This will be reported to the relevant structures, the data will have to be destroyed, and in the case of students, they cannot use the data towards their degree.

To prevent any ethics violations, the ethics requirements for the proposed project will be discussed with you at the protocol assessment.

Declaration

Based on the current protocol assessment (and any proposed changes suggested by the assessor committee), we, the undersigned, understand that the proposed research requires:

- | | | | |
|---|--|---|--|
| 1. Human Research Ethics clearance certificate | <table border="1"><tr><td>Yes</td><td>No <input checked="" type="checkbox"/></td></tr></table> | Yes | No <input checked="" type="checkbox"/> |
| Yes | No <input checked="" type="checkbox"/> | | |
| a. Covered under existing supervisor ethics | <table border="1"><tr><td>Yes</td><td>No</td></tr></table> | Yes | No |
| Yes | No | | |
| b. Requires a new HREC application | <table border="1"><tr><td>Yes</td><td>No</td></tr></table> | Yes | No |
| Yes | No | | |
| 2. Animal Research Ethics clearance certificate | <table border="1"><tr><td>Yes</td><td>No</td></tr></table> | Yes | No |
| Yes | No | | |
| 3. No Human or Animal Ethics Clearance | <table border="1"><tr><td>Yes <input checked="" type="checkbox"/></td><td>No</td></tr></table> | Yes <input checked="" type="checkbox"/> | No |
| Yes <input checked="" type="checkbox"/> | No | | |
| 4. Unclear, will seek appropriate guidance from the HREC/WREC committees (whichever relevant) | <table border="1"><tr><td>Yes</td><td>No <input checked="" type="checkbox"/></td></tr></table> | Yes | No <input checked="" type="checkbox"/> |
| Yes | No <input checked="" type="checkbox"/> | | |

Signatures

Supervisor's

Wendy Peters Student

[Signature]

Date:

17/05/2019

