Inclusive Forensics Framework for Transgender Youth with Special Educational needs in India

Khushbu Maheshwari [1], Vardhman Jain [2], Dr. Nongthombam Bangkim Singh [3], Dr. Ruchir Singh[4], Prof. (Dr.) Rhishikesh Dave[5] and Ridhi Singhal[6]

1. Assistant Professor, Sharda School of Law, Sharda University, maheshwarik189@gmail.com, Orcid Id: https://orcid.org/0009-0008-4553-6411
2. Research Scholar, School of Law, Bennett University, vardhmanjain59@gmail.com, Orcid Id: https://orcid.org/0009-0004-5907-014X
3. Associate Professor, Sharda School of Law, Sharda University, nongthombam.singh@sharda.ac.in , Orcid Id: https://orcid.org/0000-0001-6145-3757
4. Assistant Professor, School of Law, Bennett University, rucksruchirsingh@gmail.com, Orcid Id: https://orcid.org/0009-0004-4300-6864
5. Dean, School of Law, Sharda University, rhishikesh.dave@sharda.ac.in , Orcid Id:https://orcid.org/0009-0005-7193-0728
6. Assistant Professor, Sharda School of Law, Sharda University, ridhisinghal11@gmail.com , Orcid Id:https://orcid.org/0009-0006-7201-6855

HOW TO CITE:

Khushbu Maheshwari, Vardhman Jain,Nongthombam Bangkim Singh, Ruchir Singh, Rhishikesh Dave, Ridhi Singhal (2026). Inclusive Forensics Framework for Transgender Youth with Special Educational Needs in India. International Journal of Special Education, 41(2), 201-212

COPYRIGHT STATEMENT:

Copyright: © 2026 Authors.

Open access publication underthe terms and conditions of the Creative CommonsAttribution (CC BY) license (http://creativecommons.org/licenses/by/4.0/).

ABSTRACT:

The transgender and gender diverse (TGD) youth with SEN experience complex intersections of vulnerability within the realm of education. In spite of progressive laws, such as the Rights of Persons with Disabilities Act (2016) and the Transgender Persons Act (2019), India's schools continue to be entrenched within the cisnormative and neuronormative system. Therefore, conventional forms of psycho-educational testing, commonly known as "educational forensics," have repeatedly failed TGD children. Assessors tend to commit diagnostic overshadowing by misunderstanding the effects of their trauma associated with being part of a marginalized community as well as the spatial exclusion within schools as genuine behavioural problems; this leads to an increase in the school-to-prison pipeline. In order to counter this gap within the existing systems, the current paper offers a new concept called "Inclusive Forensics". This multi-disciplinary forensic model operates on the principles of trauma-informed differentiation and unbiased assessment protocols, moving the locus of investigation from the pathologizing of the youth to a study of institution-school frictions. Inclusive Forensics will use the multi-disciplinary team (MDT) approach to conduct ecological assessments as well as create a dual-track plan for transition that includes accommodation needs for both disability and gender.

Keywords: Inclusive Forensics, Transgender Youth, Special Educational Needs (SEN), Intersectionality, Psycho-Educational Assessment.

1. Introduction

Contemporary discourse on education highlights the importance of addressing the interrelationship between gender diversity and special education in terms of systemic reforms, psychological equality, and intersectional justice (Strang et al., 2021). The transgender and gender-diverse (TGD) youth constitute a socially vulnerable population that is often faced with compound difficulties including peer victimization, social discrimination, and psychological distress (Kosciw et al., 2022). When combined with Special Educational Needs (SEN), which include neurodivergence, cognitive, and emotional-behavioural challenges, the marginalization experienced by these individuals becomes even more pronounced. The aforementioned issues, especially those connected with the intersection of gender nonconformity and special needs, are not well researched and are largely ignored in the Global South countries. The situation facing TGD youth in India with Special Educational Needs is contradictory due to the fact that despite some significant progress in the sphere, including landmark legislation, such as the NALSA v. Union of India judgment in 2014, the RPWD Act in 2016, and NEP 2020, the Indian classroom is still deeply imbued with colonial-era cisgenderism.

While empirical studies increasingly highlight the intersectionality between gender diversity and neurodivergence, with one study reporting that gender variance is very common among autistic children (Kallitsounaki & Williams, 2023), the Indian framework for special education remains siloed. In particular, psycho-educational and behavioural evaluations consistently separate variables and regard the student's gender identity and SEN as entirely unrelated constructs. In crucial moments for the student's learning experience, such as disciplinary proceedings, risk assessment, and the creation of individual education plans (IEP), these forensic procedures often employ neurotypical, gender-conforming, and inherently biased criteria (Hughto et al., 2015). As a result, the standard forensic examination performed in most Indian schools often mistakes minority stress, trauma, or gender dysphoria as intrinsic deficiencies, insubordination, or mental illness caused by the student's disability (Meyer, 2003).

The most important research gap concerns the lack of an integrative model for conducting these crucial psychoeducational and socio-legal evaluations. While studies concerning trauma-informed practice and gender-sensitive education practices are being written around the world (Hatchel, Espelage, et al., 2018), there is a lack of scholarship on the particular "forensic" aspects of providing special education to TGD children in Indian institutions with strict infrastructure (e.g., gender-segregated premises, obligatory uniforms, limited special education facilities). The existing evaluation approaches lack structural procedures to distinguish trauma-related behaviours caused by the transphobic environment from the intrinsic elements of a cognitive/behavioural disability. Moreover, transition planning, which is an important element under the RPWD Act aimed at preparing children with disabilities for independent living after graduating from school, often overlooks the necessity to account for the process of gender transition, such as applying for legal recognition under the Transgender Persons (Protection of Rights) Act (2019).

In addressing this important gap, it becomes necessary to present the theory of "Inclusive Forensics" within the scope of special education. "Inclusive Forensics" is proposed as a framework of a multidisciplinary, affirming and investigatory evaluation method, which integrates special education laws, forensic psychology, and gender-affirming healthcare. Instead of punitive and deficit-oriented approaches to investigations, the focus will shift to an advocacy-based approach, which would critically analyse the system and environment in terms of socio-cultural as well as infrastructural factors affecting the student in question. Using an inclusive forensic framework, Indian educators and policymakers would be able to obtain accurate data pertaining to the experiences of TGD students with SEN in order

to ensure their basic right to a dignified and inclusive education.

The main objective of this paper is to develop and implement a theoretical model of Inclusive Forensics for transgenders with SEN. This model will provide an effective template for conducting assessments and transition plans not only in an international context but also within India. For this purpose, later sections will look into the issues of intersectionality and vulnerability associated with transgendered students with SEN. Moreover, there will be a discussion on the epistemology of "Inclusive Forensics". Lastly, the implementation of this model will be discussed, emphasizing its importance in the Indian educational scenario as well as the role of special educators.

2. Intersectionality and Systemic Vulnerabilities: Global Contexts and Indian Realities

There is a need for an intersective approach that acknowledges and considers their multiple social identities as intersecting each other. Intersectionality to holistically examine the educational terrain that TGD youth with SEN traverse, which emerged out of critical legal theory (Crenshaw, 1989), argues that social identities such as gender, disability, caste, and class cannot be treated in isolation but instead must be viewed in relation to each other as forming a complex matrix that generates intersecting systems of oppression. In the context of education, the TGD youth with SEN occupy a complex intersective matrix. The interaction of their gender dissidence with their neurological differences or physical or cognitive disabilities makes them vulnerable to certain systemic risks, which their cisgender neurotypical counterparts are free from (Jain et al., 2025).

It is important to comprehend how these structural vulnerabilities manifest through the lens of the Minority Stress Model. Coined to describe health disparities among sexual and gender minorities (Meyer, 2003), minority stress is characterized as prolonged environmental stress that stigmatized communities endure. Modern research has effectively applied this model to neurodivergent communities, illustrating that autistics, for example, undergo similar minority stress because of perpetual pressure to conform to neuronormative standards and the sheer fatigue of having to "mask" their differences (Botha & Frost, 2020). For TGD youths with SEN, these two dimensions of minority stress overlap. School settings require high levels of conformity from a behavioural, cognitive, and social standpoint. When a student violates both neurotypical and cisnormative norms, it can create significant cognitive and emotional demands that often surpass a student's capacity for coping mechanisms, causing serious anxiety, school avoidance, and academic exhaustion (Strang et al., 2021).

Although these trends can be seen to occur worldwide, they are particularly prevalent in the case of education in India. Paradoxically, India represents a place where trans rights and disabilities have legal safeguards but face numerous difficulties in practice. Important legal instruments such as the NALSA v. Union of India Supreme Court Judgment (2014), the Rights of Persons with Disabilities Act (2016), and the Transgender Persons (Protection of Rights) Act (2019) should provide for a safe learning experience for TGD students. Nonetheless, their implementation within educational institutions is rather problematic. The existing deeply rooted gender binary system in Indian schools, which dates back to colonial times, creates very challenging conditions for TGD students.

This intersectional problem has been substantiated through empirical evidence. Although there is a lack of systematic monitoring for TGD youth with SEN, emerging research reveals shocking statistics. In a recent meta-analysis, Kallitsounaki and Williams (2023) have shown that the likelihood of identifying oneself as gender diverse in people who are autistic is around three to six times greater than in those who do not belong to the autism spectrum. When considering this phenomenon in the context of

Indian schools, the consequences become tragic. The research conducted by the National Human Rights Commission of India (NHRC, 2018) has found that almost half of transgender persons reported experiencing severe classmate and teacher-based discrimination, with a shocking rate of dropout due to social alienation. To be precise, 99% of all transgender persons are exposed to such rejection, which leads to the halt of their educational achievements. Besides, according to UNESCO's (2019) report about school violence, the greatest frequency of bullying can be observed against students who are non-compliant with socially acceptable notions of gender identity. Thus, a combination of SEN and school-based transphobia greatly increases a child's vulnerability to being bullied and skipping school.

One extremely prevalent systemic issue that confronts these students is diagnostic overshadowing, which is greatly exacerbated by epistemic injustice. Diagnostic overshadowing refers to a situation whereby clinicians wrongly interpret a student's signs of distress or gender dysphoria as symptoms related to their neurodevelopmental disorder (Ashley, 2019). In low-budget special education environments, school psychologists and teachers tend to view the student's gender as a temporary obsession, a "special interest" typical of individuals with autism, or simply a means of expressing underlying mental disorders. The student becomes subjected to epistemic injustice because their ability to act as an authoritative knower of their identity is delegitimized by institutional systems. The student's disability is used to deny their gender, making it impossible for them to receive mandatory accommodations.

Moreover, the environment of conventional schools holds significant spatial risks for transgender people. There is a consensus among all TGD students that gendered spaces such as washrooms and gymnasiums create immense stress (McGuire et al., 2020). In India, where there is no provision for gender-neutral infrastructure in regular schools and students are expected to wear gender-specific uniforms, this cannot be avoided. For a child who displays signs of sensory processing disorder commonly observed in ASD and ADHD, the combination of these two environmental risks can be utterly disabling. The pressure to wear a rigid uniform lead to simultaneous sensory overload and dysphoria. Should a child have a meltdown due to the stress created by these factors, the schools tend to perceive this reaction as sheer defiance or a result of their SEN, completely ignoring the fact that the environment was transphobic.

This erroneous understanding serves as a catalyst for creating the exclusionary gap in punishment and discipline. Students with SEN and LGBTQ students have been shown to be disproportionately more likely to receive negative discipline in schools, including suspension and expulsion (Kosciw et al., 2022). The interaction of the two identity categories means that TGD students with SEN will be the most at risk for being disciplined by school administrators. This is because of the zero-tolerance policy used instead of trauma informed functional behavioural assessments (FBAs), which results in students' reactions being criminalized.

Lastly, the structural constraints on IEPs and transition planning contribute to these weaknesses. Despite the emphasis on personalized support services within the Indian RPWD Act (2016), the concept itself is based on cisnormative and deficit approaches. There is usually no inclusion of key gender affirmation steps such as dealing with the legal and medical bureaucracy involved in changing one's name and gender designation according to the Transgender Persons Act (2019) and locating supportive post-secondary vocational contexts (Poteat et al., 2020). The separation of the former disability support from the latter transition support by the educational system makes the process of future independence unattainable. Such profound institutional flaws call for an approach characterized by structural responsiveness and interdisciplinary collaboration, which will form the foundation of "inclusive forensics."

3. Conceptualizing "Inclusive Forensics" in Education

To eliminate the systemic weaknesses that the TGD youth with SEN face, the process of assessment within the education system should undergo an epistemological transformation. In special education, the term "forensic" is used to denote the psychological, legal, and evaluative approaches employed by schools to determine a student's cognitive profile and his or her behavioural functioning in addition to the legal rights he or she is entitled to (Yell et al., 2016). Traditionally, forensics in special education have relied on the medical paradigm of disability and its underlying assumption that the problem lies within the individual.

When applied in TGD youth with special educational needs in India, which is traditionally characterized by rigidity and cisnormativity in its educational institutions, this methodological framework often becomes a cause for epistemic violence, whereby the very nature of neurodiversity and gender dysphoria becomes pathologized, with the consequences of structural trauma seen as behavioural issues (Dirth & Adams, 2019).

To this end, this paper proposes the development of the concept of "Inclusive Forensics." This concept refers to a structural approach to investigative assessments that brings together the legal framework of special education, affirmative psychology evaluation, and socio-legal advocacy. Instead of the standard practice of trying to find out how the students misbehaved and to punish them accordingly, Inclusive Forensics approaches the problem on the understanding that the behaviour and grades of a student are inherently related to the systemic and environmental friction they must endure (Botha & Frost, 2020). Importantly, the theoretical framework outlined above cannot be used without actual institutional implementation, which will require creating standardized SOPs for psycho-legal assessment.

The formulation of Inclusive Forensics within the socio-legal context of India is the amalgamation of contemporary jurisprudence and pedagogical innovation. This model effectively implements the constitutional provisions of equality (Article 14), non-discrimination (Article 15), and the right to dignity of living and education (Article 21) guaranteed by the Indian Constitution. Additionally, Inclusive Forensics acts as the pivotal link between the Rights of Persons with Disabilities (RPWD) Act (2016) that ensures inclusive education with personalized attention and the Transgender Persons (Protection of Rights) Act (2019) that mandates a ban on discriminatory practices within educational institutes. However, despite the introduction of such progressive legal policies, the absence of standardized and interdisciplinary assessment procedures leaves these policies ineffective within Indian schools (Bhattacharya, 2019). Inclusive Forensics helps establish these legislative regulations through an integrative psycho-legal structure based on three essential principles: Trauma-Informed Differentiation,

Trauma-Informed Differentiation (TID), which is the first of the three pillars, entails a complete rethinking of the concepts of non-compliance and disruptive behaviour from a perspective informed by minority stress. Within the highly segregated and sensory-stimulated environments of Indian schools, the TGD student, who is also a SEN individual, is continuously exposed to structural forms of stress. Whereas in a conventional forensic analysis of the problem, one could view the defiance of a neurodivergent individual not to engage in physical exercise or wear an extremely restrictive gendered uniform as a form of ODD, Inclusive Forensics requires the differentiating investigation into whether the problem behaviours result from a learning disability or sensory assaults brought about by transphobia (Strang et al., 2021). It is, therefore, necessary to investigate how the school environment serves to exacerbate stress and transform its focus from the "problem child" to the "hostile environment."

The second pillar is De-biased Assessment Protocols that questions the taken-for-granted

objectivity of the psychometric and behavioural tests commonly used in psychology and education practice. Psychoeducational measures commonly employed in India are standardized based on the neuro-typical, cis-gendered individuals and are inherently biased against individuals who are not. As such, a TGD individual with Special Educational Needs (SEN) may have his/her/their authentic behaviour skewed by the tests, resulting in misdiagnosis or diagnostic overshadowing (Kallitsounaki & Williams, 2023). In order to conduct an inclusive forensic evaluation, there needs to be a critical interrogation of the psychometric and behavioural tests used. Specifically, a practitioner needs to employ a culturally responsive and multimodal approach that considers a student's gender identity.

Lastly, Transformative Evidence Gathering reorients the ultimate goal of the psycho-legal evaluation process. In conventional paradigms, evidence is usually gathered in order to legitimize exclusionary measures like suspensions and segregationist learning arrangements. With Inclusive Forensics, the act of gathering evidence becomes a tool of institutional advocacy. The evidence gathered about the intersecting needs of the student including the need for gender-neutral facilities, sensory adjustments, and affirming pronouns must be enshrined in law through their IEP or alternative support services agreement. Within the Indian setting, where resource limitations are often offered as an obstacle to inclusion, the detailed documentation generated by an Inclusive Forensics evaluation turns the school's resistance to inclusive practices into a legally binding, empirically supported requirement (Kosciw et al., 2022). This places the burden of evidence on the institution, which must prove its adherence to national legislation concerning discrimination and disability rights, rather than on the student, who was traditionally required to "prove" their need for protection.

In summary, Inclusive Forensics is a paradigmatic transition from a punitive and deficit-based approach to a validating and systemic approach to investigation. This will enable the education system to properly interpret the multifaceted nature of TGD children with SEN. The psychosocial mechanisms within schools should be used as means of promoting justice and equity, rather than means of systemic exclusion and marginalization.

4. Multi-Disciplinary Framework for Assessment and Transition

The translation of the epistemological tenets of Inclusive Forensics into tangible educational practice requires a comprehensive, multi-disciplinary approach. The conventional procedures for assessing special education needs tend to involve professional silos wherein the medical personnel, the psychologists, and the educators carry out their own separate assessments of the student. The process becomes all the more problematic when considering TGD students with SEN, as this practice further facilitates the phenomenon of diagnostic overshadowing and leads to inherently inadequate interventions (Strang et al., 2021). In order to ensure that the rights and entitlements of these students, especially in the context of India's labyrinthine educational bureaucracy, are protected, it is imperative for the schools to implement a Multi-Disciplinary Team approach. The MDT approach, which involves a radical departure from the standard procedures of psycho-educational assessment and transition planning into post-secondary education, adheres to the principles of the RPWD Act of 2016 and the Transgender Persons Protection of Rights Act of 2019.

4.1. Composition and Competency of the Multi-Disciplinary Team

The success of the Inclusive Forensic assessment lies in the nature of the MDT and their intersectional competence. In the Indian context, where specialists tend to be based out of urban areas, the process needs to involve leveraging internal capacities as well as district-level authorities. In essence, the core team should consist of a rehabilitation psychologist or special educator registered with the Rehabilitation Council of India, a gender-affirming counselor

from the school, a legal or social worker who knows about disabilities and transgender rights, and most importantly, the student and their family/guardians.

One critical requirement for the MDT is the collective commitment to epistemic justice, i.e., recognition of the fact that the student themselves is the expert on their experiences (Botha & Frost, 2020). Prior to undertaking any kind of assessment, the MDT needs to build their capacities by overcoming their own inherent cisnormativity and neuronormativity. The MDT needs to understand that neurodiverse traits, like the tendency among autistic individuals to follow social norms literally, do not detract from their gender identity, just as gender dysphoria does not take away from their cognitive disability or learning disabilities (Kallitsounaki & Williams, 2023).

4.2. The Ecological and Affirmative Assessment Protocol

This Inclusive Forensic model places the focus on investigating not what is wrong with the student, but rather on the interactional conflict that occurs between the student and his environment. The Inclusive Forensic process consists of three phases:

Phase 1: Pre-Assessment Environmental Audit: Prior to conducting any psychological evaluation of the child, the MDT audits the surroundings of the school environment. In Indian schools, which tend to exhibit strict gender binaries (such as the mandatory wearing of gendered uniforms, separate seating arrangements, and binary washrooms), these stressors may be identified. If the child exhibits behaviour issues due to sensory processing challenges, then it must be established that it is not because of the emotional distress caused by wearing non-affirming clothing that leads to such problems (McGuire et al., 2020).

Phase 2: De-biased Psychoeducational Evaluation: In cases where standardized assessments need to be used to receive accommodations under the RPWD Act (2016), the MDT team should interpret the outcomes through an affirmative frame of mind. Given that there is no psychometric assessment normed for TGD people or intersectional groups, the MDT should consider the mental effort required to "mask" their marginalized identity, which involves significant energy expenditure by neurodivergent and TGD children in order to stay safe from discrimination (Botha & Frost, 2020). According to the principles of Inclusive Forensics, differences between cognitive and behavioural profiles will be correlated with the level of minority stress and peer bullying experienced by the child (Hatchel, Espelage, et al., 2018).

Phase 3: Intersectional Functional Behavioural Assessment (FBA): In the event that exclusionary discipline is to be meted out, an intersectional FBA by the MDT would follow. In this case, defiance and truancy do not represent behaviour that is to be punished but, rather, are understood to be a form of messaging regarding the systems' failures. The resultant intervention plan requires that structural changes be made, including access to gender-neutral facilities and usage of appropriate pronouns.

4.3. Holistic Transition Planning in the Indian Context

The planning of the process by which a student with SEN moves on to pursue further studies and live independently, known as transition planning, is not only essential but also legally required. Unfortunately, such plans have proven to be insufficient when dealing with TGD young adults with SEN, frequently failing to acknowledge the various aspects of gender transition and the legal process associated with it (Poteat et al., 2020).

In India, the double-track approach becomes extremely bureaucratic, yet it is absolutely essential. The MDT should help the student navigate both systems simultaneously. When applying for a disability certificate and obtaining the required accommodations under the RPWD Act (2016), the student also needs to apply for a Transgender Identity Certificate issued by the District Magistrate as per the Transgender Persons (Protection of Rights) Act (2019). Such a

certificate is vital for accessing certain welfare programs and making sure that their educational record, such as the 10th and 12th Board certificates, bears the correct name and gender marker.

In addition, the transition process should include attention to vocational and social vulnerabilities. The NEP 2020 focuses on socioeconomically disadvantaged groups (SEDGs), which automatically includes TGD students with SEN. It is the responsibility of the MDT to seek out colleges or vocational schools that do not only offer disability-related services but also have well-developed anti-discrimination policies for TGD individuals. This includes performing socio-ecological assessment of the environment that the individual is transitioning into, as well as preparing them for self-advocacy in this regard and maintaining access to mental and physical health professionals.

In conclusion, the Multi-Disciplinary Framework for Assessment and Transition will turn the educational institution from a place of marginalization into an avenue for empowerment. Through its integration into the education system, there will be a shift from fragmented, deficit-based assessments to a holistic, ecological, and legally sound framework that will help realize the institution's mission of delivering an inclusive education.

5. Implications for Policy, Practice, and Special Educators

The development and implementation of an "Inclusive Forensics" approach as a multidisciplinary evaluative tool demand a radical rethinking of conventional education systems that are siloed and compartmentalized. The application of intersectional theory into practical educational equity for TGD youths with SEN calls for fundamental changes. This is particularly applicable in the case of implementing an Inclusive Forensics approach within the Indian context where there are progressive laws but conservative educational practices; the implications of which are data-rich at both macro- and micro-pedagogic levels (Kozleski, 2020).

5.1. Macro-Level Implications for Educational Policy

In terms of policies, the first critical issue relates to the immediate requirement for bringing together the disjointed policy mandates. Although NEP 2020 identifies both transgender and disability students under Socio-Economically Disadvantaged Groups (SEDGs), policy measures do not necessarily deal with the intersection between the two categories. Under the RPWD Act (2016), "reasonable accommodation" must be provided, while the Transgender Persons (Protection of Rights) Act (2019) declares educational discrimination illegal. However, due to the absence of coordinated administrative processes, these provisions remain non-operational.

Statistics provide evidence of the disastrous impact of such a policy vacuum. According to the NHRC (2018), 52% of transgender people encountered significant harassment at school, which is part of a larger environment wherein 99% face layered social exclusion, thereby hindering their educational journey. This calls for the need for state education boards (such as CBSE, ICSE) and the Ministry of Education to adopt inclusive forensic SOPs.

Data-Driven Policy Imperatives:

- **Targeted Resource Allocation:** According to recent UDISE+ reports, there are clear infrastructural inadequacies since just a minority of schools in India have proper toilets for CWSN (Ministry of Education, 2022). It is vital for the policy to make provision for the development of infrastructural facilities that not only guarantee access but are also non-binary.
- **Mandatory Data Disaggregation:** Existing education databases at the national level do not account for the relationship between gender dysphoria and SEN. This requires that policy be instituted ensuring that intersectional data is collected ethically and confidentially to help track statistics on dropouts, punishments, and

educational performance for TGD young people with SEN (Bhatnagar & Das, 2014).

Table 1: Proposed Policy Shifts for Inclusive Forensics in India

Current Policy Gap	Proposed Inclusive Forensic Policy Shift	Expected Outcome
Siloed implementation of RPWD Act (2016) & Transgender Persons Act (2019)	Integrated guidelines for dual-status (SEN + TGD) accommodations.	Seamless legal and educational support.
Lack of intersectional demographic data (UDISE+)	Mandatory, confidential tracking of disability and gender identity markers.	Evidence-based funding and targeted interventions.
Binary and physically inaccessible school infrastructure	Mandated funding for accessible, gender-neutral facilities.	Reduced spatial vulnerability and sensory distress.

5.2. Meso-Level Implications for Institutional Practice

Institutionally speaking, Inclusive Forensics calls for a paradigm shift away from a punitive model of discipline towards an approach that is restorative and ecologically valid.

Traditional schools often misunderstand the trauma reactions of double minorities as behavioural deficits or non-compliance issues. In adopting Inclusive Forensics, the school administration must make fundamental changes to its risk assessment and psycho-educational evaluations.

Data-Driven Practice Reforms:

- **Restructuring Functional Behavioural Assessments (FBAs):** Studies on global trends reveal that disabled youths who identify themselves as LGBTQ+ experience twice or thrice as many disciplinary actions like suspensions and expulsions compared to their peers who are neither queer nor have disabilities (Kosciw et al., 2022). Within an Indian setting, where suspensions take the form of "push-out" rather than formal procedures, changes within institutions must be made by making sure that FBAs measure the levels of minority stress experienced by the student. This means taking into consideration what provokes the student's behaviour, such as forced uniform dress codes.
- **Affirmative Transition Protocols:** Institutional procedures should be put into place for dealing with social transitions (name change, pronoun change) that fit into the individual education plan (IEP) of the child. Making the student go through cumbersome processes just to be called their correct name by the teacher is institutional violence. The process should adapt to include the self-naming on the roster independent of gazette notification.

5.3. Micro-Level Implications for Special Educators

Special educators and school psychologists are the key link in the implementation of Inclusive Forensics. In the past, the medical paradigm for disabilities has rendered these individuals as gatekeepers for diagnosis; they are responsible for detecting deficiencies to distribute available resources. The paradigm shift towards Inclusive Forensics transforms their responsibility into that of an advocate.

However, there is a serious bottleneck in the training of these teachers in India. According to the UNESCO State of Education Report for India, which was published in 2019, there is a critical shortage of special educators, with more than 70% of regular schools not having enough special educators (UNESCO, 2019). In addition, the current practitioners' function on an old curriculum.

Data-Driven Pedagogical Reforms:

- **Curricular Overhaul by the RCI:** There is an urgent need for the Rehabilitation Council of India (RCI), the regulatory body overseeing special education training, to overhaul the syllabus for its B.Ed. and M.Ed. (Special Education) programs. The existing training programs largely concentrate on neurological interventions only. The future syllabuses should include aspects such as gender-affirming pedagogy, trauma-informed care, and intersectionality (Strang et al., 2021).

- **Mitigating Diagnostic Overshadowing:** Educators require training to understand and overcome diagnostic overshadowing, which involves ignoring any genuine feelings of gender dysphoria due to the presence of the neurodevelopmental disorder, such as assuming that transgenderism is simply an "autistic fixation." Educators need to shift from a single-informant method of assessment toward one that acknowledges the epistemic authority of the individual (Kallitsounaki & Williams, 2023).

- **Combating Professional Burnout:** Serving as an intersectional advocate in the face of a highly conservative educational system leaves special educators susceptible to the effects of secondary trauma. School authorities need to provide a supportive structure, ongoing training, and legal support to educators applying Inclusive Forensics that protect them from any repercussions for advocating for the rights of their TGD students with SEN.

The evolution towards inclusive forensics is therefore not just a theoretical approach, but an urgent necessity to address the issues plaguing the education sector in India. By implementing national policies that mandate certain changes in school assessment methods while also providing special educators with intersectionality competencies, the Indian education sector will be able to ensure that its vulnerability towards TGD youths with SEN is eliminated altogether.

6. Conclusion

The gender diversity and SEN form one of the most challenging but least researched areas in modern education. As described above, TGD youth with SEN find themselves on the periphery of a multifaceted process of oppression. Worldwide, especially in India's deeply ingrained cis- and neuronormative educational framework, such individuals face multiple structural disadvantages. Conventional educational assessment often fails this group because of diagnostic overshadowing, confusion about minority stress as part of psychopathology, and the use of punishment as a means of discipline that pushes them into the school-to-prison pipeline (Botha & Frost, 2020; Kosciw et al., 2022).

In India, the persistence of these exclusionary practices represents a stark failure to actualize the progressive mandates of the Rights of Persons with Disabilities (RPWD) Act (2016), the Transgender Persons (Protection of Rights) Act (2019), and the fundamental constitutional guarantees of equality and dignity (Articles 14, 15, and 21 Constitution of India). Progressive legislation remains functionally inert without precise, institutionalized mechanisms to bridge the gap between policy and daily pedagogical practice. To resolve this systemic dissonance, this paper introduced and operationalized the conceptual paradigm of "Inclusive Forensics."

Inclusive Forensics constitutes a radical epistemological shift in psycho-legal educational assessment. It demands the abandonment of deficit-based, medicalized investigative models that isolate and penalize the student. Instead, it mandates an ecologically valid, multi-disciplinary framework that meticulously examines the systemic and environmental friction such as non-affirming infrastructure, sensory-hostile uniforms, and institutional transphobia impacting the doubly marginalized student (Strang et al., 2021). By grounding evaluations in trauma-informed differentiation and de-biased assessment protocols, Inclusive Forensics empowers Multi-Disciplinary Teams (MDTs) to

accurately decode student behaviour, thereby replacing exclusionary discipline with legally binding, affirmative accommodations.

Furthermore, the implementation of Inclusive Forensics carries profound implications for the future of special education in India. It necessitates urgent macro-level policy synchronization to mandate gender-neutral infrastructure and track intersectional demographic data (Kozleski, 2020). At the micro-level, it requires a comprehensive overhaul of teacher-training curricula by bodies such as the Rehabilitation Council of India (RCI), ensuring that the next generation of special educators is equipped with the intersectional competencies required to act as systemic advocates rather than mere diagnostic gatekeepers. Transition planning, too, must evolve from siloed disability accommodations into dual-track frameworks that actively support the student's legal, medical, and vocational gender transition milestones.

Ultimately, the true measure of an inclusive educational system is not found in the rhetoric of its overarching policies, but in the micro-level realities of its most vulnerable students. TGD youth with SEN do not require "fixing" through traditional forensic behavioural interventions; they require structural affirmation. By institutionalizing the principles of Inclusive Forensics, educational policymakers, school administrators, and special educators can dismantle entrenched epistemic injustices. In doing so, they transform educational institutions from sites of compounded trauma into environments that actively uphold every student's fundamental right to a safe, dignified, and truly equitable public education.

References

Ashley, F. (2019). Gatekeeping hormone replacement therapy for transgender patients is dehumanising. Journal of Medical Ethics, 45(7), 480–482. https://doi.org/10.1136/medethics-2018-105293

Bhatnagar, N., & Das, A. (2013). Nearly two decades after the implementation of the Persons with Disabilities Act: Concerns of Indian teachers to implement inclusive education. International Journal of Special Education, 28(2), 104–113.

Bhattacharya, S. (2019). The transgender nation and its margins: The many lives of the law. South Asia Multidisciplinary Academic Journal, (20). https://doi.org/10.4000/samaj.4930

Botha, M., & Frost, D. M. (2020). Extending the minority stress model to understand mental health problems experienced by the autistic population. Society and Mental Health, 10(1), 20-34. https://doi.org/10.1177/2156869318804297

Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A Black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. University of Chicago Legal Forum, 1989(1), 139-167.

Dirth, T. P., & Adams, G. A. (2019). Decolonial theory and disability studies: On the modernity/coloniality of ability. Journal of Social and Political Psychology, 7(1), 260-289. https://doi.org/10.5964/jspp.v7i1.762

Hughto, J. M. W., Reisner, S. L., & Pachankis, J. E. (2015). Transgender stigma and health: A critical review of stigma determinants, mechanisms, and interventions. Social Science & Medicine, 147, 222-231. https://doi.org/10.1016/j.socscimed.2015.11.010

Hatchel, T., Valido, A., De Pedro, K. T., Huang, Y., & Espelage, D. L. (2018). Minority stress among transgender adolescents: The role of peer victimization, school belonging, and ethnicity. Journal of Child and Family Studies, 28, 2467–2476. https://doi.org/10.1007/s10826-018-1168-3

Jain, V., Maheshwari, K., Kulshreshtha, P., Chandra, S., Singh, R., Yashasvi, V., & Sharma, V. (2025). Forensic bioanalytical modelling of behavioral biomarkers in digital evidence: Gender-based patterns in cybercrime investigations. Journal of Applied Bioanalysis, 11(S1), 160–166. https://doi.org/10.53555/jab.v11si1.352

Kallitsounaki, A., & Williams, D. M. (2023). Autism spectrum disorder and gender dysphoria/incongruence: A systematic literature review and meta-analysis. Journal of Autism and Developmental Disorders, 53(8), 3103–3117. https://doi.org/10.1007/s10803-022-05517-y

Kosciw, J. G., Clark, C. M., & Menard, L. (2022). The 2021 National School Climate Survey: The experiences of LGBTQ+ youth in our nation's schools. GLSEN.

Kozleski, E. B., Stepaniuk, I., & Proffitt, W. A. (2020). In the eye of the storm: When retreat is an unacceptable option. Multiple Voices for Ethnically Diverse Exceptional Learners, 20(1), 16–31. https://doi.org/10.56829/2158-396x-20.1.16

McGuire, J. K., Berg, D., Catalpa, J. M., Morrow, Q. J., Fish, J. N., Nic Rider, G., Steensma, T., Cohen-Kettenis, P. T., & Spencer, K. (2020). Utrecht Gender Dysphoria Scale - Gender Spectrum (UGDS-GS): Construct validity among transgender, nonbinary, and LGBQ samples. International Journal of Transgender Health, 21(2), 194–208. https://doi.org/10.1080/26895269.2020.1723460

Meyer, I. H. (2003). Prejudice, social stress, and mental health in lesbian, gay, and bisexual populations: Conceptual issues and research evidence. Psychological Bulletin, 129(5), 674-697. https://doi.org/10.1037/0033-2909.129.5.674

Ministry of Education. (2022). Unified District Information System for Education Plus (UDISE+) 2021-22. Department of School Education & Literacy, Government of India.

National Human Rights Commission. (2017). Study on human rights of transgender as a third gender. Government of India. https://nhrc.nic.in/

National Legal Services Authority (NALSA) v. Union of India, (2014) 5 SCC 438 (India).

Poteat, V. P., Calzo, J. P., & Yoshikawa, H. (2020). Transitioning to adulthood for transgender and gender nonconforming youth: A socio-ecological approach to career and academic planning. Journal of Vocational Behavior, 120, 103445. https://doi.org/10.1016/j.jvb.2020.103445

Strang, J. F., Knauss, M., van der Miesen, A., McGuire, J. K., Kenworthy, L., Caplan, R., ... & Anthony, L. G. (2021). A clinical program for transgender and gender-diverse neurodiverse/autistic adolescents developed through community-based participatory design. Journal of Clinical Child & Adolescent Psychology, 50(6), 730-745. https://doi.org/10.1080/15374416.2020.1731817

UNESCO. (2019). Behind the numbers: Ending school violence and bullying. United Nations Educational, Scientific and Cultural Organization.

UNESCO. (2019). N for Nose: State of the education report for India 2019 - Children with disabilities. United Nations Educational, Scientific and Cultural Organization.

Yell, M. L., Katsiyannis, A., Ennis, R. P., Losinski, M., & Christle, C. A. (2016). Avoiding substantive errors in individualized education program development. TEACHING Exceptional Children, 49(1), 31-40. https://doi.org/10.1177/0040059916662204