Equal right, equal opportunity -
Inclusive education for all children with disability

GLOBAL ACTION WEEK 2014
1. Introduction

The Global Action week (GAW) is a worldwide campaign organized annually by the Global Campaign for Education (GCE) a raise awareness on the importance of Education for All. The theme for this year’s Campaign is Equal Right, Equal Opportunity- Inclusive Education for Children with Disability. In Kenya GAW celebrations are spearheaded by the Elimu Yetu Coalition (EYC) which is the GCE national representative. Besides coordinating GAW EYC brings together partners and stakeholders in the field of education to deliberate and advocate for various educational issues and concerns at national and county level.

2. Brief about Inclusive Education

UNESCO 1994 identified Inclusion as a process of addressing and responding to the diversity of needs of all children, youth and adults through increasing participation in learning, cultures and communities and reducing and eliminating exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision that covers all children of the appropriate age range and a conviction that it is the responsibility of the regular school system to educate all children in realizing their potential. Inclusive education to learners with disabilities is therefore ensuring accessible environmental, attitudinal and institutional changes to enhance their learning.

Education is both a human right in itself and also an important means in realizing other human rights. However, children living with disabilities are often denied their rights to quality education due to stigma and discrimination at multiple levels. In general, children with disabilities are less likely to start school and have lower rates of staying and being promoted in educational facilities. Structural and social barriers to education such as poverty, lack of accessible infrastructure, negative attitudes, low capacity of teachers and insufficient access to information all contribute to the exclusion of children with disabilities from accessing quality education opportunities worldwide.

Situation Analysis about Inclusive Education in Kenya

Inclusive Education is yet to be realized in Kenya. In many instances there is poor planning which hinders effective implementation and achievement of inclusive education. Special needs education policy 2009 indicates that the ministry of education faces challenges in its effort to address barriers to education for children with special needs. These include issues relating to: access, equity, quality, relevance, attitude, stigma, discrimination, cultural/taboo, skills, physical environment, physical facilities and poverty.

Dr Kochung Taskforce 2003 recommended:

- Strengthening EARC’s through increased budgetary allocation and equipping
- Carrying out special needs national survey to establish population of special needs children in and out of school and an inventory of assistive devices and equipment available in our schools.

Currently the Education Assessment and Resource Centers are the focal point of early identification of disabilities and provision of appropriate referrals. The EARC’s lack funding from the government and equipments/ facilities for efficient and effective achievement of their mandates.

Lack of harmonization of institutional and identification codes between the Ministry of Education and its Semi Autonomous Government Agencies (SAGAs) cause a challenge in terms of accountability and reliability of data. Unreliable data has rendered the Educational Management Information System (EMIS) functionally ineffective. In the absence of legal provisions guarding against misinformation or noncooperation of required data, heads of units and institutions provide inaccurate data to suit their unique circumstances.

Inclusive Education is treated as an after though this is clearly evident as its missing in action as its not mentioned in relevant documents such as Kenya Institute of Curriculum Development Act 2013 and Kenya National Examination Council Act 2012.

3. Policy environment & response on inclusive education

Kenya has ratified different policies and conventions that form a basis of moving forward in lifting the barriers that have hindered persons with disabilities from reaching their full and effective participation in the society.

Salamanca statement, 1994 recognizes the necessity and urgency of providing education for all children, young people and adults ‘within the regular education system.’ It clarifies that those children with special educational needs ‘must have access to regular schools’ and adds:

“Regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; Moreover, they provide an effective education to the majority of children and improve the efficiency and ultimately the cost effectiveness of the entire education system.

It further calls on governments to:

- Give the ‘highest policy and budgetary priority’ to improve education services so that all children could be included, regardless of differences or difficulties.
- ‘Adopt as a matter of law or policy the principle of inclusive education’ and enroll all children in ordinary schools unless there were compelling reasons for doing otherwise.
- Develop demonstration projects and encourage exchanges with countries with inclusive schools.
- Ensure that organizations of disabled people, along with parents and community bodies, are involved in planning decision-making.
• Put greater effort into pre-school strategies as well as vocational aspects of inclusive education.
• Ensure that both initial and in-service teacher training address the provision of inclusive education.

CURRENT SITUATION ON KEY AREAS

a) Access to Quality Education

Persons with Disabilities Act 2003 (18), states that “Learning institutions shall take into account the special needs of persons with disabilities with respect to the entry requirements, pass mark, curriculum, examinations, auxiliary services, use of school facilities, class schedules, physical education requirements and other similar considerations”.

Basic Education Act 2013 article 34 states that “a school or person responsible of admission shall not discriminate against any child seeking admission on the ground including ethnicity, gender, sex, religion, race, colour or social origin, age, disability, language or culture”

Basic Education Act 2013 article 46 stipulates the role of the county education boards in ensuring that proper assessment, referrals and placement of children with disabilities is carried out.

Identified Gaps

• Access and participation of children with disabilities / special needs in education is low and their needs are not being specifically addressed.
• Currently our education system is exam oriented. The emphasis on academic performance and examinations creates an unfavorable learning environment for children with special needs and disabilities and even moderates learning difficulties. Unfortunately inclusive education does not reflect in the KNEC Act 2012.
• Lack of harmonization of institutional and identification codes between the Ministry of Education and its Semi Autonomous Government Agencies (SAGAs) cause a challenge in terms of accountability and reliability of data. Unreliable data has rendered the Educational Management Information System (EMIS) functionally ineffective.
• Lack of data on persons with disabilities is severely constraining the ability of the government and key stakeholders to monitor the situation of children with disabilities. Current data does not allow in-depth understanding of the cross cutting disadvantages faced by children with disabilities. There has been insufficient attention to the need to collect data on disabilities and link them to education outcomes.
• EARC’s being the focal point of early identification of children with disabilities currently lacks appropriate funding and facilities to carry out their mandate. Currently the county education boards have the constitutional mandate to provide child guidance services which include carrying out education assessment. This boards lack the infrastructure to conduct their mandate as stipulated in the basic education act 2013 article 46 while some are yet to be set up in different counties.
• It’s estimated that 77 million children are currently excluded from education globally of those one third are children with disabilities. (Education for all, Global Monitoring Report 2010)
• It’s also estimated that 1.7 million people in Kenya have disabilities of those people only 39% have attended a mainstream primary school and only 9% have attended high school. (Kenya National Survey for persons with disabilities 2008)

CALL FOR ACTION

There is need for the government to:
• Conduct a survey to ascertain the population of children with disabilities / special needs across the country.
• Carry out proper interpretation of the mandate of the County Education Boards and EARC’s, streamline their coordination, conduct continuous capacity building of these personnel and provide adequate budgetary allocation for efficiency and effectiveness.
• Make Education Assessment and Resource Services a prerequisite of enrollment of children in all schools so as to ensure cases of disabilities are identified at an early age and appropriate intervention taken.
• Introduce targeted screening services in regular schools to help identify late cases of disabilities and ensure corrective referrals are done.
• Establish inclusive education units in regular/ public schools within every county and equip it with the appropriate learning resources and personnel to help increase the opportunities for children with disabilities to access quality education within their communities in inclusive education institutions.
• Make inclusive education methodologies a compulsory course content in all teacher training institutions to ensure that all teachers get the appropriate training to handle all children regardless of their abilities.

b) Access to Infrastructure, Facilities & Institutional Environments

The Constitution of Kenya 2010 article 54 states that a person with a disability is entitled to access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person.

Basic Education Act 2013 article 44 states that “the cabinet secretary shall ensure that every special school or educational institution with learners with special needs is provided with appropriate trained teachers, non teaching staff, infrastructure, learning materials and equipments suitable for such learners.

Identified Gaps

• Assistive devices are very costly and not adequately available for all children with disabilities, this limits them from accessing education and transition to the next level of education.
• Policies, laws and recommendations appropriate for mainstreaming disability in the educational institutions are well stipulated but are hardly implemented and this impedes inclusion.
• Most institutional environments are not prepared for inclusion in terms of human resource, physical facilities and learning resources. Thus the environment does not conform to the needs of learners with disabilities.

CALL OF ACTION

• We call on the government to fast track implementation of laws and policies on access to infrastructure, facilities and institutional environments.
• The government should inspect of all school infrastructures and enforce conformity to the universal designs and principles as stipulated in the UN Convention on the Rights of Persons with Disabilities.
• The government should subsidize the cost of the assistive devices and streamline provision of appropriate assistive devices and learning aids upon correct assessment.

c) Financing and Budgeting Outlays
Cost effectiveness of inclusion has been advocated for on the ground thus showing that its cheaper than running a segregated and regular system of schooling. This cost will be issues in relation to inclusion of some children but much adaptation are low-cost.

Convention on rights for persons with disabilities 2006, Emphasized the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development.

Identifies Gaps
- Lack of clear plans that project improvement in children mortality rates and holistic development, which may result in the survival of more children with more severe impairments and subsequently rise in costs to provide appropriate education.
- The system favors the funding of special schools; the funding is not focused on the learner. For this reason, it is like regular schools with learners with disabilities are being punished because they do not get the kind of funding that special schools get.
- No effective criteria for funding; for instance, the funding does not consider the degree of need;

CALL FOR ACTION
- We call on the government to give the ‘highest policy and budgetary priority’ to improve education services so that all children could be included, regardless of differences or difficulties
- Establishment of a block capitation grant to schools which have inclusion in their development plans and which can demonstrate through an annual inspection an increase in enrolment of children with disabilities and in expenditure establishment of a functional inclusion support services within the schools.
- Increased capacity building and awareness on financial management of disability issues both at the national and county level to ensure there is coordination of activities for mainstreaming disability in the education and training.
- Development of cost analysis and projections that recognize that although inclusion is likely to have some cost implication, improvement in school environments, curriculum, teaching methods and assessment, will have benefits for all children thus cost effective investment.

d) Policy Gaps
Gaps Identified
- Availability of policies that do not explicitly mention disability such as the millennium goals and education for all.
- Lack of policy implementation that is complemented by awareness rising about disability both at the national and county level.
- Ineffective coordination of cross-sectoral and inter-disciplinary services for children with disabilities.
- Delay in implementation of legislations and policies
- Availability of policies that don’t address particular barriers to participation and learning in the country. These are likely to include attitudinal, environmental, legal and institutional barriers.

CALL FOR ACTION
- The government need to establish a support system through which coordination, implementation of policy is complemented with increased awareness both at the national and county level. This will ensure effective implementation of cross-sectoral and inter-disciplinary services for persons with disabilities thus enhance their transition from one level to another.
- We call on the key stakeholders to fast track dissemination of legal frameworks on education and inclusive education and carry out the relevant interpretation to key personnel like teachers, school managements to ensure that the inclusive education is realized.
- Establish enabling legislation that can encourage responsiveness and innovation in policy design, interpretation and implementation both at the national and county level.
- Request the government to fast-track the implementation of policies and development programmes on education for all both at the county and national government by removing barriers and ensuring access to the needed support services, such as qualified sign language interpreters, Braille, personal assistance, and assistive devices, among others.