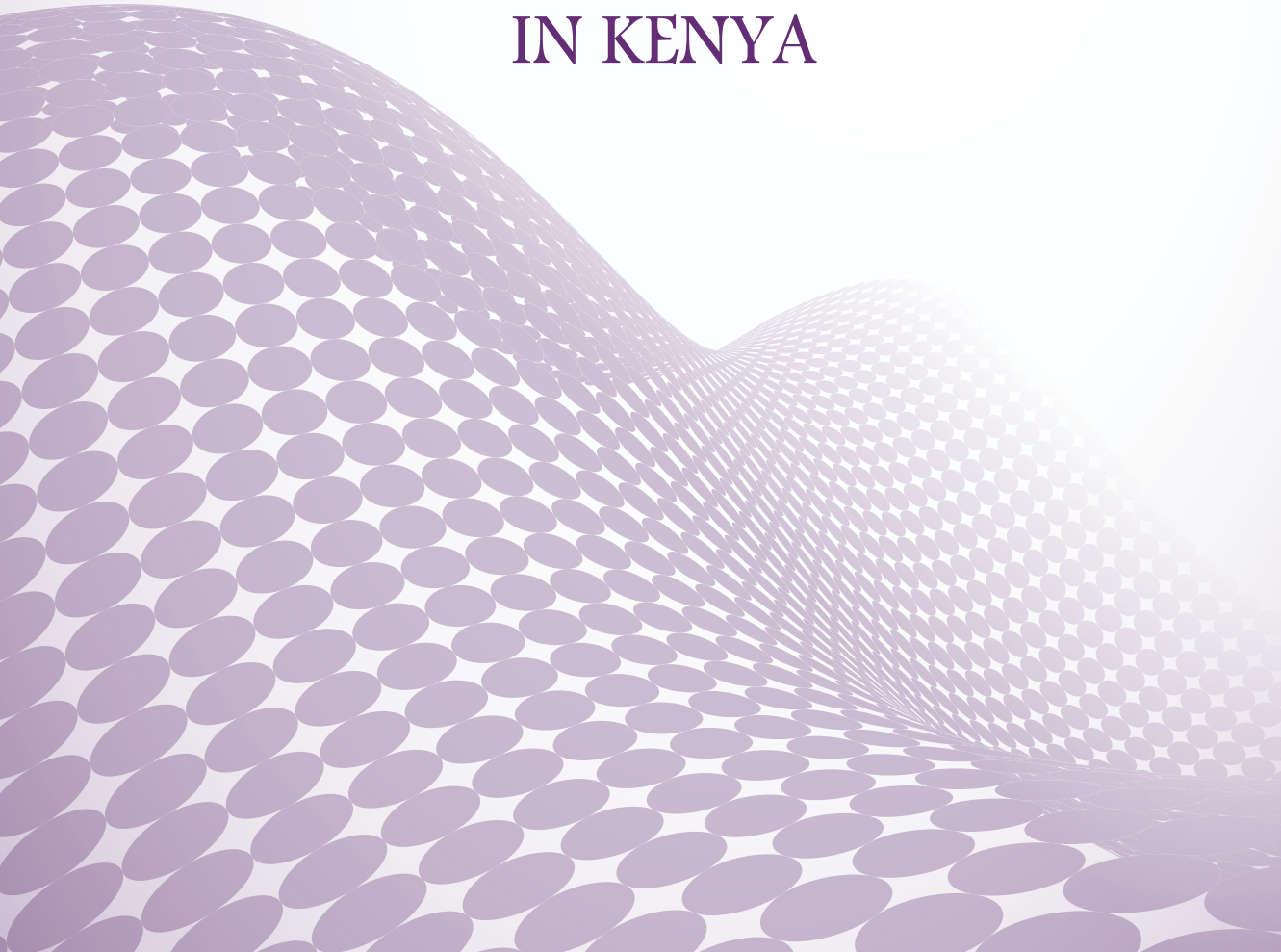




NGEC

National Gender and
Equality Commission

ACCESS TO BASIC EDUCATION
BY CHILDREN WITH
DISABILITY
IN KENYA





Published by

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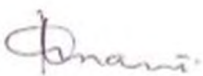
Foreword

The National Gender and Equality Commission (hereinafter “NGEC” or the Commission) was established pursuant to Article 59 (4) & (5) of the Constitution through the NGEC Act, 2011. The mandate of the Commission is to promote gender equality and freedom from discrimination in compliance with Article 27 of the Constitution of Kenya.

This core mandate of the commission is achieved through monitoring, auditing and facilitating the integration of principles of equality and inclusion in all national and county policies, laws and administrative regulations in both public and private institutions.

One of NGEC’s function spelt out in section 8 (m) of the Act is to conduct audits on the status of special interest groups (SIGs) including minorities, marginalized groups, persons with disabilities, women, youth and children. NGEC also acts as the principal organ of state to ensure compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including persons with disabilities and children. This report presents results of an assessment carried out by NGEC to examine the extent to which Universal Primary Education (UPE) is accessible to children with disabilities in Kenya. It makes recommendations to various stakeholders on how education can be made more accessible to children with disabilities.

I am privileged to present this report that was based on analysis of data collected from six counties and involving diverse stakeholders from both the National and county Governments. I take this opportunity to thank Commissioner Dr. Florence Nyokabi Wachira MBS who coordinated the assessment and the staff Goretty Osur, Margaret Muthee, Carolyn Munyua, George Wanyonyi, Joshua Ogembo, Joseph Mulei, Lilian Ogutu and Alice Njeri who participated in this assessment.



Winfred O. Lichuma, EBS
Chairperson, NGEC

Acknowledgement

The National Gender and Equality Commission would like to recognise the contribution of all the stakeholders who participated in this assessment at the design, implementation, writing and validation of this report.

The commission is grateful to all the parents, chiefs, head teachers, teachers, County Development Officers, County Executives in charge of Education as well as officers from the Ministry of Education, Teachers Service Commission and Kenya Institute of Special Education for providing invaluable data upon which this report is based. Finally, the commission appreciates the United Nations Development Program (UNDP) for financial support.



Paul Kuria
Ag. Commission Secretary/CEO
National Gender and Equality Commission

List Of Abbreviations And Acronym

AIDS	Acquired Immune Deficiency Syndrome
EARC	Education Assessment and Resource Centres
ECDE	Early Childhood Development Education
EFA	Education for All
FPE	Free Primary Education
GoK	Government of Kenya
HIV	Human Immunodeficiency Virus
KISE	Kenya Institute of Special Education
KNHRC	Kenya National Human Rights Commission
MDG	Millennium Development Goals
MOE	Ministry of Education
MVC	Marginalised and Vulnerable Children
NGEC	National Gender and Equality Commission
NTSA	National Transport and Safety Authority
OUA	Organisation of African Union
OECD	Organisation for Economic Cooperation and Development
PWDs	Persons with Disabilities
SDGs	Sustainable Development Goals
SNE	Special Needs Education
TSC	Teachers Service Commission
UN	United Nations
UNDP	United Nations Development Program
UNESCO	United Nations Educational Scientific and Cultural Organization
UNICEF	United Nations Children’s Fund
UPE	Universal Primary Education

Executive Summary

The right to education has been globally acknowledged as an overarching right. In Kenya, the right to education is explicitly provided for in Article 53(b) of the Kenya Constitution 2010 which guarantees the right to free and compulsory basic education for every child. Article 54 of the Constitution particularly targets persons with disabilities and provides that persons with disability have a right to access educational institutions and facilities that are integrated into society to the extent compatible with their interests and needs (GOK, 2010).

In the months of April and May 2015, the National Gender and Equality Commission conducted an assessment to find out the extent to which children with disabilities were accessing Free Primary Education. The assessment was conducted in six counties: Isiolo, Nyeri, Tharaka Nithi, Elgeyo Markwet, Taita Taveta and Kisii. It involved seeking views of various stakeholders at County and National Government levels on how easy it was for children with disabilities to access education at early childhood education and Primary levels. The exercise also sought to identify challenges and how these could be addressed to ensure all children with disabilities access basic education.

The information was collected using a structured questionnaire, interviews with key informants and focus group discussions. The key stakeholders were chiefs, parents, head teachers, teachers, county development officers, county executive, Ministry of Education (MOE) officials and TSC officers. The assessment also involved a review of relevant policy and legal documents.

The assessment found no discrimination in various government policies to guide special needs education. The government provided education for children with disabilities through integrated units in primary schools. However, lack of a clear implementation framework of the Special Needs Education policy, inadequate funding, and inadequate teachers with the right skills to teach children with disabilities hampered access by children with disabilities. This was coupled with negative attitudes, poverty, limited awareness by parents, insecurity and unsuitable institutions.

The report gives various recommendations to relevant stakeholders involved in policy formulation, implementation and evaluation of the basic education of children with disabilities.

1.0 Introduction

Global statistics indicate that approximately one billion people have some form of disability with over four in every five persons living in developing countries. Of these, 93 million are children under the age of 14 living with moderate or severe disability (UNESCO, 2015). The Global Monitoring Report 2010 stated that an estimated 77 million children were excluded from education, a third were children with disabilities (UNESCO, 2010).

Education is a public good and an indispensable means of empowering people to become agents of transformation in societies. Notably, education is regarded as the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities (UNICEF, 2007). It has the potential to not only bring significant benefits to individuals and society but to also enhance skills and improve the individual's social status (OECD, 2013). Kingston, Hubbard, Lapp, Schroeder and Wilson (2003) aptly opine that the more educated are healthier, wealthier, and more participative in political and civic life, more cosmopolitan and more critical in their world view.

This explains why education is high on the international community's agenda and is affirmed in various treaties as a right falling under the category of Economic Social and Cultural rights (ECOSOC).

1.1 Protocols on the Right to Education

The right to education has been globally acknowledged as an overarching right. Article 26 of the Universal Declaration of Human Rights decrees education as an inalienable human right (UN, 1948) upon which depends the realization of other rights.

This is reiterated in several other international, regional and national laws and policies. The World Conference on Education for All (EFA) also referred to as the Jomtien Declaration, provides that basic education should be accessible to all. Specifically, the declaration stated that the needs of children with disabilities demand special attention and appropriate strategies need to be taken to ensure equal access to education to every category of persons with disabilities as an integral part of the education system (UNESCO, 1990). The Salamanca Statement (UNESCO, 1994) endorsed an inclusive approach to education. The guiding principle of the statement was that regular public schools should accommodate all children regardless of their physical, intellectual,

social, emotional, linguistic or other conditions. The statement additionally decreed that all children with disabilities should attend the same neighbourhood school they would enrol in if they did not have disability. However, it is the Dakar Framework of Action (UNESCO, 2000) that formalised all these commitments by calling member nations to ensure EFA goals and targets are reached and sustained within individual countries. The Incheon Declaration (UNESCO, 2015) is the most recent effort that reaffirmed previous efforts in guaranteeing education for all and committed nations towards a 2030 target of inclusive and equitable quality education and lifelong learning for all.

Continuous efforts by nations to ensure education for all have in recent years were expressed in the Millennium Development Goals (MDGs) of 2000. Goal 2 postulated that by 2015, member nations should guarantee Universal Primary Education (UPE) for all boys and girls. Indeed, member nations were urged to ensure that those in difficult circumstances and those belonging to ethnic minorities complete a full course of primary schooling (UN, 2000). But UPE was not achieved in the target year (2015). This is the reason the aspirations were carried forward to Sustainable Development Goals (SDGs). Goal 4 of the Sustainable Development Goals recommits nations to work towards inclusive and equitable quality education and promote life-long learning opportunities for all (UN, 2015).

Regionally, article 17(1) of the African Charter on Human and Peoples Rights guarantees the right to education. Article 2 of the same decrees that rights assured by the charter be enjoyed without any form of discrimination and article 18 (4), specifically targets persons with disabilities and provides that persons with disabilities should be accorded special measures of protection in reference to their physical and moral needs (OAU, 1981). It further endeavours to guarantee the right to education. Article 3(a) of the African Charter on the Rights and Welfare of the Child states that every child has a right to education. Section 3(e) exhorts state parties to take special measures in respect to female, gifted and disadvantaged children, to ensure equal access to education (OAU, 1990).

Since independence in 1963, the Kenya government has made considerable efforts to provide quality education to all Kenyans taking cognisance of the critical role of education in development. Indeed, education is regarded as the social pillar of the Vision 2030 (GoK, 2007). One of the Vision's strategy to achieve medium term goals is integrating special education in regular schools. In Kenya, the right to education is explicitly stated in the Kenya Constitution 2010 where Article 53(b) guarantees the right to free and compulsory basic education for every child. Moreover, Article 54 particularly targets persons with disabilities. It directs that such persons have a right to

access educational institutions and facilities that are integrated into society to the extent compatible with their interests as of the persons (GoK, 2010).

Undoubtedly, considerable efforts have been made in the provision of policy and legal frameworks for the education of children with disabilities. Specific laws on access to education by children with disabilities include the Children Act of 2001 which domesticates article 28 of the Convention on the Rights of the Child (UN, 1989). The Act provides that every child shall be entitled to compulsory free basic education (GoK, 2002). The same is echoed in article 18 of the Persons with Disabilities Act (GoK, 2003) and the Basic Education Act of 2013 (GoK, 2013). Both laws underscore the right to access education by persons with disabilities.

Perhaps, the most conscious effort by the Kenya Government towards provision of education to learners with disabilities is the formulation of the National Special Needs Education (SNE) policy in 2009. The policy recommends inclusive education as an appropriate means through which learners with disabilities can access education. The SNE policy is a notable endeavour by the Kenya government to domesticate the Salamanca Statement that urged all 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” (UNESCO, 1994). However, the SNE policy of 2009 has not provided adequate systems and facilities that respond to the challenges faced by children with disabilities.

1.2 Special Needs Education in Kenya

Approximately 1.7 million people in Kenya live with disability and the Kenya National Survey for Persons with Disabilities (2008) contend that only 39% of this population has attended a mainstream primary school and a mere 9% had attended high school (National Council for Population and Development (2008). Such exclusion from education further perpetuates the cycle of poverty and disability.

In Kenya special needs education is provided in special schools, integrated units and in inclusive settings in regular schools. However, majority of children with disabilities are not in schools. MoE (2009) reported that in 1999 only 22,000 learners with special needs enrolled in schools with the number increasing to 26, 885 in 2003 and 45,000 in 2008. This however compares poorly with the proportion of their regular peers considering that the total population of pupils in 2008 stood at 8,563,821. Njoka, Riech, Obiero, Kemunto, Muraya, Ongoto and Amenity (2012) also noted that despite the re-introduction of FPE in 2003, about 1 million children of school going age were still out

of school. These children they added include Marginalized and Vulnerable Children (MVC), such as those with special needs, those affected by HIV and AIDS, as well as those in urban slums. It is in the light of such statistics, that the rationale of this assessment is founded proposing to find out the extent to which children with disabilities in Kenya are accessing and participating in education. This certainly being an attempt to contribute to the global overarching goal of a more educated and inclusive society.

2.0 OBJECTIVES OF THE ASSESSMENT

2.1 General Objective

To assess the extent to which Universal Primary Education is accessible to children with disabilities.

2.1.1 Specific objectives to:

- i. Assess the extent to which children with disabilities access ECDE.
- ii. Assess communities' support for education of children with disabilities.
- iii. Assess preparedness of schools to handle children with disabilities.
- iv. Seek stakeholder's views on what could be done for children with disabilities to access education.
- v. Find out views of parents about schooling of children with disabilities.
- vi. Find out what County governments are doing to ensure children with disabilities access ECDE.
- vii. Find out how Teacher's Service Commission (TSC) addresses supply of teachers for children with disabilities.
- viii. Document challenges the Ministry of Education faces in implementing policies and laws on education of children with disabilities.
- ix. To find out challenges in training teachers for children with disabilities.

2.2 Methodology

The assessment used descriptive design involving collection of data from a variety of stakeholders. It targeted stakeholders drawn from six counties purposively sampled that included; Isiolo, Tharaka-Nithi, Nyeri, Elgeyo Marakwet, Kisii and Taita-taveta. The stakeholders included head teachers, chiefs, parents, County Education Executives, County Development Officers, tutors from Kenya Institute of Special Education, officers from Teachers Service Commission, Public works and Ministry of Education.

Data was collected using questionnaires, interviews with key informants and focus group discussions. Desk review of relevant legal and policy documents was undertaken. Data was analyzed through collating responses given by various stakeholders and also drawing comparisons on perceptions of stakeholders on various issues of education of children with disabilities.

3.0 FINDINGS

3.1 Extent of access to Early Childhood Education Development by Children with Disabilities

Early Childhood Development and Education (ECDE) is critical in preparing children to enter and succeed in their academic pursuit as well as in enhancing their physical, emotional and social development. Findings from all the six counties showed they do not maintain data on the number of children with disabilities in the ECDE centers. According to the chiefs, majority of children with disabilities were not in school. County development officers had no records of children with disabilities. Head teachers reported they were aware of other children with disabilities in their catchment areas who had not been enrolled in school. Parents also acknowledged the presence of children who stayed at home especially those with severe disability.

3.2 Community support for education of children with disabilities

The assessment found that the community gave little or no support to children with disabilities to receive an education. This was due to a number of factors including socio-cultural factors, poverty, lack of awareness, stigmatization and negative attitudes. These children face discrimination from both their families and their community.

In Isiolo, a child born with disabilities is kept away from the family house and is tethered in the goats' pen since such a child is an abomination. In Kisii, it is taboo for a woman to give birth to a child with disability and if it happens, the woman is chased away from her matrimonial home. Negative attitudes on disability were cited as another reason for children with disabilities not attending schools. Some parents hide their children due to fear and shame while others do not feel the need to invest in their education since they perceive them as persons who can never excel in education or life. Poverty recurred as another factor that causes families to keep children with disabilities away from schools. Some children with disability require assistive devices, specialized transport to school, extra expenses to attend special schools and consistent medical attention. There was general lack of knowledge about disability leading to negligence of children by parents

and communities. It was only in Isiolo County that there was a community special school (Almasi special school) to accommodate children with disabilities that are rejected by their families.

Several other stakeholders quoted lack of appropriate infrastructure in both regular and special schools; low transition rates and lack of suitable institutions to join after completion of a level; schools charging high levies and inadequate trained teachers in special needs education.

3.3 Preparedness of schools to handle children with disabilities

All sampled schools within the selected counties had children with disabilities. The schools were either special schools or regular schools with integrated units or in inclusive settings in regular schools. Table 1 shows the distribution of sampled schools by type and County.

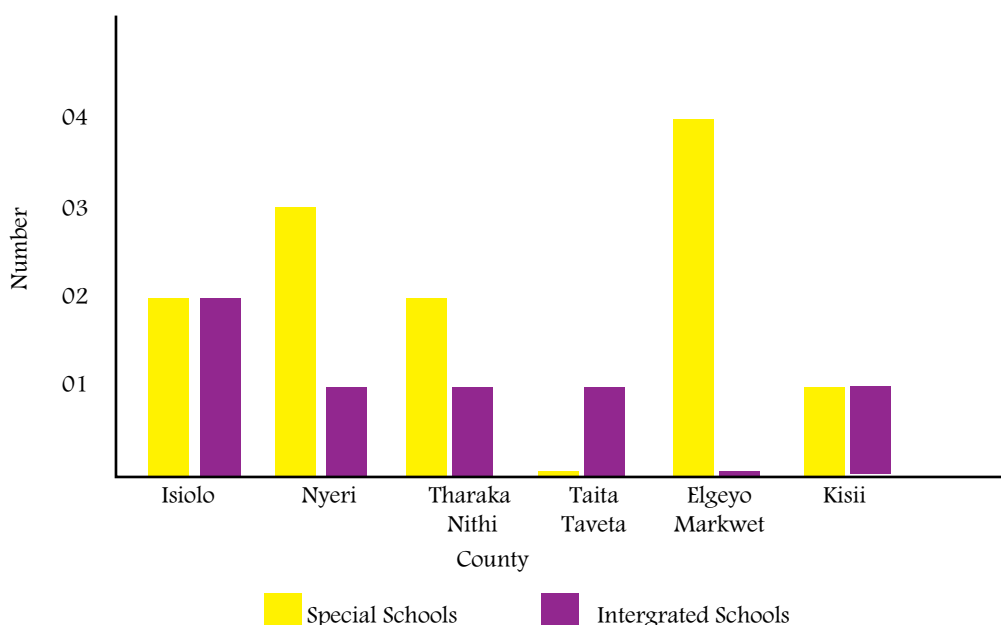


Table 1: Distribution of sampled schools by type and County.

3.4 Staffing and Curriculum in Schools

Head teachers reported they did not have enough trained teachers while others had teachers trained in areas of disability not required in their school. For example, Isiolo School for the deaf had teachers trained in physical impairments, mental disabilities, visual impairments and autism.

In regard to suitability of curriculum for children with disabilities, the schools reported that efforts have been made to adapt the regular curriculum. Nevertheless, there were challenges in regard to availability of teaching-learning resources. Teachers opined that the curriculum used in special schools is too theoretical and there is need to make it more practical. The curriculum was also described as rigid and that not all subjects had been adapted to suit the needs of children with disabilities. The respondents noted that only English and Science had been adapted for teaching children with hearing impairment. Also, the curriculum does not stipulate what is to be done and when. It was also reported that children with disability were subjected to the same examination as regular children. Even the extra time allowed during examinations was not adequate to compensate for the slower pace of learning for children with disabilities.

3.5 School Infrastructure

According to head teachers interviewed, most schools are not equipped to handle children with disabilities. The government has not provided enough textbooks and learning aids. The grants given to special schools is also not sufficient to cater for children's food, infrastructure and support workers. Assistive devices are very costly and not adequately availed for all children with disabilities. The respondents reported that the inspection of facilities, infrastructure and equipment by the MOE to ascertain their appropriateness for use by children with disabilities was not done on regular basis.

3.6 Educational Assessment and Resource centres

Educational Assessment and Resource centres (EARCs) are the focal point of early identification of disabilities and provision of appropriate referrals. The findings indicate that not all schools in the selected counties were close to an EARC even though they used their services for assessment and placement. The EARC's lack funding from the government, equipment/ facilities and staffing.

They are not able to create awareness on the importance of education for children with disabilities to parents and the community.

3.7 Stakeholders' views on what needs to be done for children with disabilities to access education

The assessment sought the opinion of different stakeholders on how to improve access to education for children with disabilities. The stakeholders involved were chiefs, head teachers, county development officers, MOE officers and county executives in charge of education.

According to chiefs there is need for public sensitization of parents to break cultural taboos and help people understand better the needs of children with disabilities. They proposed that each location should have a school with a special unit for children with disabilities. Penalties for parents who do not take children to school should be introduced. The government should train more teachers for children with disabilities. They asked to be involved and to be supported to ensure all children are presented and admitted to school.

The Head teachers called for improvement of facilities in special schools; addressing of teacher shortages and provision of funds for assistive devices. They proposed an increase in numbers of EARCs. They called for regular refresher courses for all teachers on how to handle children with disabilities. They thought that having more vocational centres and use of affirmative action would increase transition from primary school to secondary schools, or to training in entrepreneurial skills to earn a living.

The County Development Officers proposed that a survey could be conducted to establish the prevalence and status of children with disabilities in every county and to maintain a database on all children with disabilities. Such data would be used in annual planning and programming of activities in education.

The MOE Officers proposed stronger linkages between various stakeholders dealing with issues of children with disabilities. They also proposed that civil society institutions should be more proactive on issues relating to the rights of children with disabilities and enhancing community awareness on their needs.

County Executives in charge of Education called for provision of adequate resources in special schools as well as ensuring that schools are disability friendly. They called for formulation of inclusive education policy guidelines in each county and enforcement of relevant policies.

3.8 Parents' views on the education of children with disabilities

Parents agreed that many children with disabilities in their communities did not attend school. They attributed this to taboos regarding children with disabilities whereby such children were perceived as resulting from curses or were consequence of mistakes by their parents. Some families hid them due to shame. Other challenges highlighted by parents included: lack of disability friendly learning environment, lack of assistive devices for children with severe disabilities, inadequate financial support to parents of children with disabilities, inadequate EARCs and lack of adequate trained SNE teachers.

Parents proposed a variety of strategies that would enhance access to education including; setting up free medical camps in communities for physiotherapy, establishing affordable boarding schools, sensitizing communities on the rights and educational needs of children with disabilities; ensuring all children with disabilities are registered with the National Council for Persons with Disabilities (NCPWD) in order to access relevant support. Parents recommended that civil societies and advocates of PWDs be more proactive in fighting for the rights of children with disabilities.

3.9 What County Governments have done to ensure children with disabilities access early childhood education?

County Governments are in charge of ECDE, and are therefore expected to promote access to early childhood education for children with disabilities. However the assessment found that many counties did not keep records of children with disabilities attending ECD centres. The data from the five counties assessed is as shown in Table 2.

Table 2: Children population and ECDE centers (as per 2015 records)

County	Children population as per last Census	No. of ECD Centres
Isiolo	7,000	167
Nyeri	20,400	791
Kisii	79,430	697
TaitaTaveta	-	521
Elgeyo Markwet	29,172	432

Source: County Development Officers databases (2015)

Kisii County had the highest population of children in ECD centers and this translates to a class size of approximately 114 children. Isiolo had the smallest population of children with a class size of approximately 42 children.

On ECDE policy, most counties reported that they had drafts. On funding of ECDE only Isiolo County had a budgetary allocation of six million for children with disabilities. Infrastructure in ECDE schools visited during the assessments in the counties was found not to be disability friendly. However, classes under construction in all counties had factored needs of children with disabilities in constructing toilets, doors and by providing ramps for access. The absence of disability friendly infrastructure in the ECDE centers was highlighted as one of the key challenges affecting access to education for children with disabilities. Other challenges mentioned included inadequate teachers whereby a single teacher would attend to children of different types of disability. Also lack of land for building ECDE centers, poor funding, inadequate supervision especially of many unregistered private centers and general lack of understanding of the value of ECDE.

3.10 How TSC addresses needs of Teachers for Children with Disabilities

The TSC is responsible for employment and management of teachers in the public education system. The TSC manages all aspects of teacher deployment, payments and complaints handling.

However a visit to TSC did not yield data on the number of teachers for children with disabilities deployed in public primary schools country wide. Respondents cited several challenges affecting TSC in management of teachers for children with disabilities in-

cluding shortage of teachers trained in specific areas of disabilities, absence of a comprehensive policy on training and deployment of special needs teachers and Lack of controls on movement of the teachers trained in special needs education. Many teachers in primary schools had gone to KISE for a diploma course on special education. However, many had gone back to their schools after training regardless of whether the schools could use their skills. The assessment found this anomaly in many schools visited in all counties.

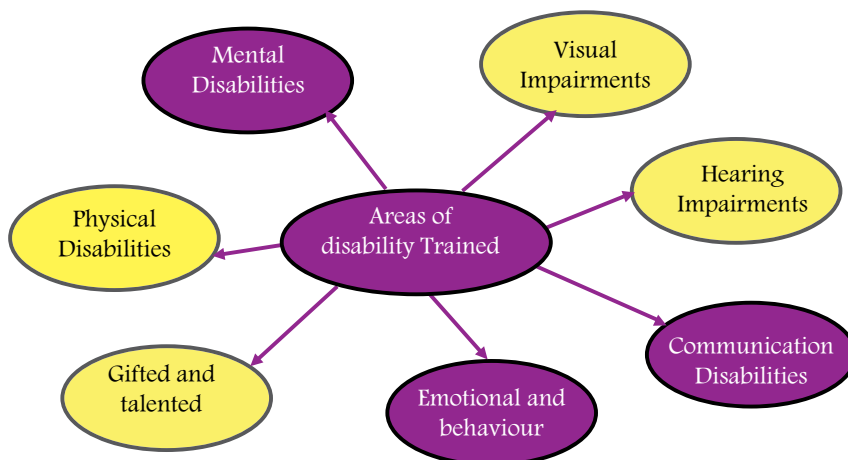
3.10.1 Challenges facing the Ministry of Education in implementing policies and laws on education of children with disabilities

The Ministry of Education (MOE) has several guidelines on the provision of special needs. The most recent ones being the FPE policy (2003), the SNE policy (2009) and the Sessional Paper No. 14 of 2012. The key provisions in these policies relate to relevance and quality of education. They also have provisions for disability friendly infrastructure, establishment of EARCs and provision of equipment and materials. Many respondents who were mainly ministry officials cited several challenges affecting the MOE's implementation of policies on education of children with disabilities including; lack of adequate funds because of limited budgetary allocations and subsequent inability to provide facilities. They cited delays in release of allocated funds; lack of comprehensive data on children with disabilities which impede proper planning for provision of services and facilities; inability to do frequent monitoring of implementation of policies; insufficient numbers of SNE trained teachers and poor parental involvement in the education of children with disabilities. Low transition rates impacted negatively on completion and performance.

3.10.2 Challenges in training teachers of children with disabilities

The Kenya Institute of Special Education (KISE) is a semi-autonomous government agency under the Ministry of Education Science and Technology. Its core mandate is to train teachers on special needs education. They train teachers in various areas of disability as shown in figure 1.

Fig 1: Types of disability trained for at KISE



The assessment found that in 2014, KISE had 235 students sponsored by the MOE for Special Needs Education (SNE) and 400 self-sponsored students. The administrators of KISE highlighted a number of challenges they experienced in the training of SNE teachers including inadequate funding for research and monitoring; lack of trainers in some specialized areas such as speech therapy; a high turnover of experienced tutors; negative attitude towards special needs education. They also claimed that the curriculum they used was theoretical with little practical work required by trainees to acquire the necessary expertise during pre-service training. They noted that the institute depended on the curriculum developed at Kenya Institute of Curriculum Development and this hindered progress in the face of emergent forms of disabilities.

4.0 DISCUSSION

As noted by the 2013 State of the World's Children report, "A society cannot be equitable unless all children are included, and children with disabilities cannot be included unless sound data collection and analysis render them visible" (UNICEF, 2013, p.63). This assessment sought to understand the extent to which free Primary Education (FPE) has been achieved in Kenya by focusing on children with disabilities in selected counties. It sought to find out views of different stakeholders concerned with education. Whilst considerable efforts have been made in promoting access to education the assessment noted inadequacies in educational services for children with disabilities. Lack of accurate data on the number of children with disabilities in educational institutions is a sure indicator that there are gaps in planning for children with disabilities, an observation that is recurrent in various reports and studies (MOE, 2009; Njoka et al, 2011; Republic

of Kenya, 2009). According to Bii and Taylor (2013), accurate data on the population of children with disabilities is critical to inform planning for their needs within educational institutions.

The Fourth schedule of the Constitution of Kenya places responsibility for pre-primary education (ECDE) under the County Governments. However, findings from the assessment indicated that counties had minimal structures in place for it. The number of ECDE centres was insufficient for the population of children in individual counties. Consideration that an ECDE class should have 25 pupils according to Early Childhood Development Service Standard Guidelines for Kenya (Republic of Kenya, 2006). These findings collaborate with Ng'ang'a (2009) who observed that the government is minimally involved in ECDE and that parents are responsible for planning and managing early childhood education programmes resulting in program inconsistency. According to Githinji and Kanga (2011), lack of funding, lack of curriculum content informed by research and a lack of schemes of service for ECDE educators were core challenges facing pre-primary education in Kenya.

Sessional Paper no. 14 (2012), "prescribes pre-primary structures as mostly semi-permanent, local or church halls or any other building which the local communities accept as suitable. Few of these premises have been inspected and the consensus view is that many pre-primary premises fail to meet minimum education standards (GOK, 2012, p. 78)." The sessional paper proposes that the government will adopt a policy of mainstreaming pre-primary into basic education and ensure automatic transition from pre-primary to primary education. It is worth noting that this policy on integration was later highlighted in sessional paper No. 1 of 2005, but was never implemented.

County governments are tasked with providing for Education Assessment and Resource Centres (EARCs) according to Article 46 (1) of the Basic Education Act (2013). The role of EARCs is to offer early identification, assessment, intervention and placement in educational services of children with special needs. This is significant because identifying the special educational need of a child is critical to facilitating provision of relevant support to enable the child participate fully in quality learning in an inclusive setting. Moreover, early identification of a disability is likely to arrest its deterioration.

Retention and transition rates of learners with disabilities was a key concern among stakeholders. The overall goal of the SNE policy of 2009 is to enhance access, transition rates and retention of learners with special needs in formal learning institutions. The

National Education Board (GOK, 2013) is charged with the responsibility of putting measures to ensure transition to the next level of education, especially for the vulnerable and marginalized children. However, Bii and Taylor (2013) found that there is no accurate data on the drop out and transition rates of children with disabilities and thus no information on transition and retention of these children.

Effective teaching-learning process of children with disabilities requires a curriculum that has been adapted to suit their educational needs. This assessment found gaps in adaptation of curricula for majority of children with disabilities. There are few or no modified teaching learning resources and there is no safe and accessible school environments. The SNE policy of 2009 as well as the sessional paper No. 14 of 2012 highlighted the importance of the aforementioned if children with disabilities were to participate in quality learning.

Having teachers trained in SNE is perhaps the most important element in the teaching-learning process of children with disabilities. The process of training SNE teachers is designed to equip them with professional knowledge, skills, and attitudes so that they are able to address the needs of learners with special needs. The educational needs of children with disabilities are better understood by SNE trained teachers. Despite this fact, the assessment found inadequate numbers of SNE trained teachers which clearly points to an existing lacuna in praxis.

The teachers' employer TSC does not appear to have a policy on deployment based on need. The assessment found that many teachers had sponsored their training at KISE but continued to stay in their stations even when there were special needs teachers deployed there. A special allowance paid by TSC to SNE teachers was the motivation behind self-sponsorship, but one gets the allowance only if deployed as SNE teacher by TSC and this has resulted in some schools having more teachers for SNE than they need while others have none.

The Basic Education Act (GOK, 2013) provides for an education standards and quality assurance council mandated to ensuring standards and maintaining quality in institutions of basic education. However, the assessment found inadequate monitoring of learning in educational institutions for children with disabilities, which collaborated findings of studies done before (KNHRC, 200, Njoka et al, (2008). Inadequate supervision impedes quality learning by children with disabilities.

Insufficient funding was probably the most repeated challenge impeding access to education by children with disabilities in all Counties. This finding supported and has past studies including by; Njoka et al, 2011, Peter & Nderitu, 2014, Mwangi & Orodho, 2014. The quality of education significantly depends on the availability of funds. The Education for all Global Monitoring report 2013 indicated that the ultimate responsibility for financing education falls on the governments (UNESCO, 2013). One of the principles of the provision of basic education as indicated in the Basic Education Act of 2013 is provision of funds and related resources to meet the needs of every child for acquisition of basic education. As shown by the assessment, increased and prompt government funding is required to improve the quality of education.

Local Communities are expected to support government efforts in the implementation of inclusive education. However, the assessment found that some social-cultural factors tended to influence community decisions to enroll children with disabilities in schools. Local beliefs, taboos and traditions contributed to negative attitudes and disregard for persons with disabilities (Mukuria & Korir, 2010; Munyi, 2012). This possibly explains the recurrent proposal for sensitisation and awareness creation programmes by different respondents. Disability awareness programmes challenge general assumptions, beliefs, values and attitudes regarding disability and enlighten communities by providing a more realistic, positive and practical picture of people with disabilities. These programs increase understanding, acceptance, and inclusion for those with disabilities within communities.

Another challenge in access to education by children with disabilities is poverty which was perceived as both a cause and consequence of disability. On the one hand, lack of access to proper medical attention for pregnant women puts the unborn child at risk of diseases and conditions that may result in disabilities. On the other hand, diseases and conditions in children which do not receive appropriate medical attention are also likely to result to disabilities. The State of the World's Children report (UNICEF, 2013) highlighted that social protection for children with disabilities and their families is especially important because they often face a higher cost of living and lost opportunities to earn income. Often, these extra costs including constant medical attention and care, specialised transport and special diet further impoverish the families and in such situations, investing in education is not a priority.

It is worth noting that poverty was not the only obstacle in access to education by children with disabilities in the family context. Discrimination from parents was also reported in

the assessment. The State of Disabled Peoples Rights in Kenya report (2007) indicated that at least 36% of PWDs experience discrimination within the family context. Among the most common forms of discrimination reported were denial of education (African Union for the blind, 2007). The Basic Education Act 2013 (Article 31(I) provides that parents have the primary responsibility to present their children for admission to a basic education institution. Section (2) of the same Act spells out the penalties to be meted to parents if they default in discharging this responsibility taking into consideration that without the collaboration of parents, attempts to improve access to education by children with disabilities would be futile.

Notably, some parents recommended establishment of affordable boarding schools for children with disabilities. This would perhaps be convenient among pastoralist communities where families are often on the move in search of pastures making it difficult for a child with disabilities to accompany them. However, having boarding schools would seem to contradict the spirit of inclusive education where a child is expected to learn in their neighborhood schools to facilitate interactions with families and community for the child's psycho-social development.

5.0 CONCLUSION AND RECOMMENDATIONS

Undeniably, the Kenya government has portrayed commitment in terms of ratification of international treaties and conventions. However, the assessment showed that implementation has been hampered by lack of a documented framework for implementation. Sessional paper No. 14 of 2012 cites that one of the challenges related to access and equity in the provision of education and training to children with special needs is the slow implementation of guidelines on SNE policy and inclusive education (GOK, 2012). Article 189(2) of the Kenya Constitution 2010 provides that national and county governments should co-operate in the performance of functions and exercise of powers. Participants echoed this by recommending that the national and county governments work together on initiatives to enhance access to education for children with disabilities. Education sector respondents also concurred that collaboration and establishment of linkages among stakeholders in the education sector with other service providers was important. It was deemed that this would ensure a conducive environment for learners with disabilities to participate in quality learning. From the foregoing, it is apt to conclude that there are several opportunities that could be tapped by various stakeholders

to improve access but there still remain challenges that need to be addressed to enable all children with disabilities benefit fully from free education offered by the government. The assessment makes the following recommendations to various stakeholders;

5.1 To the National Government:

The National Government should:

- i. Maintain data on children with disabilities up to the lowest administrative unit (village) to inform policy and planning.
- ii. Provide adequate budgetary allocation to schools with children with disabilities with clear guidelines on the use of funds and ensure effective regular audit of the same.
- iii. Establish more boarding schools for children with disabilities especially for pastoralist communities.
- iv. Use affirmative action to improve transition rates to secondary schools for children with disabilities.
- v. Improve the teacher-pupil ratio for schools with children with disabilities.
- vi. Provide adapted text books for use by children with disabilities to counter the perceived discrimination when text books are availed to regular pupils.
- vii. Provide vocational centres with more technical teachers to offer vocational skills to these children when they cannot transit to higher levels of education.
- viii. Mobilize grassroots leadership including chiefs to ensure free compulsory education is a reality for all children through ensuring presentation and enrolment of all children regardless of disability.
- ix. Schools should be facilitated to hire enough teacher assistants for efficient inclusive education practices.

5.2 To County Governments:

The constitution assigns responsibility for ECDE to county governments.

They should therefore:

- i. Increase the number of EARCs and allocate adequate funds to facilitate them provide services.
- ii. Hire more ECDE teachers
- iii. Develop policies to guide transition from ECDE to primary school

- iv. Put in place structures for ECDE to ensure the effective implementation of education services at this crucial level.
- v. Devise strategies for monitoring to account for all children with disabilities in their counties and consequently ensure their enrolment into neighborhood schools.
- vi. Sensitize communities on disability and the need for inclusive education.

5.3 Parents and communities

- i. Parents have a duty to present all children for admission to school.
- ii. Parents should collaborate with schools in the education of their children by providing play materials made from locally available resources.
- iii. Parents ought to play a more active role in the education of their children with disabilities and ensure they maximize their potential for education just like the other children.

References

- African Union for the Blind (2007). State of disabled peoples rights in Kenya report. Retrieved from <http://disability-studies.leeds.ac.uk/files/library/african-union-of-the-blind-Kenya-Report-2007-FINAL.pdf>.
- Bii, C. & Taylor, L. (2013). Inclusive education in Kenya Assessment report. Handicap International.
- Githinji, F. W. & Kanga, A. (2011). Early Childhood Development Education in Kenya: challenges and solutions. A literature review on current issues. *International Journal of Current Research* 3 (11) 129-138.
- Kingston, P.W., Hubbard, R., Lapp, B., Schroeder, P. and Wilson, J. (2003). Why education matters? *Sociology of Education*. 76, (1), 53-70.
- Government of Kenya (2009). The national special needs education policy framework. Nairobi: Ministry of Education (MOE).
- Munyi, C. W. (2012). Past and present perceptions towards disability: A historical perspective. *Disability Studies Quarterly*, 32(2).
- Mwangi, E. M. & Orodho, J. A. (2014). Challenges facing implementation of inclusive education in public primary schools in Nyeri town, Nyeri County, Kenya. *Journal of Education and Practice*, 5 (16), 118-125. Retrieved from <http://www.ir-library.ku.ac.ke>.
- Nganga, L.W. (2009). Early childhood education programs in Kenya: Challenges and solutions. *Early Childhood Research Quarterly*, 18 (3-18) 351-375.
- Njoka, E., Riechi, A., Obero, C., Kemunto, W., & Muraya, D. (2011). Towards Inclusive and Equitable Basic Education System: Kenya's experience. ADEA Working Document.
- Organisation of African Unity (OAU). (1986). African charter on human and people's rights. OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982). Addis Ababa: OAU.
- Organisation of African Unity (OAU). (1990). African charter on the rights and welfare of the child. OAU Doc.CAB/LEG/24.9/49 (1990). Addis Ababa; OAU.
- OECD (2013). Education Indicators on Focus. Retrieved from <http://www.oecd.org/>

education/skills-beyond-school/EDIF%202013--N%C2%B010%20(eng)--v9%20FINAL%20bis.pdf.

Peter, M. N., & Nderitu, M. N. (2014). Perceptions of teachers and head teachers on the effectiveness of inclusive education in public primary schools in Yatta Division Machakos County. *Journal of Educational and Social Research*, 4(1), 91.

Government of Kenya (1964b). Report of the Kenya education commission (Ominde Report). Nairobi: Government Press.

Government of Kenya (1988) Report of the presidential working party on education and manpower training for the next decade and beyond. Nairobi: Government Printer.

Government of Kenya. (1999). Report of the Inquiry into the Education System of Kenya (TI QET) Koech Report, Nairobi; Government Printer.

Government of Kenya (2002). The Children Act, 2001. Nairobi: Government Printer.

Government of Kenya (2003b). Persons with disability Act. Nairobi. Government Printer

Government of Kenya (2005). Sessional Paper No. 1 of 2005 on; Policy framework for education, training and research. Ministry of Education, Kenya.

Government of Kenya (2007). Kenya Vision 2030: The popular version. Nairobi: Government printer.

Government of Kenya (2010). Constitution of Kenya. Nairobi: Government printer.

Government of Kenya (2011). The National Gender and Equality Commission Act. Nairobi: Government Printer.

Government of Kenya (2012). Sessional paper No. 14 of 2012: A policy framework for education and training: Reforming education and training in Kenya. Nairobi: Ministry of Education, Higher Education, Science and Technology.

Government of Kenya (2013). Basic education act, 2013. Nairobi: Government Printer.

United Nations (UN) (1948). Universal declaration of human rights. Paris

United Nations (UN) (1989). Convention on the rights of the child. New York: UN.
United Nation (UN). (2000). Millennium Development Goals. Paris: UN.

UNESCO (1990). World conference on Education for All. Jomtien: UNESCO.
UNESCO (1994). The Salamanca Statement and Framework for Action on Special Needs Education: World Conference on Special Needs Education: Access and Quality. Salamanca: UNESCO.

UNESCO (2000). World conference on education for all: The Dakar framework for action. Dakar: UNESCO.

UNESCO (2005). Guidelines for Inclusion: Ensuring Access to Education for All. Retrieved from <http://unesdoc.unesco.org/images/0014/001402/140224e.pdf>.
UNESCO (2010). Education for All Global Monitoring Report: Reaching the marginalised 2010. Retrieved from <http://unesdoc.unesco.org/images/0018/001866/186606E.pdf>.

UNESCO (2013). Education for All global monitoring report: Education for All is affordable by 2015 and beyond. Retrieved from <http://unesdoc.unesco.org/images/0021/002199/219998E.pdf>.

UNESCO (2015). Incheon Declaration: World Education Forum 2015: Towards inclusive and equitable quality education and lifelong learning for all. Retrieved from <http://en.unesco.org/world-education-forum-2015/incheon-declaration>.

UNICEF (2007). A Human Rights Approach to Education for All: A framework for the realisation of children's rights to education and rights within education. Retrieved from http://www.unicef.org/publications/files/A_Human_Rights_Based_Approach_to_Education_for_All.pdf.

UNICEF (2013). State of the world's children: Children with disabilities. Retrieved from http://kenya.cbm.org/article/downloads/57831/SOWC_2013.pdf.



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