

## CHAPTER FOUR

### ENHANCING THE RIGHTS OF CHILDREN WITH SPECIAL NEEDS TO ACCESS BASIC EDUCATION IN NIGERIA

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#### **Introduction**

The global concern about human development is the provision of quality education irrespective of gender, social status, colour, religion, ethnic background and any peculiar individual challenges. This is because education constitutes a major catalyst for the enhancement of national development, unity and tranquility. The right to education cannot be compromised for its major role of individual transformation into a sound and effective citizen. Education maximizes the creative potentials and skills of the individual for self – fulfillment and general development of the society.

The United Nations General Assembly has emphasized that the genuine achievement of Millenium Development Goals (MDGs), Education for All (EFA) and other globally agreed development goals, need the integration and inclusion of the rights and opinion of persons with special needs in all endeavours at international, regional and international levels. The laudable intention is to promote accessibility, remove or break barriers to achieve equal opportunity and participation of persons with special needs in the society. The trend globally over the past three decades is to promote education, inclusive programme and to remove the barriers that hinder the special needs persons from getting access to education. The approach involves combating exclusion and discriminatory practices (Disabled People International, DPI, 2005). The essence is to ensure that children with special needs are provided conducive environment for learning without restriction of any sort.

The Federal Republic of Nigeria (2013) in the national policy of education clearly emphasized ensuring equal and adequate educational opportunities at all levels and the provision of free, compulsory and universal primary education and provides a basic legal frame work for all the three tiers of government namely, Federal, State and Local Governments to participate in the management and provision of education. This explains why the Nigerian education system is structured in such a way that Basic Education is given to children aged 0 – 15 years and encompasses the early childhood education (0-5) and 9 years of formal schooling.

Basic Education is designed to be inclusive. Unfortunately, this system of education appears to haphazardly meet the learning needs of students with special

needs, a situation which has the potentials of posing a great challenge to inclusive education in the country. Marginalizing children with special needs from access to Basic Education constitutes a major breach of the constitutional right to educational opportunities. Many children in Nigeria are denied access to Basic Education as about 20 million children are out of school (United Nations Educational, Scientific and Cultural Organization, UNESCO, 2022).

Every child has the right to education as such, the Federal, State, Local Governments as well as non-Governmental organizations promote the right of children with special needs to access Basic Education. Yet, it is a very glaring scenario in the country that having one form of disability or the other can result to marginalizing the child's right and can even be a source of psychological trauma depending on the community he finds himself. In education, exploring ways of addressing the learning needs of children can be challenging especially in institutions of learning with limited teaching and learning resources. This has the tendency of adversely affecting access to Basic Education.

The thesis statement includes: the right of special needs children and access to basic education, challenges of special needs education, and enhancing the right of special needs children education. Conclusion and suggestions are also made to promote the right to education of the special needs children in Nigeria.

### **The Right of Special Needs Children and Access to Basic Education**

Provision of education is a fundamental human right enshrined in the constitution of the Federal Republic of Nigeria. According to the Federal Republic of Nigeria (2015) education is a right of every Nigerian irrespective of gender, social status, religion, ethnic background and any peculiar individual challenges. This implies that children with special needs should not be by-passed in terms of access to education and especially Basic Education. Special needs education should be positioned to enhance access to children with peculiar challenges. In Nigeria, special needs education is the education given to children and youths that entails modifications, adaptations, adjustments, innovations and management of curriculum, methods and materials. In addition, other resources and practices of regular schools are ensured to fit and meet the special learning needs of those who present different forms of disabilities and learning difficulties. A clear example of special needs children includes the following; visually impaired (blind and partially sighted) hearing impaired (deaf and the partially hearing) physically and health impaired; intellectually disabled emotionally imbalanced (hyperactive, hypoactive, socially maladjusted/behaviour disorder), speech impaired multiple handicapped, the gifted and talented children among others.

The purpose and objectives of special needs education according to the Federal Republic of Nigeria(2013) are:

1. To take care of total service delivery of the physical, mental and emotional disabilities of the Nigerian child, irrespective of setting (school, home, and hospital).

2. To provide adequate and qualitative education for all persons with special needs in all aspects of national developmental endeavours.
3. To ensure that all persons with special needs develop at a pace commensurate with their abilities and to contribute to the nation's socio-economic and technological development.

The major goals of special needs education are to pursue a programme of inclusiveness and access to education, equalize educational opportunities for all children irrespective of their physical, sensory, mental, psychological or emotional disabilities, provide adequate education for all children with special needs in order to fully contribute their own quota to the development of the nation (Federal Republic of Nigeria, 2008).

The United Nations Children's Education Fund (UNICEF, 2014) maintained that about 90 percent of children with disabilities in low-income countries have never received any form of education. That once enrolled, children with disabilities are more likely to drop out of school than children without disabilities and very little or nothing is done by government agencies to protect their right to education. The convention on the rights of persons with disabilities adopted in 2006 and entered into full force in 2008 is yet to present any reasonable impact on enhanced right to Basic Education for children with special needs. This therefore calls for urgent attention and intervention by Federal, State, Local Government as well as non-governmental organizations (NGOs) and other stakeholders.

### **Challenges of Special Needs Education**

The challenges of special needs education in Nigeria are in various forms and manners. These could be physical, technological, systemic, financial, attitudinal or through governments' failure in the provision of resources for the execution of set policies. Some of the challenges are discussed as follows:

#### **1. Inadequate Funding**

The entire educational system in Nigeria is faced with financial deficits as such, execution of policies is difficult to achieve. Special education requires additional funding to address the uniqueness of approaches to the provision of education. In support of this claim, Nwoagba (2013) identified funding as the major constraint and barrier to the growth of special needs education in Nigeria. The available funds allocated for the education of special needs persons suffer unnecessary bottleneck that disrupts access. When financial resource is inadequate in the educational system, other material and human resources will certainly be inadequate.

#### **2. Barrier of Access to Education**

Most children with disabilities in Nigeria are denied access to basic education due to poverty, discrimination, lack of facilities to accommodate the physically challenged, incompetent and insufficient special education teachers, cultural background among others. Apparently, many communities lack inclusive schools and disabled children seem to stay out of school.

#### **3. Inadequate Resources**

The required facilities, equipment and other materials for best practices of special education in basic schools are scarce in the schools. As such, inclusive education cannot be achieved. Eleweke (1997) noted that lack of facilities and support services for effective inclusion imply that many academically qualified students with special needs especially students with visually and learning impairment may not attend regular neighbourhood schools.

#### **4. Poverty**

Since education is not totally free in Nigeria, many school age going children cannot access education due to their parents socio- economic background. About 88.4 million people in Nigerians live in extreme poverty level as they could hardly afford one square meal a day (Business Day, 2022). Hence, special need children from such families might be deprived from accessing education.

#### **5. Discrimination**

The traditional belief of some Nigerians is that any child born with disability is a curse. As a result, such children are treated with contempt and can be denied access to education.

#### **6. Ignorance**

Nigeria still has adult illiterates rated at 38 per cent of the estimated 200 million population representing over 76 million as of September 2021(FRN, 2022). This implies that such illiterates might not see the need to sponsor children with disabilities to school. Besides, it is possible that some could be ignorant of sending disable children to school.

### **Enhancing the Right of Special Needs Children Education**

Enhancing the right of special needs children to access education is the responsibility of all stakeholders. The Federal Republic of Nigeria (2013)in line with the International Communities and Agencies call for inclusive education which is enshrined in the National Policy on Education that: the Federal and State governments collaborate with appropriate bodies, provide special programmes for gifted and talented as well as other categories of special needs people, especially in the:

1. Early identification, intervention, placement and nurturance;
2. Early admission into pre-primary, primary, secondary and tertiary institutions;
3. The education of children with special needs shall be free at all levels and that Federal, State and Local Governments shall fund these programmes within their areas of jurisdiction;
4. All necessary facilities, equipment, materials and other assistance devices that will ensure easy access to quality education of special needs persons. Some examples of such devices include, but not restricted to ramps, wider doors, Perkins, braille, white/mobility cane, brailled textbooks, abacus, talking watch, anemometers, speech trainers, hearing aids, ear mould machine among others. (Federal Republic of Nigeria, 2008).

It is worthy of note that as noble as the above plans and objectives are, very little has been done to actualize execution for achievement as most of the basic schools in Nigeria appear not to address the issues of special needs children. The non-inclusion of special need education is automatically an attempt to frustrate access to basic education in the country.

Improved financial, human and material resources is very central in ensuring the attainment and sustenance of educational goals worldwide. According to Alabi (2000), the attainment of educational objectives in the schools, the right personnel must be secured, retained and developed. Human resources are the set of individuals who make up the workforce of an organization. This is otherwise referred to as manpower. They are the productive capacity of the human beings. They are people who are ready, willing and able to contribute to the organizational goals. This fact is further buttressed by Oyedele (2012) who maintained that in any educational system, activities are carried out by human resources. These include the students, teachers and non-teaching staff, educational administrators and planners. The educational system has inadequate human resources for the attainment of special needs children in schools. Therefore, it implies that when human resources are not adequately mobilized and directed towards achieving the goals and objectives of education, gaps are bound to be visible especially in relation to special education related issues.

Advocacy and public awareness on the right of special needs children can enhance access to school. The role of school Based Management Committees (SBMCs), Public enlightenment as well as sanctions in enhancing children with special needs rights to Basic Education cannot be overemphasized. The national Council on Education (NCE) in 2006 approved the establishment of SBMCs in all schools in the country as part of governments efforts to ensure inclusive participation in the school system. The SBMCs were expected to provide platforms for communities and schools to work together to enrich school governance and promote improved management by education authorities towards the achievement of better learning outcomes for children. The prime purpose of the SBMCs is to act as a bridge between schools and the communities they serve.

The SBMCs, apart from improving school governance and enhancing school improvement can also serve as a veritable tool for public enlightenment especially on the need for parents and communities to see the need to protect, promote and sustain the rights of children with special needs to have access to Basic Education. The fact that the said committees are made up of Head teachers, representatives of teachers, pupils' traditional rulers, former pupils, women representatives, PTA representatives, Youth representative, Faith based organizations among others makes it even easier for them to adequately enhance children with special need right to access Basic Education. Those found to militate against their efforts should be appropriately sanctioned as stipulated in UBE guidelines (UBEC, 2011).

To appropriately enhance the right of every special need child to education, Nigerians should adequately adopt the United Nations policies. The United

Nations convention on the rights of persons with special needs adopted in 2006 the CRPD provides the most comprehensive international framework for supporting the educational rights of children with disabilities. The CRPD states that nations must ensure an inclusive education system at all levels and that children with disabilities have the right to free primary and secondary education and cannot be discriminated against based on their disability. Other related requirements to the education of children with disabilities or special needs include the following (UN Division for Social Policy and Development: Disability, 2006).

1. All schools must be accessible (tied to Article 9 on accessibility), both physically and regarding information and communication;
2. Students with disabilities should receive reasonable accommodations within the classroom;
3. Schools should address the academic, social and life skills needs of each student;
4. If needed, alternative learning methods should be used such as Braille instruction or alternative communication devices;
5. Local sign language instruction should be provided for children who are deaf to promote linguistics identity;

According to UNESCO (2009), the Policy Guidelines for inclusion in Education and national legal frameworks should at a minimum achieve the following:

1. Recognize inclusive education as a right;
2. Identity minimum standards in relation to the rights to education, including physical access, communication access, social access, economic access, early identification, adaptation of curriculum and individualized students supports;
3. Ensure transition plan for students with disabilities;
4. Provide resources for students with disabilities; and
5. Establish monitoring and evaluation mechanisms for ensuring that education is truly inclusive.

The enhancement of the right of special needs children to education requires an urgent provision of resources and enforce the implementation of special education policies. Since basic education is universal, compulsory and free, modalities to ensure access to education especially for children with special needs become necessary. The misconception that children with disabilities will not be able to learn is discriminative idea. Discrimination of special need children can be avoided in Nigeria only when sensitization and mobilization of the public is done appropriately. Teachers who are key stakeholders can reach out to the communities and create awareness for special need children access to education. Research has also shown that the more opportunities teachers have to engage with individuals with disabilities, the more likely they are to support the concept of inclusive education (Avramidis&Norwisch, 2002). Enhancing access to education can be possible when every human being can access education without any hindrance.

## **Conclusion**

Education being an instrument for the nation's development and the well-being of every individual, it is imperative that every child is granted the opportunity to access education. Enhancing the right of special needs children access to education is a global concern and Nigeria set up appropriate policies to ensure the right of every child to access Basic Education. However, children with special needs are denied access to education due to challenges confronting the implementation of special education policies. The provision of adequate financial and material resources as well as getting the right caliber of human resources are variable assets for the achievement of set educational goals.

Efforts at revitalizing and adequately liaising with SBMCs will also go a long way in enhancing access to Basic Education as their role in mobilizing parents through public enlightenment programmes can be of great help. This is in addition to strengthening the synergy between all the levels of governments, international communities and agencies geared towards enhancing the right of children with special needs access to Basic Education in Nigeria.

## **Suggestions**

From the foregoing, the right to access education by the special need children is confronted with numerous challenges. Therefore, approaches to enhance the right of special needs children to education are recommended as follows:

- a. The federal state and local governments should see education as a right of every child of school age and all efforts should be made to ensure that there is unfettered access to it by all children regardless of gender, social status, religion, ethnic background and peculiar individual challenge.
- b. Efforts should be made by government at all levels to adequately provide the needed financial, material and human resources to enhance access to education.
- c. The SBMCs should be seen as a veritable platform the government should revitalize and adequately collaborate with to adequately mobilize and enlighten parents and community members to see the need to send special need children to school.
- d. Punitive measures should be enforced against parents who deliberately refuse to send their special needs children to school, to serve as a deterrent to others.
- e. School administrators should create awareness in communities on the importance of sending children with special needs to school. This can be done through the practice of school-community relationship.

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