

The Inclusion of Students with Visual Impairment in Regular Institutions in Kenya: An Analysis of Policy and Legal Framework

Joshua Odhiambo Adongo.

Head of Department of Foundation of Special Education, Kenya Institute of Special Education. He holds doctoral degree (Inclusive Education) of University of South Africa (UNISA), P.O. Box 48413-00100 Nairobi

DOI: <https://dx.doi.org/10.47772/IJRISS.2024.803157>

Received: 04 February 2024; Revised: 10 March 2024; Accepted: 14 March 2024;

Published: 18 April 2024

ABSTRACT

This study is concerned with the inclusion of students with visual impairments in the regular institutions in Kenya. The purpose is to study the policy documents that have been guiding the inclusion of students with disabilities including those with VI in the regular institutions since independence. The research questions to be answered by the study were: (a) what policies guide the inclusion of students with visual impairments in regular institutions in Kenya; (b) What is the context in which the policies that guide inclusion were formulated in Kenya; (c) What were the consequences of the policies on the inclusion of students with VI in society. The study adopted qualitative research approach to carry out the study. It analyzed five education commission and working committee reports and four policies with have been formulated on the persons with disabilities in Kenya. The findings of the study would assist in identifying the gaps in the policies concerned with the provision of services to persons with disabilities including those with VI.

Key words: Inclusion, Inclusive education, policy, visual impairment, students with disabilities.

CONCEPT OF INCLUSIVE EDUCATION

There has been a paradigm shift in the education of students with disabilities including those with visual impairments from segregated special institutions to regular institutions all over the world. The shift popularly known as inclusion has witnessed more students with disabilities being educated in the regular classrooms in the last 50 years. The inclusion has been supported and opposed by different scholars on equal measures. The proponents of inclusion have advanced several reasons to support it. They argue that inclusion accords students with disabilities with opportunity to live and participate in the activities of their societies as their regular peers (McCarthy & Shevlin, 2017; Henkebo, 2018; Zelelew, 2019). Other scholars have advanced legal basis in support of inclusion. For them inclusion represent the least restrictive environment which is a requirement of the law (Hornby, 2015). On the other hand, the opponents of the debate have argued that students with disabilities are best served in institutions with high concentration of resources typically found in special institutions (Dolinska, 2017).

Despite the varied views by scholars regarding inclusion, the placement of students with disabilities in the regular institutions requires well-coordinated preparation if the students with disabilities are to be fully accommodated in the institutions. According to Ileri, Kingendo, wanjola and Thurania (2020), inclusion should not only focus on the quality of education but also demand the structuring of the learning environment to accommodate students with diverse needs. Accordingly, mere placement of students with disabilities in the regular institutions if not well coordinated may result in the students with disabilities not

getting the necessary services and hence may not fully benefit from the institutions' programs. Thus, the school systems need to have appropriate policies in place to set goals of inclusive education practices and provide guidelines on service provision for students with disabilities in the regular schools. This calls upon inclusive schools to restructure their strategies to enable every student including students with disabilities to access the course content (Ireeri, Kingendo, wanjola & Thurairana, 2020).

INTERNATIONAL CONVENTIONS AND PROTOCOLS THAT SUPPORT INCLUSIVE EDUCATION.

The inclusion of students with disabilities is arches on varied international protocols. The Universal Declaration of Human Right (UN, 1948) is one such protocol that decrees education as an inalienable human right (Hankebo, 2018; UN, 1948). Thus, student with disabilities including students with VI have a right to receive appropriate quality education as other typically developing peers in the society. The right of all students to receive quality education has been reiterated in several other international, regional and national policies (NGEC, 2016; Hankebo, 2018). For Instance, the world conference on Education For All (EFA) also referred to as Jomtien declaration emphasized the need to make basic education accessible to all students including those with disabilities (UNESCO, 1990; Mboshi, 2018). Accordingly, the declaration provided impetus for the international community to embrace inclusive education by urging the school system to employ appropriate strategies that will ensure that all students including those with disabilities receive quality education (Mboshi, 2018).

The Salamanca Statement and Frame work for Action on Special education is an international effort to embrace inclusive education (UNESCO, 1994; Hankebo, 2018); and advocate the inclusion of all students in the regular schools regardless of their physical, intellectual, social emotional linguistic or other conditions (NGEC, 2016; Zelelew, 2018). Whilst Zelelew (2018) argued that Salamanca Framework of Action aimed at reducing dropout rate amongst all students, on the other hand, Hankebo (2018), asserts that Salamanca Statement emphasize the need to restructure school system, and adopt inclusive education as a strategy of accommodating students with diverse abilities as the most effective means of overcoming discriminatory attitudes of the society against people with disabilities. Ajuwon et al. (2015) observed that regular class placement makes students with disabilities including those with VI to feel valued and accepted in the community, and hence is the most effective means of ensuring quality education for all students in the society.

The other international conventions that have advocated inclusion of students with disabilities including those with VI in the regular schools include the United Nations convention on the Right of child (1989), the UN Standard Rules on Equalization of Opportunities (1993) and the World educational Forum (2000) (Adoyo & Odeny, 2015). These international conventions explicitly recognized and embraced inclusive education as the best strategy to educate students with Disabilities (Adoyo & Odeny, 2015; Hankebo, 2018). Adoyo and Odeny (2015) argued that UN Standard Rule No. 6 had strengthened the spirit of inclusion by appealing to member states to provide education to students with disabilities in inclusive settings. Zelelew (2018) asserted that the Standard Rules represent a definite move towards achieving a social model of inclusive education. According to Zelelew (2018), the purpose of the rule is to ensure that students with disabilities enjoy all the rights as other peers. Accordingly, the rule serves as an instrument upon which inclusive policy is founded and actions to remove the barriers that prevent people with disabilities from participating in the activities of their societies (United Nations, 1994; NGEC, 2016). These documents form the basis on which inclusive education policies for national governments are grounded.

In recent years, there have been concerted efforts by nations of the world to achieve education for all (EFA) as evidenced by the Millennium Development Goals (MDG's) of 2000 (UN, 2000; NGEC, 2016; Elder, 2015). The summit had developed eight MDG, but the Goal No. 2 specifically urged member nations to

guarantee Universal Primary Education (UPE) to all children of school going age by 2015 (UN, 2000; NGEC, 2016). Although, the (MDG) Goal No. 2 had advocated the need to achieve universal primary education, the Goal No. 3 had expressed the need promote gender equality in society. The implication of these agendas is that all children including those with disabilities will have opportunity to be in the regular school in the neighborhood with the rest of the peers. Elder (2015) posits that in order to put an end to gender disparity in the school system, there is need to accept and celebrate students with diverse abilities in the classrooms around the world. In addition, the summit urged member nations to ensure that children in difficult circumstances and those belonging to ethnic minorities are accorded opportunity to complete a full course of primary schooling (UN, 2000; NGEC, 2016). Thus the (MDG) had expressed the desire to achieve inclusive society which must begin by having inclusive classrooms and schools.

The United Nations Conventions on the Rights of Persons with Disabilities (CRPD) (2006) is yet another effort by the governments of the world to safeguard the rights of persons with disabilities to quality education at all levels of schooling (Elder, 2015; Mwoma, 2017; Opie, 2018). According to Opie (2018), the convention urged education providers to avail the necessary support to students with disabilities in order to maximize their academic and social potential in the society. When students with disabilities are given adequate support, they are able to fit in the general system of education, and hence will not be marginalized. Consequently, the convention had set the wheel for the inclusion of students with disabilities including those with VI in general classrooms. On the other hand, Elder (2015) urges that (CRPD) shifted society's view of persons with disabilities from object of charity, medical treatment and social protection to subjects with rights; and who have the capacity to claim rights and make decision based on free and informed consent as active members of the society. Whilst, several international protocols had advocated the need to provide students with disabilities with basic education, the (CRPD) on the other hand expresses the need to provide students with disabilities with quality education in inclusive schools (Elder, 2015).

DEVELOPMENT OF INCLUSIVE EDUCATION IN KENYA

Kenya has not been left behind in the international trust to educate students with disabilities in the regular institutions. For instance, in 2003 the government introduced Free Primary Education (FPE). Consequently, students were no longer required to pay school fee and other levies to attend school. In addition, the government was to provide the students with the learning and teaching materials. The FPE has enabled thousands of children from poor families and vulnerable backgrounds including those with disabilities to attend schools without interruptions (UNESCO, 2005). For instance the gross enrolment of students in primary schools was 5.9 million but rose to 7.6 million in 2003 (UNESCO, 2006). However, the FPE program has encountered several challenges such as teacher shortage, overcrowded classes and insufficient teaching and learning materials (UNESCO, 2006). These challenges have adversely affected students' learning especially of students with disabilities who generally require individualized attention from teachers.

The data of students with disabilities in Kenya is incoherent, limited in quantity, quality and scope (KISE, 2018). Thus the number of student with disabilities who have been able to attend regular classrooms at the advent of FPE has remained unknown. Whilst MOEST (2016), reported that Kenya has five special secondary schools, six special primary schools and 19 units in regular schools serving most of the students with VI, a recent National survey on the prevalence of children with disabilities and Special Needs Education in Kenya found that 671,205 children are visually impaired of which 596,701 (88.9%) were enrolled in 158 inclusive and 66 special schools (KISE, 2018). However, there is limited empirical data on the number of students with VI who are enrolled in tertiary institutions.

STATEMENT OF THE PROBLEM

The government of Kenya has adopted inclusive education policy as a strategy for educating students with

diverse abilities including those with visual impairments in society (MOE, 2009; MOE, 2018). As a result, the country made effort to provide quality inclusive education to students with disabilities including students with VI since 1964 when the country attained independence. According to the Office of High Commissioner on Human Right (OHCHR) Kenya State Report, the country had 1882 primary and secondary schools where inclusive education was offered to students with disabilities at varied levels (OHCHR, 2011). In 2013, the country had 50, 744 students with disabilities at primary school level of which 26, 744 students were attending regular schools as compared to 24000 students with disabilities who were being educated in special schools (UNICEF, 2013; Elder, 2015).

The National Education Sector Plan (NSSP) 2013/2014 – 2017/2018 pointed out that the government was providing financial support to students with disabilities in 1703 special units attached to regular schools and three teacher training colleges in that period. Also, the government was providing capital grants to students with disabilities including students with VI in 184 special boarding schools comprising of 169 primary schools, 8 secondary schools and 6 technical institutions in the same period (RoK, 2014). A recent study on the status of inclusive education for children with VI in sub-Saharan Africa found that there were 12,136 students with VI in Kenya in 2019 (Fanu, Schmidt & Virendra Kumar, 2022). According to the study, 2419 out of the total of 12135 students with VI were in special primary schools. This implied that 9717 students with VI were in regular primary schools.

Despite the government effort to provide quality inclusive education to students with disabilities such as students with VI, there are myriad of challenges that need to be overcome in the sub-sector that include but not limited to inadequate funding, inadequate trained specialist teachers and other personnel, lack of assistive devices and rigid school curriculum (Elder, 2015; Adoyo & Odeny, 2015; Mwoma, 2017; Ressa, 2021). Although, the government has put legal and policy framework in place to facilitate the provision of inclusive education to students with disabilities, poor implementation of these policies have hindered the realization of service delivery to these cadre of students (Republic of Kenya, 2014; MoEST, 2018). According to Ressa (2021) lack of policy guidelines on inclusive education has led to mismanagement resources allocated to students with disabilities in Kenya.

Policy is a system of laws, regulatory measures, course of actions and funding priorities concerning a given topic promulgated by government entity or its representative (Serban, 2015). On the other hand, Amosa (2018) defined policy as intentional or planned decision taken by the government of the day to resolve a problem or take advantage of an opportunity. The inclusion of persons with disabilities in Kenya has been guided by several policies contained in varied public documents. Therefore, there is need to analysis these policies in terms of what has been achieved as a result of the presence policies being in place; the weakness in the procedure of implementing the policies and the overall gaps in the service provision to students with disabilities especially those with VI. This study will focus on the varied policies that have guided inclusion of students with disabilities including students with VI in Kenya. The study will strive to provide answer to the following research questions:

- 1) What policies guide the inclusion of students with disabilities in regular institutions in Kenya?
- 2) What is the context in which the policies that guide inclusion were formulated in Kenya?
- 3) What were the consequences of the policies on the inclusion of students with VI in Kenya?

METHODOLOGY

The study adopted qualitative approach to collect data that is aligned to interpretivist paradigm. According to Haradhan (2018) qualitative research approach is a form of social action that stress on the way people interpret and make sense of their social experience to understand the social reality of the individual. The

researcher utilized policy document analysis as means to collect data for the study. Document analysis is the systematic collection, documentation, analysis, interpretation and organization of data printed or electronic (Kanyesa & Shung-King, 2021; Dalglish, Khalid & McMohon, 2020). On the other hand, Policy document analysis is defined as a research method for investigating the nature of a policy document in order to look at both what lies behind and within the policy by studying three major aspects of the policy namely: the policy context, content and consequences.

Policy context are the forces and values that had led to the enactment of the policy and relate to the socio-political environment that prevailed during the initiation of the policy (Cardno, 2018). The content of the policy is generally viewed as the fundamental factors in creating the parameters and guidelines for implementation (Mulugeta, 2015). Thus, the policy content includes what is set out to be done, how it communicates the problem to be solved and how it aims to solve the problem (Mulugeta, 2015). The policy document analysis must consider the consequences of the policy that relate to the way in which the policy is implemented; and involves considering the effectiveness of the procedures and also looking for the likely challenges in the implementation of the policy (Cardno, 2018).

Document analysis as a procedure of data collection has been found suitable by many scholars. It is straight forward, efficient, cost effective and manageable (Cardno, 2018). Furthermore, by working with documents rather than human subjects, the researcher is able to evade seeking for human subject ethical approval of the university in order to carry out a study.

FINDINGS AND DISCUSSIONS

Kenya had a three tier systems of education during the colonial period provided based on three races namely Europeans, Asians and African (Agonga & Muhingi, 2020). The Europeans were given superior education that prepared them for leadership; while Asians were given education to work as middle class as artisan, traders and vocational skill providers (Ominde, 1964; Mackatiani, Imbovah, Imbovah & Gakungai, 2016). However, Africans were given inferior education that prepared them to provide manual labour for the white settlers to promote agricultural production and missionary activities (Mackatiani, Imbovah, Imbovah & Gakungai, 2016). The type of segregated system education could not unite the three races in Kenya (Agonga & Muhingi, 2020).

Education Commission and Committee Reports

Kenya attained independence in 1963. Thereafter, the government embarked on reforms of the education sector in line with the physical, political, social and economic conditions and challenges that faced the newly independent state (Agonga & Muhingi, 2020). The government undertook reforms through policy documents which were statements of commitments to undertake specified program directed at the achievement of certain goals. This was done through establishment of various education commissions and working committees which have shaped the education system since independence ((Mwoma, 2017; Chikati, Wachira & Mwinzi, 2019). Consequently, the policies have had a great impact on the inclusion of persons with disabilities including those with VI. The policy documents reviewed in this study include Education Commission Reports, Working Committee Reports, Special Needs Education Policy Framework, and Persons with Disabilities Act (2003) and Task force on Special Needs Education- Appraisal Exercise Report (2003).

The Committee for the Care and Rehabilitation of the Disabled 1964

The transition from colonialism to independence was a period of great expectations for all citizens including persons with disabilities in Kenya (Gebrekidan, 2012). For persons with disabilities national independence promised not only majority rule but also social justice. The same aspirations were shared by many persons

with disabilities especially the graduates of Thika School for the blind which had been established by the Salvation Army back in 1946 to cater for the wounded Second World War soldiers. The facility had begun as a rehabilitation centre but was later transformed into a school for students with VI. Colonial education was a rare privilege and best predictor of relative economic success and upward mobility, even if it only meant mastering of the three R's during the few years in school (Gebrekidan, 2012). Thus, many graduates of the school had high hopes of getting employment after the completion of their education and attaining standard eight. Although a handful of them had been employed in few factories around Thika and Nairobi as telephone operators, majority however, were forced to go back to their rural homes (Gebrekidan, 2012).

The desire for self-government and commitment to social justice led to the birth of Kenya Union for the Blind (KUB) in 1959. The most notable leaders of the union were: Jason Mutugi (President), Daniel Kasu (Vice President), Jonson Kieti (Secretary), Salim Afif (Treasurer), Henry Ochilo (vice treasurer) and Paul Imburia who represented telephone operators. When finally the country attained independence in 1964, the KUB were concerned about untackled questions such as employment, education, recognition of their movement as the legitimate voice for the blind and the creation of disability affairs (Gebrekidan, 2012).

On 15th January 1964 about 60 members of KUB marched along Haille Salassie road towards Harambee house to present their petition to Jomo Kenyatta who was then the prime Minister of the newly independent state and later become the first president of the republic of Kenya. The protest march by members of the KUB led to the formation of the first task force in the independent Kenya to look into issues affecting persons with disabilities (Gebrekidan, 2012). The task force popularly known as Committee on Care and Rehabilitation of the Disabled persons was led by Hon. Ngala Mwendwa who was the minister of culture and social services (Republic of Kenya, 2003; Chikati, Wachira & Mwinzi, 2019).

The task force had four objectives to pursue concerning persons with disabilities. These included 1) to make assessment of the number and type of disabilities in Kenya; 2) investigate the existing facilities for the education, training, settlement/ employment of persons with disabilities; 3) to formulate a broad program of training and placement of the disabled involving community care designed to assist the economic independence of as many disabled persons as possible and 4) to examine and make a report on the existing machinery for the coordination of services to disabled persons.

The report of the task force had 28 recommendations and formed the first policy on the inclusion of persons with disabilities in Kenya. Consequently, the policy led to sessional paper No 5 of 1968 that provided a framework for the development of special education in the country. Accordingly, the sessional paper was a key milestone in the development of special education in Kenya by anchoring it in our statutory documents (Republic of Kenya, 2003; Chikati, Wachira & Mwinzi, 2019). Furthermore, the sessional paper provided specific course of actions that ought to be taken by the Ministry of Education in the provision of education to persons with disabilities such as VI (Chikati, Wachira & Mwinzi, 2019).

The report made several recommendations that had a lot of bearing on the inclusion of persons with disabilities in the society. It recommended that chief and assistant chiefs were to make account of all persons with disabilities in their areas of jurisdiction throughout the district. This formed the first formal statistic of persons with disabilities in the country. The statistic on the prevalence of persons with disabilities and their types is important for planning and provision of services in the country (Republic of Kenya, 1964; Gebrekidan, 2012). Also, the task force report had recommended the integration students with VI in the regular schools. This recommendation was later adopted by the Education Commission Report of (1964); and resulted in the development of inclusive schools for students with VI in the subsequent years.

The Hon. Ngala Mwendwa's the task force report had also recommended that students with physical impairments be provided with transportation to schools by voluntary persons and agencies. The provision of transportation to the cadre of persons to schools would enable them to access education and to participate in

the activities of the society. Also, the report had recommended the need to modify the environment to suit people with disabilities in work places. The report had stated that:

“The needs of the disabled workers should be born in mind in designing the lay-out of factories” (Mwendwa, 1964, p 23).

The physical environment of schools and workplace of should be modified to improve accessibility and safety to persons with disabilities including those with VI (Hankebo, 2017; Zelewa, 2018). Thus, persons with disabilities are able to be included in the activities of their community. Furthermore, the committee had recommended that all the existing schools for the disabled to be treated as special schools and to be given government financial support to make them tuition free (Chikati, Wachira & Mwinzi, 2019). This recommended meant that students with disabilities such those with VI could access education without paying tuition fee. This gave the students the leeway to access higher education and compete with the able bodied persons for jobs in the labour market. Also, the task force report had urged the government to establish vocational and trade schools as well as agricultural centres where students with disabilities including those with VI would be trained in varied vocational skills, farming and related techniques. This could equip such persons with necessary knowledge and skills to participate in the activities of the society.

The Education Commission Report (1964)

The first Education commission in the independent Kenya was appointed by the then minister of education Hon J Otiende in 1963. The Commission was chaired by prof. Ominde who was a renowned Kenyan scholar (Mwoma, 2017; Republic of Kenya, 1964a; Mackatiani, Imbovah, Imbovah & Gakungai, 2016). The terms of reference of the committee were to survey the educational resources of Kenya and advice the government in the formulation and implementation of national policies for education; and to align the educational system of the country to the aspiration of the new nation (Muigai, Chege & Karugu; 2019). Thus, the recommendations of Ominde committee formed essential policies that have guided the regular and special education since the attainment of the country’s independence. The Ominde Education Commission report has had several consequences in the development of education in Kenya.

The Ominde Education Commission made several recommendations including a unified system of education for the country. Consequently, all schools were opened for all races (Mackatiani, Imbovah, Imbovah & Gakungai, 2016). Also, the Education Commission Report (1964) had outlined the nine goals of education as they exist to-date. The nine goals of education as envisaged by Ominde Education commission in 1964 became a policy document that continues to guide the provision education to all persons including persons with disabilities in the society. Although, the Ominde Report (1964) had made several recommendations, three recommendations were exclusively on the inclusion of students with disabilities including those with VI. Firstly, report had noted that:

“there are many children with mild disabilities who can continue to receive their education in regular schools provided teachers are equipped with knowledge and skills on how to handle their psychological and maladjustments arising out of disabilities” (Republic of Kenya, 1964a, p132).

The Ominde commission Report (1964) had great impact in the inclusion of students with disabilities in society. It marked the beginning of efforts by the government to integrate students with disabilities including those with VI in regular schools. According to Chikati, Wachira and Mwinzi, (2019), the report led to the increased enrolment of students with disabilities including those with VI in the regular schools. Thus, the inclusion of students with disabilities such as students with VI is founded on the recommendations of Ominde Commission Report of (1964).

The Education Commission Report had also emphasized the need to equip regular teachers with knowledge

and skills for handling students with mild disabilities in regular classrooms. The Ominde Report had stated that:

“Since children with mild disabilities are likely to be found in regular schools, we suggest that Teachers Training Colleges should accept responsibility for acquainting students in training with the psychological difficulties faced by children with disabilities and measures that can be taken in the regular classrooms to counteract the physical and mental effects of the disabilities” (Republic of Kenya, 1964a, p132).

Based on the recommendation, there has been inclusion of a component of special education course in the basic teachers’ training course so as to equip trainees with skills and knowledge of teaching students with disabilities (Gok, 2018). As a result, graduates of teachers’ training colleges are equipped with knowledge and skills to handle students with mild disabilities in the regular classrooms.

The Ominde Education commission of 1964 culminated in the establishment of the vocational rehabilitation services in the ministry of culture and social services (Mwoma 2017; Chikati, Wachira & Mwinzi, 2019). The department of rehabilitation has enabled many persons with disabilities including those with VI to be equipped with necessary skills to fit into the society. Thus, they are able to take part in the activities of the society as able-bodied peers. Although, the creation of the department of vocation rehabilitation had aimed at equipping disabled persons with the necessary skills that would allow them to fit in the society, it resulted in the creation of two parallel education systems in two different ministries. Consequently, it led to marginalization of students with disabilities as their education needs was not catered for by mainstream Ministry of education (Mwoma, 2017).

National Committee on Educational Objectives and Policies (1976)

In December 1975, the government constituted National Committee on Educational Objectives and Policies under the chairmanship of Mr P.J. Gachathi who was then the Permanent Secretary in the ministry of Education (Republic of Kenya, 1976). The government formed the committee to look at the cost of acquiring the formal education which was rapidly rising despite the high unemployment rate amongst school leavers. Therefore, the government needed to reform system of education as a strategy of addressing varied social and economic challenges which were facing the country including high unemployment amongst the youth. The Committee’s main mandate was to evaluate the system of education and define the educational goals for the country in the second decade of independence. Also, it was to formulate specific programs of actions for achieving the goals of education in the country (Republic of Kenya, 1976).

The National Committee on Educational Objectives and policies (1976) had made several recommendation that formed policies that guide education in Kenya. For instance, the Gachathi Report (1976) had noted that the placement of students with disabilities in specialized facilities not only led to their segregation from the main stream of the society but also resulted in students being stigmatized. Consequently, the committee had emphasized the need to integrate students with disabilities especially those students with VI in the regular schools. The committee had made the following recommendations:

“To follow a policy of integration of students with disabilities in society especially in cases where the disabilities has been adequately compensated for by special education and facilities” (Republic of Kenya, 1976 pp76).

“To expand existing amenities and establish additional services to enable students with disabilities to be integrated into normal school as far as possible” (Republic of Kenya, 1976 pp76).

The above recommendations on the inclusion of students with disabilities led to increased number of students being included in the regular schools in Kenya. This was witnessed in 1989 when the government

initiated the Kenya Integrated Education Program (KIEP) to promote the inclusion of students with VI in regular schools (Adongo, 2010). Several studies have shown that the success in the inclusive practices in Western world is attributed to the presence of mandatory policies and laws in those countries (Hossain, 2012; Danni, 2018; Francisco, Hartman & Wang, 2020).

In order to effectively plan for service provision for students with disabilities including students with VI, the committee had identified the need to collect data on the nature and extent of disabilities in the country. A reliable data on the prevalence of students with disabilities is considered essential in guiding the policy to plan for resources for students with disabilities (KiSE, 2018). The committee had recommended that:

“To coordinate diagnostic activities and public education aimed at encouraging and enabling the public education aimed at encouraging and enabling the public to identify the various types of disabilities and to seek appropriate assistance” (Republic of Kenya, 1976 p76).

“To create awareness on the part of the public on the causes of disabilities with a view to facilitating prevention of their proliferation” (Republic of Kenya, 1976 p76).

“To establish pre-primary classrooms within special schools to enable students with disabilities to start training early enough in preparation for primary education” (Republic of Kenya, 1976 p76).

The report by education committee led by Gachathi (1976) had several consequences in the education of students with disabilities such as students with VI in Kenya. It led to the establishment of several Educational Assessment and Resources Centres (EARC) by the government all over the country (Mwoma, 2017). The EARC are charged with responsibility of assessing students with disabilities in order to establish the types and the severity of the disabilities (Mwangi, 2013). Based on the assessment reports of the EARC officers students with disabilities are either placed in regular classrooms or special schools. Thus, EARC centres play a vital role in ensuring that students with disabilities including those with VI are placed in appropriate educational institution in order to enhance their participation in learning. Despite the significant role played by the EARC, a national survey on children with disabilities and special need in education revealed that these facilities are faced with myriad challenges such as inadequate transport, under-staffing, inadequate funding and lack of appropriate assessment tools (KISE, 2018).

Furthermore, based on the recommendation of the commission the government established Kenya Institute of Special Education (KISE) in 1986 to enhance the capacity building for service providers through teacher training and research (Syallo & Njoka, 2013; Mwoma, 2017). Teachers need to receive appropriate training and support in order to deliver child-centred inclusive education to students with disabilities (APPG, 2015; KISE, 2018). Since its inception, the Kenya Institute of Special Education has managed to train many teachers of students with disabilities including those with VI in the country. The specialist teachers who have been trained at (KISE) have played a leading role in the inclusion of students with diverse abilities including those with VI in the regular schools.

The commission report that became a government policy in education also led to the establishment of pre-school classes in the special schools. Consequently, students with disabilities including those with VI had the privilege of being admitted in various Pre-school units with the special schools (Chikati, Wachira & Mwinzi, 2019). Furthermore, the Gachathi Report (1976) led to the establishment of the department of special needs education at the Kenya Institute of Education (KIE) presently known as Kenya Institute of Curriculum Development (KICD) (Mwoma, 2017). This led to publication and distribution of syllabuses and related curriculum materials to regular schools having students with disabilities including those with VI in their programs. Consequently, many students with disabilities including those with VI were able to be educated in regular school programs.

The Education Committee Report (1976) noted that inaccessible and high cost of assistive devices used by students with disabilities is a constraint in the provision of quality inclusive education (Republic of Kenya, 1976, Republic of Kenya, 2003, Ogolla, 2010). In order to alleviate the problem of assistive devices the committee had recommended that:

“To integrate the special equipment grant relating to any student into normal system at any level of education” (Republic of Kenya, 1976 pp76).

“To give a more realistic grant to schools and colleges catering for the students with disabilities on the basis of the real need of particular disabilities” (Republic of Kenya, 1976 p76).

The above policy statement as proposed by Gachathi Report (1976) had several impacts in the provision of quality inclusive education in the subsequent years in Kenya. For instance, in the quest to increase access to basic education, government introduced Free Primary Education (FPE) program in 2003 followed by Free Day Secondary Education (FDSE) in 2008 (Ogolla, 2010; MOE, 2020). One of the key components of FPE and FDSE is the provision of capitation grants to all students including those with disabilities. Currently, the government is giving a grant of Ksh 1420 per student for primary education and Ksh 22,244 per student in secondary schools. However, there is a top up of ksh 2300 and 35,000 for students with disabilities including those with VI in public primary and public secondary schools respectively (MOE, 2018; MOE, 2020). The additional capitation is meant to cushion schools from high cost involved in the provision of quality inclusive education that arise from the high medical cost and other expenses related to the use of varied assistive devices used by students with disabilities.

The Presidential Working Party on Education and Man Power for the Next Decade and Beyond (1988)

In 1986, the government constituted another education commission, The Presidential Working Party on Education and Man Power for the Next Decade and beyond (Republic of Kenya, 1988). The Education commission popularly known as Kamunge Education Commission released its report in 1988. There had been rapid development and expansion of education and training since independence in Kenya. This was attributed many factors among them peace, unity and stability that prevailed in the country. Despite the pivot role the provision of quality education played in the development of the new nation, the government was concerned about the rising cost of education and training to the citizens. Therefore, there was the need to bring on board other stakeholder such as communities, parents and beneficiaries to share cost the provision of quality education with the government. The commission made several policy statements that had a lot of impact in the inclusion of students with disabilities including those with VI in the society. The commission recommended that:

“The young visually handicapped children of pre-primary school age be integrated in regular pre-primary school” (Republic of Kenya, 1988 pp 47).

“The partially sighted children be integrated into regular primary and secondary and be provided with the necessary facilities and equipment including low vision Aids to enable them learn effectively” (Republic of Kenya, 1988 pp47).

“That the learning and examination needs of the VI students in sciences and applied subjects be catered for in the various curricula and examinations” (Republic of Kenya, 1988 pp 47).

The above cited recommendations by Kamunge Report (1988) facilitated the establishment of the Kenya Integrated Education Program (KIEP) in 1989. The program which is a tripartite partnership between Ministry of Education (MOE), Kenya Society for the Blind (KSB) and Sight Savers International (SSI) has

facilitated the inclusion of many students with VI in regular schools in the country (Mwangi, 2013). According to Muigai, Chege and Karugu (2019) the KIEP has made Education For All a reality for students with VI in 21 out of 47 counties in Kenya. Furthermore, Kamunge Report (1988) had recommended that regular vocational and technical institutions should hence forth begin to admit persons with all types with disabilities in their programs. This was important step in the provision of education to trainees with disabilities including those with VI who would eventually need to be absorbed in the mainstream of the society.

The Kamunge Report of (1988) had made other recommendations concerning the development of education of students with VI that include the adaptation of the curriculum in science oriented subject such as biology and agriculture in the secondary schools (Chikati, Wachira & Mwinzi, 2019). This had a positive impact on the education in the education of students with VI. Furthermore, the report led to the enactment of policy regarding provision of examination by the Kenta National Examination Council (KNEC). For instance, more consideration being given to students with VI in national examination in terms of using suitable adaptation and being given extra 30 minutes in the examination (Syallo & Njoka, 2013). Student with VI generally require extra time to execute a task as compared to their sighted peers (Agesa, 2014; Kapur, 2018; Asamoah et al. 2018). This account for the extra time accorded the students with VI while taking examinations. Also, the provision of curricula and examinations in accessible mode such as large print and Braille is important if students with VI are to receive quality inclusive education.

The Totally Integrated Quality Education and Training (1999)

In 1998, the government appointed commission of inquiry into Education system in Kenya (Republic of Kenya, 1999; Chikati, Wachira & Mwinzi, 2019). The Education Commission also known as the Totally Integrated Quality Education and Training presented its report in 1999; and is commonly referred to as Koech Report (Republic of Kenya, 1999). The terms of reference of the commission were comprehensive in nature and covered issues relating to goals, objectives, the structure and content, management and co-ordination and financing of education at all levels. The Commission was in particular mandated to recommend ways and means of enabling the education system to facilitate national unity, mutual social responsibility, accelerated industrial and technological development, life-long learning and adaptation to changing circumstances (Chikati, Wachira & Mwinzi, 2019).

The Koech Report of 1999 had made several recommendations that become policy statement in the management of education in Kenya. Also, it enumerated various difficulties faced by students with disabilities including those students with VI in regular schools. The report had noted that:

“The present level of development in Kenya’s education services for handicapped children is that full integration of handicapped children in regular schools is impossible for majority of children. First, support services such as trained teachers, book readers, interpreters, reading and writing equipment is lacking. Secondly, itinerant teachers programme experience severe difficulties because of the distance covered by teachers, poor communication and other infrastructure, inadequate resource support and severe transport constraint. Thirdly integrated education for the handicapped children is almost totally reliant on donor funding and expertise which cannot be assured in future”. (Republic of Kenya, 1999).

The report seemed to have put aspersion on inclusion of students with disabilities including those with VI in regular schools by enumerating various challenges experienced in the provision of education in regular schools. On the other hand, the report had made several recommendations in support of inclusion of students with disabilities such as students with VI in the in the regular school programs. For instance, the report noted that:

“Selection of children for integration programme be based on proper educational assessment to determine

the ability of such children who require minimum rigor of integration; that only those children who require minimum specialist assistance be integrated with proper trained personnel, assistive learning/teaching aids and equipment, and that schools support structure and prior sensitization of integrating school are assured” (Republic of Kenya, 1999 pp126).

“Regular schools, colleges, universities and all government building be constructed with accessibility of learners with special educational needs in mind” (Republic of Kenya, 1999 pp126).

“A National special Education Advisory board e established under the special education Act and that the composition of the members of the board consist of key stakeholders, professionals, parents, and leaders in the disability movements” (Republic of Kenya, 1999 pp126).

According to Chikati, Wachira and Mwinzi (2019) most of the recommendations of the Koech report (1999) were not implemented due to budgetary constraints that prevailed at that time. However the report led to the establishment of task force on special needs education (2003) whose recommendations had far reaching effects on the provision of quality inclusive education in Kenya.

The Task force on Special Needs Education- Appraisal Exercise (2003)

In 2003 the government appointed the second task force since independence to look into issues that affect the education of students with disabilities in Kenya. The task force whose report is generally known as Kochung report was headed by Dr Kochung who was a lecturer the department of Special Needs Education at Maseno University. The terms of reference of the task force included: establish the number of children with special needs in the country; 1) to identify the gaps and barriers that affect the provision of special needs education; 2) to Identify institutional needs and support services required for children with special needs in education; 3) to establish the unit cost for students with special needs in education in the school system; 4) to ascertain the effectiveness of the various bodies of the Ministry of Education, Science and Technology in the provision of special needs education and recommend necessary reorganization; and 5) to ascertain collaborative and networking structure in special needs education among the various stakeholders.

The task force examined varied aspect of education of students with special needs under nine major themes that emerged after data collection namely inclusive education; population of children with special needs in education; funding in special needs education; resources in special needs education; management, supervision and staffing of special needs education. The task force also came up with other themes that included curriculum and examination; educational assessment and resources services; and awareness and sensitization. The themes were mainly concerned with the provision of quality service to students with disabilities in the society. The recommendation of the task force formed policy statements that have immense influence in the inclusion of students with disabilities in schools and later in the society. For instance, the task force had recommended that:

“Ministry of Education, Science and Technology embarks on an intensive sensitization programme for all stakeholders on inclusive education” (Republic of Kenya, 2003 pp 82).

“regular schools, colleges, Universities, and all government building be made barrier free for ease of access by persons with disabilities” (Republic of Kenya, 2003 pp 82).

“admission of students to inclusive educational programmes be based on proper educational assessment to determine their appropriate educational needs for placement” (Republic of Kenya, 2003 pp82).

“only those students who would benefit from inclusive education be considered for placement in regular schools with specialist support in terms of trained personnel, Assistive devices, educational aids and equipment” (Republic of Kenya, 2003 pp82).

“all teachers in primary and secondary schools be in-serviced on inclusive educational techniques” (Republic of Kenya, 2003 pp82).

“inclusive Education be piloted in selected schools in every district” (Republic of Kenya, 2003 pp82).

“all stakeholders be sensitized on inclusive education” (Republic of Kenya, 2003 pp82).

“a policy on SNE hat incorporate inclusive education be developed and implemented” (Republic of Kenya, 2003 pp82).

The above recommendations were a clear recognition of the government committed to provide inclusive education to students with diverse abilities including those with VI in the regular schools (MOE, 2009; Republic of Kenya, 2003; MOE, 2018). Consequently, there was need to equip teachers with appropriate knowledge and skills to effectively serve students with disabilities including those with VI. Zelelew (2018) had observed that inclusive institutions require skilled staff such as specialist teachers, transcribers, note takers and counselors to serve students with disabilities such as students with VI. According to McLinden et al. (2017), specialist teachers have knowledge and skills to teach students with disabilities. Also, the policy statement had recognized need for proper functional and educational assessment of students with disabilities including those with VI prior to their placement in the regular schools. All the above policy statements aim to effectively include students with disabilities in the society.

The taskforce examined physical, material and human resources available for students with special needs and disabilities in the society and made several recommendations that have relevance to inclusion of persons with disabilities in regular schools and society. For instance, the taskforce reported that:

“All schools and public facilities be made barrier free/disability friendly by MOEST in collaboration with the relevance ministries” (Republic of Kenya, 2003 pp42).

“the government provide SNE learners with basic assistive/functional devices needed to access education” (Republic of Kenya, 2003 pp42).

“a central body be established at KISE/MOEST with branches at district level for the procurement, disbursement and maintenance of assistive and functional devices” (Republic of Kenya, 2003 pp45).

“teachers in school, which have students with SNE be in-serviced on needs assessment and maintenance of such material resources” (Republic of Kenya, 2003 pp45).

Students with disabilities including those with VI generally use varied assistive devices such as writing equipment, mobility devices and assistive technologies to enhance their functionality in the environment (Sight savers, 2018). For instance, the use of mobility devices such as white cane enables students with VI to navigate the environment and facilitate their efficient movement from one location to another and safeguard their safety (Agesa, 2014; Otyola, Kibanja & Mugagga, 2017). Thus, the students with VI will have the opportunity to interact with the school environment and engage in the activities of the learning institution. Also, the use of assistive technology including but not limited to screen readers has enabled students with VI to access information through the internet and learn like their sighted peers in the school (Stone, Kay and Reynolds, 2019) whereby enhancing their inclusion in the society.

The inclusion of persons with disabilities including students with VI is not possible without the modification of the public facilities such as buildings in schools and public facilities (Hankebo, 2017; Zelelew, 2018). The policy statement by Kochung report (2003) that required disability friendly school environments has resulted into modifications of the buildings several in schools public facilities to improve their accessibility

to students with disabilities. Ressa (2021) observed that the introduction of universal primary education in Kenya has witnessed increased modification to old schools by having ramps and pavements to the school environment more accessible to students with disabilities including those with VI thereby facilitating the inclusion of this cadre of persons in society.

On the sub-theme staff, the task force looked into staffing needs of students with special needs and disabilities and made varied recommendations that that became policy statements in the country. These policies have had influence on the provision of quality inclusive education to students with disabilities in Kenya (Chikati, Wachira & Mwinzi, 2019). Regarding specialist teachers the task force observed that:

“there be a specialized teacher trained in SNE in every regular school to support children with special in education” (Republic of Kenya, 2003 pp52).

“There be an itinerant teacher in every zone to support teachers and children with special needs in education who are in the regular schools” (Republic of Kenya, 2003 pp52).

“there be a massive training and in-servicing of teachers in Special Needs Education” (Republic of Kenya, 2003 pp52).

The task force report of 2003 has influenced the training of special education teachers and other personnel needed to serve students with special needs and disabilities. For instance, Kenya Institute of Special Education embarked in training teacher in inclusive education in 2001. The program has so far trained many teachers from different part of the country. Also, the report gave rise to Persons with Disabilities Act of 2003 (Chikati, Wachira & Mwinzi, 2019) that provides for the rights and rehabilitation of persons with disabilities in the society to achieve equalization of opportunities (NCPWD, 2020). Subsequently, the Persons with Disabilities Act lead to the creation the National Council of Persons with Disabilities (NCPWD); umbrella body charged with safeguarding the rights of persons with disabilities in Kenya.

The Enactment of Policies and Acts Of Parliaments

The Kenyan government has enacted varied policies over the years to safeguard rights and welfare of Persons with Disabilities. The policies that have had significant role in the inclusion persons with disabilities in the society include: the Children’s Act (2001), Persons with Disabilities Act (2003), The National Special Education Policy Framework (2009), Basic Education Act (2013) and the constitution (2010). These policy documents have made far reaching effects on the inclusion of students with disabilities including those with VI in the society. The documents have been analyzed below in order to delineate their contributions in the inclusion of student with disabilities including those VI.

The Children’s Act (2001)

Kenya has ratified Convention on the Right of the Child CRC (1989). Section 3 of article 23 of the convention stipulates of that all children shall be provided with quality education free of charge (Elder, 2015). The convention specifically makes special provision for students with disabilities by emphasizing that they shall be accorded opportunity to access education in order to help them achieve fullest possible integration in the society and acquire individual development (United Nation, 1989). In Kenyan context, the article of the convention has been domesticated in children Act (2001) laws of Kenya (Syallo & Njoka, 2013).

The Children Act (2001) is found in cap 141 laws of Kenya and deals exclusively with laws related to the welfare of the children (Republic of Kenya, 2001). The Act is made up of 14 parts detailing the following aspects: safeguards for the rights and welfare of the child, parental responsibilities, and administration of

children services, children's services and children court. The other parts of the Act deals with judicial orders for the protection of children; children in need of care and protection; foster care placement, adoption and children offender (Republic of Kenya, 2001).

The Act promotes the inclusion of persons with disabilities in many ways. It guarantees the children the right to receive quality education. Part II section 7 deals with the rights of the children to receive education by stipulating that:

“Every child shall be entitled to education the provision of which shall be the responsibility of the Government and the parent” (Republic of Kenya, 2001).

“Every child shall be entitled to free basic education which shall be compulsory in accordance with article 28 of the United Nation convention on the right of the child” (Republic of Kenya, 2001).

“A disabled child shall have right to be treated with dignity, and to be accorded appropriate medical treatment, special care, education and training free of charge or at a reduced cost whenever possible” (Republic of Kenya, 2001).

The Act requires the government to provide free basic education to all the children including children with disabilities. The government introduced Free Primary Education (FPE) in 2003 in order to comply with the act and other international protocols (UN, 2000; NGEC, 2016). The (FPE) implied that students were no longer required to pay tuition fee and other levies. Instead, the government gave capitation for every student to meet the cost of education (MOE, 2018b; MOE, 2020). However, the government apportioned enhanced capitation to students with disabilities. The extra capitation is meant to help students with disabilities to procure assistive devices and their medical costs (MOE, 2018b; MOE, 2020). The (FPE) has enabled many students with disabilities including those with VI to get basic education and enhance their inclusion in the society. This was done in compliance with the act require the government to provide special care to children with disabilities.

Persons with Disabilities Act No 14 (2003)

The Persons with Disabilities Act (2003) is made up of eight parts namely: preliminary, National Council of Persons with Disabilities (NCPWD), rights and privileges of persons with disabilities, civic rights, relief and incentives to persons with disabilities, miscellaneous and offences and penalties (Republic of Kenya, 2003). The preliminaries part of the Act mainly deals with the definition of terms as used in the Act. On the other hand, part two of the Act provides details concerning the establishment of the National Council for Persons with Disabilities, its composition as well as the functions of the office bearers (Republic of Kenya, 2003).

The Act deals with rights and privileges of persons with disabilities in the society. The act states as follows:

“No person shall deny a person with disability access to opportunities for suitable for employment” (Republic of Kenya, 2003).

“A qualified employee with disability shall be subject to the same terms and conditions for employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as qualified able-bodied employees” (Republic of Kenya, 2003).

The above statements safeguard the rights of persons with disabilities against discrimination; marginalization and stigmatization at work place. Subsequently such measures ensure that persons with disabilities are fully included in the activities of the society. The act also protects the rights of persons with disabilities to receive education and health. For instance, the act emphasizes that:

“No person or learning institution shall deny admission to a person with disability, if the person has the ability to acquire substantial learning in that course” (Republic of Kenya, 2003).

“Learning institutions shall take into account the special needs of persons with disabilities with respect to the entry requirements, pass marks, curriculum, examination, auxiliary services, use of school facilities, class schedule, physical education requirements and other similar considerations” (Republic of Kenya, 2003).

Therefore, students with disabilities have a right to attend regular classes in the neighbor schools. Also, the administration of the regular schools should create conducive physical and social atmosphere that accommodates students with disabilities.

The act also guarantees civic rights persons with disabilities including persons with VI in the society. These include the right vote and to be assisted to vote for a person of their choice during elections. Also, act guarantees persons with disabilities the right to join organizations for their members (Republic of Kenya, 2003). The right to vote and the right to join organizations of their members guarantee participation by person with disabilities in the affairs of the society.

The Person with Disabilities Act 2003 also provides relief and incentives to persons with disabilities. The act provide tax relief to persons with disabilities on both taxable income and import duty on materials, articles and equipment including motor vehicles imported by persons with disabilities or by institutions or organizations for such persons. Thus, persons with disabilities are able to use the income to meet other needs and also acquire imported goods at relatively low cost.

The act provide relief and incentives to persons with disabilities by stating that:

“All persons with disabilities who are in receipt of an income may apply to the minister responsible for finance for exemption from income tax and any other levies on such income” (Republic of Kenya, 2003).

“Materials, articles and equipment including motor vehicles, that are modified or designed for the use of persons with disabilities shall be exempt from import duty, value added tax, demurrage charges, port charges and any other government levy which would in any way increase their cost to the disadvantage of persons with disabilities” (Republic of Kenya, 2003).

Registration of persons with disabilities is one of the functions of the council. According to NCPW (2021) registration of persons with disabilities is critical in terms of providing distribution data on the number of persons with disabilities, the different types of disabilities, and their distribution by county and social status among others. The data of persons with disabilities is critical for the purpose of planning and allocating of resources in a targeted way (NCPW, 2021). This is significant if the government is to effectively plan for service provision to persons with disabilities in the society. In the financial year 2020/21, the council managed to register 35,599 persons with varied categories of disabilities and issued them with disability cards.

The provision of quality inclusive education is critical in the formation of a nation by inculcating valuable knowledge, skills and attitudes necessary for making the citizen productive members of the society (NCPWD, 2021). Also, education has been termed an equalizer to persons with disabilities by enabling them to pursue careers and get equal earning as able-bodied persons. Thus, access to quality education is a great priority to the council which continued to provide bursaries and scholarships to students with disabilities in primary, secondary, tertiary and university levels. Although, the council had targeted to provide scholarships and bursaries to 3492 students with disabilities in the academic calendar 2020/21, it

was able to give bursaries and scholarships to 3162 students with disabilities at different institutions of learning due to constrained budgetary allocation(NCPWD, 2021).

The council also enhances the inclusion of persons with disabilities by providing them with appropriate assistive devices such as white canes, wheel chairs, and hearing aids. The devices only enable persons with disabilities to operate efficient in their environment but also allow them to indulge in the activities of their communities and hence have a dignified living in the society. Thus, the provision of assistive devices aided in the inclusion of these vulnerable members in the society (NCPWD, 2021). In the financial year 2020/21, the council was able to provide 2940 assistive devices to persons with disabilities across the country (NCPWD, 2021).

The council also provides financial assistance to institutions that enroll students with disabilities in their programs. The finance are needed to procure specialized facilities, and in improving physical infrastructure of institutions serving persons with disabilities. Thus the institutions are able to increase their enrolment, retention and completion rates of students in their programs. As result of being able to complete their studies, students with disabilities are able to competitively engage in decent and dignified employment (NCPWD, 2021). In the financial year 2018/19, the council provided financial assistance to 63 learning institutions enrolling students with disabilities amounted to Ksh 44,848,015 throughout the country.

The Persons with Disabilities Act also enhances inclusion of persons with disabilities by formulating policies and measures to achieve equal opportunities for persons with disabilities in the communities. In this regards, the council has continued to mainstream persons with disabilities in all the sectors by launching the career portal that create interface that link job seekers with disabilities and employer(NCPWD, 2021). The portal creates a pool of qualified job-seekers with disabilities, and hence enables employers to recruit and employ persons with disabilities and appropriate qualifications (NCPWD, 2021).

The National Special Education Policy Framework (2009)

The introduction to Free Primary Education (FPE) by the government in 2003 gave impetus to inclusive education in the country. The (FPE) meant that parents were no longer expected to pay all forms of levies to have their children in schools. Consequently, there was high influx of students with disabilities and non-disabled peers into regular school. Thus, regular schools at that juncture were accommodating all categories of students including students with and disabilities and other special needs (Republic of Kenya, 2009).

The other factor that had played role in the inclusive education agenda in the country was the enactment of the sessional paper No 1 of 2005 that had underscored the importance of special Needs Education as a strategy of empowering people with disabilities to participate of Educational sector (Republic of Kenya, 2005). Accordingly, the government was forced to pay special attention to inclusive education policy in order to meet the goals of the sessional paper No 1 of 2005 but also conform to international protocol such as United Nation Convention on the Rights of Persons with Disabilities (UNCRPD) (2006). The convention had urged member states to provide quality inclusive education to their citizens with disabilities (Republic of Kenya, 2005). The Special Need Education Policy (2009) made several policy statements that have bearing on the provision of inclusive education. The policy stated that:

“The Ministry of Education, in collaboration with relevant partners shall facilitate acquisition and promote the usage of assistive technology amongst students with special needs and disabilities” (Republic of Kenya, 2009).

“Ministry of Education shall recognize and reinforce inclusive education as one of the means for students with special needs to access education” (Republic of Kenya, 2009 pp 39).

“The Ministry of Education shall ensure constant review and development of curriculum that is tailored to the needs of learners with special needs and disabilities” (Republic of Kenya, 2009).

The above policy statements by the government clearly underscore the government commitment to provide quality inclusive education as a strategy of educating students with diverse needs in the society. This is necessary if all the students with disabilities are to receive quality education. In the era of (FPE) the government is providing capitation grants to all students but students with disabilities given additional grants. Whilst non-disabled students are given capitation grant of Ksh 1420 per students, students with disabilities are given additional grant of Ksh 2000 per student. The additional funding grant to students with disabilities is meant to cushion the students from the high cost of assistive devices and treatment (NCPW, 2024).

The government has been reviewing the curriculum since independence in order to make it more accessible to all students including students with disabilities such as VI. The reviews often entails modify the content, methods of teaching, format and assessment procedures (McCarthy & Shevlin, 2017). Thus, the review aims at removing the all barriers to learning that hinder students from reaching their full potential in learning context (Motitswe & Mokhele, 2013).

Sector Policy for Learners and Trainees with Disabilities (2018)

The promulgation of the new constitution in 2010 has bearing on the provision of education in the country. The new constitution guarantees the all citizens basic human rights including rights persons with disabilities (Republic of Kenya, 2010). The right to receive the quality inclusive education is one of the rights enshrined in the constitution. Article 54 (b) specifically gives right to persons with disabilities including those with VI to access education in institutions and facilities that are integrated in the society and are compatible with the interest of the person (Elder, 2015).

In order to align the system of education to the new aspiration of the citizens as enshrined in the new constitution, the government enacted Basic Education act (2013). The Basic Education is meant to drive the country towards realization of Equitable, Inclusive Quality Education and Lifelong learning for all as espoused by SDG No 4. Consequently, inclusive education is the major theme of the Basic Education act. Also, the government enacted the National Education Sector plan (2013-2018) to align education sector to the Kenyan Vision 2020 (MOE, 2018b). The National Education sector plan had identified the need to review the National Special Needs Education policy (2009). Eventually, the SNE policy was reviewed and culminated in the enactment new policy-Sector Policy for Learners and Trainees with Disabilities (MOE, 2018a).

The country has made some advancement in the education of Students with special needs despite SNE policy framework (2009) having not been fully implemented. This had been attributed to several factors that include lack of implementation guidelines; poor dissemination; and lack of implementation framework (MOE, 2018a). The new policy (Sector Policy for students and trainees with disabilities is structured in thematic areas with inclusive education and training approach cutting across all the themes (MOE, 2018a).

The new policy shifts from the SNE (2009) policy framework in several ways. Firstly, it uses the first person language principle in addressing persons with disabilities. Thus, the emphasis is on person than his/her disability (MOE, 2018a). Also, the policy has avoided words such as impaired, handicapped and challenged in addressing persons with disabilities. Secondly, the new policy put more emphasis on persons with disabilities as compared with the previous SNE policy framework (2009) that had generally put emphasis on special needs meaning that it had addressed issues of students with and without disabilities such as students who are gifted and talented as well as child refugees (MOE, 2018a).

The sector policy for students and trainees with disabilities recognize the need to move Kenya towards inclusive education instead of segregated education. Thus, inclusive education is the overarching principle in the implementation of the new policy (MOE, 2018). Furthermore, the new policy recognizes home schooling as a viable alternative schooling option for children with severe disabilities. Consequently, the new policy put a lot of emphasis on home schooling (MOE, 2018a).

Inclusive education is one of the themes discussed in sector policy for students and trainees with disabilities. Inclusive education is considered the process of creating or improving learning system that is responsive for the needs of all students including those with disabilities (MOE, 2018a). The policy noted that despite the presence of policy and legislation to support inclusive education, a significant number of students and trainees with disabilities are out of school, while those who are in school are enrolled in 300 special schools found in the different parts of the country (MOE, 2018a).

The policy recognizes four barriers to inclusive education. These include attitudinal, environmental, institutional and information barriers. The attitudinal barriers consist of prejudice, discrimination and stigma towards persons with disabilities (MOE, 2018a). On the other hand, environmental barriers take the form of inaccessible schools, inaccessible buildings and transport systems (MOE, 2018a). In order to enhance the inclusion of the students with disabilities the policy states that:

“MOE shall mainstream and provide for inclusive education and training at all levels of learning” (MOE, 2018a pp12).

The policy has provided six strategies to be pursued by the education sector to achieve inclusive education and include: allocation of resources to sustain inclusive education; undertake piloting process for inclusive education and training; establish and develop effective communication strategy by advocating for and raising awareness on inclusive education and training (MOE, 2018a).

The second theme of the policy that is likely to impart on inclusive education is the assessment and early intervention. The assessment and early identification of students with disabilities is the responsibility of the Educational Assessment and Resource Centre (EARCS) (KISE, 2018). The process requires the use of Multi-disciplinary team comprising of personnel such as physiotherapists, social workers, doctors and SNE teachers (MOE, 2018). The policy noted that most of the EARC are poorly resourced and lack the capacity to conduct functional assessment (KISE, 2018). Thus due to lack of early identification of children with disabilities, there is always poor intervention strategies to arrest effects of impairments on the affected persons. Furthermore, students with disabilities are not likely to get appropriate placement in schools. In order to develop strategies for assessment, early identification and intervention for students with disabilities the policy proposes that:

“MOE shall establish barrier-free environments in all institutions of learning and training, and provide for the health, safety and physiological needs of learners and trainees with disabilities” (MOE, 2018a pp 19).

“MOE shall provide and maintain quality specialized learning resources and assistive devices, and adopt new technologies to improve learning and training in the targeted disability categories” (MOE, 2018a pp 21).

“MOE shall set minimum standards to be adhered to by all institutions providing pre-service and in-service programmes and capacity building for all staff who provide and support education and training to learners and trainees with disabilities” (MOE, 2018a pp 22).

“MOE shall support the recruitment and re-deployment of the human resource in schools and TVET

institutions, to ensure that skills, qualifications, competencies and attitudes are well aligned to support learners and trainees with disabilities” (MOE, 2018a pp 22).

“MoE shall mobilize resources to fund research in inclusive education at all levels” (MOE, 2018a pp 22).

“MoE shall facilitate programmes, initiatives and activities that promote development of psycho social competences, life skills, national values and principles for the holistic development of learners and trainees with disabilities” (MOE, 2018a pp 37).

Kenya implemented Competency Based Curriculum in 2016 in order to enable the citizens obtain appropriate knowledge, skills, values and attitude necessary to propel the country into higher levels of social, economic and technological development (2012). The reforms in the education sectors that brought CBC were informed by needs assessment undertaken by Kenya Institute of Curriculum Development (KICD) in 2016; task force report on realignment of education sector to new constitution, aspirations of Vision 2030, and need to inculcate 21st Century skills in the citizens (MOE, 2019).

The reforms in the curriculum have also seen a paradigm shift in the mode of assessment spearheaded by the Kenya National Examination Council (KNEC). The council has introduced Competency Based Curriculum Assessment Framework (CBCAF) as the roadmap to Competency Based Assessment (MOE, 2019). The present mode of assessment focuses more on formative assessment, assessment of her orders, self and peer assessment, authentic assessment and assessment of values (MOE, 2019).

The reforms occasioned by the introduction of the competency Based Curriculum and the subsequent shift in the mode of assessment implies that the school system will no longer rely on summative assessment that typically characterized the 8-4-4 system of education. Instead, the assessment of students will put more emphasis in the acquisition competence in other domains of learning (KICD, 2020). This will enhance the inclusion of students with disabilities including those with VI who are not endowed with skills and competence to compete with regular students.

CONCLUSION

The right of the citizens to receive quality education is enshrined in the constitution of Kenya (2010). This came about with the realization that education plays a pivot role in the social, economic and technological development of the nation. Furthermore, education has been termed an equalizer of the entire citizens by enabling persons who are disadvantaged in the society get jobs and earn like their persons in the society. Thus, all the citizens including those with disabilities have a right to receive quality education. The provision of quality inclusive education to students with disabilities and special needs has been emphasized in different policy documents such as sessional paper No 1 of 2005 and Basic education act (2013) (RoK, 2005; RoK, 2013).

The effort of the government to improve the welfare and the status of persons with disabilities is reflected well the varied government policies documents that include but not limited education commission and working committee reports, enactment of various policies such as Persons with Disabilities Act (2003) and The National Special Needs Education policy Framework (2009). These policies have made pronouncements that ensure inclusion of persons with disabilities in the mainstream of the society. Therefore, Kenya has no dearth of policies on inclusion of persons with disabilities. All that is needed is to keep fidelity to the pronouncements of the policies if inclusion of disabilities is to be realized and the school is the first place where inclusion must be practiced.

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