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Dr. Wandera Roberts Otyola, Mr. Kamulegeya Siraji, Mr. Laaki Samson, Mr. Muguda Shafik, Mr. Nkurikimana Gerald, Mr Rwakasole Yoweri, Miss Rose Ampairwe, Mr. Mukisa Jonathan





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# Dr. Wandera Roberts Otyola<sup>1\*</sup>, Mr. Kamulegeya Siraji<sup>2</sup>, Mr. Laaki Samson<sup>3</sup>, Mr. Muguda Shafik<sup>4</sup>, Mr. Nkurikimana Gerald<sup>5</sup>, Mr Rwakasole Yoweri<sup>6</sup>, Miss Rose Ampairwe<sup>7</sup>, Mr. Mukisa Jonathan<sup>8</sup>

<sup>1</sup>Senior Lecturer, School of Psychology Makerere University
<sup>2</sup>Lecturer, Kampala International University
<sup>3</sup>An Assistant Lecturer, Kampala, International University
<sup>4,5</sup>A Student of Masters of Special Needs, Kampala International University
<sup>6</sup>Doctorate Student, Makerere University
<sup>7</sup>A Student of Masters of Early Childhood Development Kampala International University
<sup>8</sup>A Student of Masters of Early Childhood Development Makerere University



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#### Abstract

Purpose: The purpose was to review the government policies on special needs education in Uganda. It was carried out using a qualitative Document analysis method to collect data on inclusive education in Uganda. The study was guided by six objectives: to review policies on inclusivity, teacher education and disability, to review policies on teacher education and special needs education, to identify conventions, laws and policies that promote inclusive education in Uganda, to review policies on teacher capacity to handle inclusive education and career related policy issues, to identify the gaps in the policies, to identify the challenges of inclusive education in general.

**Findings:** Summarized findings from the analysis and interviews highlight the promotion of inclusivity, teacher education, and disability awareness in Uganda's policies. The inclusion of disabled children

has been a key focus, as emphasized by the United Nations' Convention on the Rights of Persons with Disabilities, calling for an end to segregation in educational settings. However, challenges persist in achieving equitable access to quality education for all learners, including millions of children out of school, disparities in access and learning outcomes, and gender inequalities. Students with disabilities face obstacles to quality education in both developed and developing countries.

**Implications to Theory, Practice and Policy:** The report stresses the importance of addressing these challenges to ensure the effective implementation of inclusive education in Uganda. The report also recommends the amendment of the archaic laws or policies such as the UNEB Act, 1983, NCDC Act,

**Keywords:** Government Policies, special needs education, Disability, Laws



#### **1.0 INTRODUCTION**

Over the past three decades, there has been a global effort to promote inclusive educational development, with initiatives such as the United Nations' Education for All (EFA) movement, launched in 1990, aiming to provide quality basic education for all learners. The 1990 EFA Declaration outlined this vision, emphasizing the removal of barriers to educational access. The commitment to inclusive education was reiterated at the 2000 World Education Forum, focusing on marginalized and disadvantaged groups (UNESCO, 1990). In 2008, the IBE-UNESCO International Conference on Education further endorsed inclusive education as the future, emphasizing the equal rights of every learner to effective educational opportunities (Opertti et al., 2014). In 2016, UNESCO's Education 2030 Framework for Action highlighted inclusion and equity as foundations for quality education, aiming to address all forms of exclusion and disparities (UNESCO, 2015).

The inclusion of disabled children is a focal point, aligning with the United Nations' Convention on the Rights of Persons with Disabilities, which calls for an end to segregation in educational settings. However, despite these efforts, challenges persist, with millions of children out of school, high dropout rates, and limited access to pre-primary education. Global issues include students failing to reach minimum proficiency levels, challenges faced by marginalized groups, and gender disparities. These concerns are evident both in the developing world and wealthier countries, where socio-economic factors can hinder educational potential. The OECD reported that one in five students in its member countries do not reach basic minimum skill levels, with those from low socio-economic backgrounds facing greater disadvantages (UNESCO, 2019)..

The Constitution of the Republic of Uganda 1995, specifically in Articles 35 and 30, acknowledges the rights of persons with disabilities, emphasizing their right to respect, human dignity, and education, with the state being responsible for ensuring the realization of their full mental and physical potentials. The Gender Policy in Education (2007) underscores the significance of education in Uganda's socio-economic and political development, with the government focusing on expanding access to education since gaining political independence in 1962.

Despite global declarations, such as the Universal Declaration of Human Rights, affirming the right to education for everyone, UNESCO (2009) reports that over 680 million school-age children lack access to schooling, and 960 million adults are illiterate. Notably, sub-Saharan Africa has the highest illiteracy rate. The Millennium Development Goals (2000) advocated for universal education, prompting Uganda's government to recommend Inclusive Education Services in its White Paper on Education (1992). However, children with disabilities face societal challenges, including stigmatization and misconceptions, hindering their school attendance.

About 16% of Ugandan children have a disability, this suggests that most children with disabilities are not able to attend school and that learners with special needs fail to transition from one educational level to another. Only 5 percent of children with disabilities can access education through Inclusive Schools and 10% through special schools (UNICEF, 2014).

According to the Ministry of Education and Sports (2017) some 9,597 pupils enrolled in preprimary schools (1.6%) have impairments. The majority were children with 'mental impairment' (28%) followed by 'hearing impairments' (25%), 'visual impairment' (22%), 'physical impairment' (16%), 'autism' (5%) and 'multiple handicaps-deaf and blind' (4%).



#### Purpose

The Purpose was to review government policies on special needs education in Uganda.

#### Objectives

The study had the following objectives

- 1. To review policies on Inclusivity, teacher education and disability
- 2. To review policies on Teacher education and special needs education
- 3. To identify conventions, laws and policies that promote inclusive education in Uganda
- 4. To review policies on Teacher capacity to handle inclusive education and career related policy issues
- 5. To identify the gaps in the policies
- 6. To identify the challenges of inclusive education in general

#### **Theory Used**

The study used the socio-cultural theory of Lev Vygotsky. The theory has the concept that is known as the zone of proximal development which identifies the area between the range of the activities that a learner can carry out without being assisted by an instructor and the ones that require the help of the teacher, which brings the concept of scaffolding which is literally used to mean the assistance that a teacher can give to a child who needs help to learn.

By scaffolding learners with special needs, teachers perform the support role, which "is especially important because it includes features associated with how to keep children on task, motivated and with reduced frustration" (Radford et al, 2015)

#### 2.0 METHODOLOGY

#### **Document Analysis**

Document analysis was employed as a method to collect data on inclusive education in Uganda. The documents selected for analysis were chosen to reflect existing government statements on inclusive education, particularly focusing on Teacher Initial Education and Training (TIET) and the primary education subsector.

The analysis encompassed international, regional, and national policies, laws, programs, and regulations related to inclusive education. These documents were accessed online, with some obtained in hard copy. The international policies analyzed included the UNCRPD (ratified by Uganda in September 2008), Universal Declaration on Human Rights (1948), Convention on the Rights of the Child, World Declaration on Education for All and Framework of actions to meet basic and learning needs (Jomtien, 1990), Salamanca Statement and Framework for Action on Special Needs Education (1994), Dakar Framework for Action (2000), Sustainable Development Goals (2016-2030), and the Marrakesh Treaty (2013).

Regional policies such as those from the East African Community (EAC) and the New Partnership for Africa's Development (NEPAD) were also analyzed for compliance with Ugandan inclusive education policies. Additionally, various national policies were scrutinized, including the draft Special Needs and Inclusive Education Policy (2011), National Policy on Disability (2006), National Social Protection Policy (2015), Equal Opportunities Policy (2006), Persons with Disability Bill (2016), Universal Primary Education (UPE, 1997), Second National Health Policy (2010), National Health Sector Strategic Plan III (2010), Government White Paper on Education (1992), NRM Education Manifesto (2016-2021), Presidential



Guidelines and Directives (2016-2021), Presidential Pledges and Directives on Education and Sports (2016-2021), and the Handbook on Teachers (2010).

National laws, including the National Council of Disability Act (2006), Disability Act (2006), Constitution 1995 (Amended, 2005), Children's Amendment Act (2016), Children's Act Cap. 59, and the Uganda Education Act (2008), were analyzed to assess the extent of enforcement of compliance in relation to inclusive education.

The analysis extended to development strategies, plans, and regulations, such as Uganda Vision 2040, National Development Plan (2015-2020), Equity Promotion Strategy Paper (2012), Education Sector Strategic Plan (ESSP, 2007-2015), ESSP (2017/18-19/20), and Teachers Issues in Uganda (2013). These documents were scrutinized to determine the extent and context of the mention of inclusive education and related concepts within the teacher education subsector in Uganda.

#### **Data Sources**

Each phase of data collection included an analysis and synthesis of information for that phase. On completion of the individual research component analyses and syntheses, the overarching research questions for the project was reviewed by triangulating findings from all the research components to address the main research question i.e.; "Review of Government Policies on SNE in Uganda".

#### **3.0 FINDINGS**

#### **Review of Policies**

Findings were generated from two primary sources of data - the policy analysis and interviews. These were synthesized in the presentation of the findings in the sections below.

#### Inclusivity, Teacher Education and Disability

The Constitution aims to promote equality of opportunities for all persons in Uganda, regardless of physical ability, in all spheres of social, economic, political, and civil life. The National Equal Opportunities Policy, 2006, aims to address this issue by promoting equal opportunities for all persons, regardless of physical ability. The Census report shows a disability prevalence rate of 12.4% for the population aged 2 years and above, while the equivalent for 5 years and above is close to 14%. This recognition and promotion is expressed in various teacher-related education policies and development plans, including special needs education, which has high statistics on disability.

#### **Teacher Education and Special Needs Education**

In general terms, the following policies promote special needs education in Uganda. Special needs education is widely covered in the draft Special Needs and Inclusive Education Policy, 2011, which was not approved by Cabinet but is reportedly undergoing review. This is a form of education, which provides appropriate modification in order to meet special educational needs. It is learner centered, flexible and adjustable to individual needs and potential. In the said policy document under review, it is succinctly specified that:

- Increased literacy levels among persons with disabilities;
- Development of a disability inclusive teacher training curriculum and syllabus.
- Skilled and knowledgeable teachers with appropriate teaching inclusive methodologies according to respective needs of learners.
- Realization of the SDG principle of leaving no one behind.



The draft policy, therefore, needs to be expeditiously reviewed and approved so as to change the terrain of inclusive education in Uganda. It is hoped that implementers will not limit the scope of this otherwise well intentioned policy to focus only on persons with disabilities.

The National Policy on Disability, 2006 mentions education generally to the extent that it is a challenge to persons with disability and the need to develop programmes and institutions to provide it at all levels. Though inclusiveness is not implied in this context, the mere emphasis of educational provision at all levels is a positive development to pupils with special needs. Teacher Education issues were emphasized in ESSP 2007-2015, where the government recognized teachers as the backbone of education and government had a programme of training the pre-service students in all the 46government aided PTCS in order to deliver the thematic curriculum. The same commitment to build the capacity of the Government aided PTCs was continued through in ESSP 2017-2020.

The Equity Promotion Strategy Paper, 2012 states that special needs education be promoted at all levels of education. It mentions the following responsibilities by the Ministry of Education and Sports that can be beneficial to the TEIT and inclusive education in particular: that the Ministry of Education will:

a) Integrate equity responsive actions in the school education system with regards to equitable access to services and retention;

b) Develop and coordinate special needs education at all levels of education; coordinate and monitor activities of schools to ensure effective conformity with equity promotion strategy.

As can be noticed, and surprisingly too, the Education Act, 2008 is generally silent on Teacher Education and SNE, in particular.

#### Conventions, Laws and Policies that Promote Inclusive Education in Uganda

Uganda is actively promoting inclusive education through various international and national policies. The UNCRPD, a global trend, emphasizes the importance of equality and nondiscrimination in education. Regional policies like the East African Community (EAC), NEPAD, and the Marrakesh Treaty of 2013 also focus on education and special needs. Uganda is a member of these entities, with a particular emphasis on the Learning Generation Lab Approach to improve education services. National policies, such as the Government White Paper on Education (GWP) 1992, guide the development of broader policies and interventions in the education sector.

The National Inclusive Education policy under development could be the foundation of inclusiveness in the sector if approved, regulated and implemented. The policy is intended to ensure that all leaners are accepted in their own right as human beings in the schools and are given the opportunity to participate to their optimum. The policy also requires schools to create an enabling environment to learners with disability and other special learning needs.

The National Policy on Disability, 2006 promotes social inclusion where persons with disabilities participate in different spheres of life in an inclusive environment.

The Equal Opportunity Policy, 2006 reiterates social inclusion as one of its key aspirations. Perhaps this applies to education all levels. To this effect, the Ministry has provided guidelines for special schools, which provide special education.

The UPE Policy, 1997 allows the admissions of all children, to schools, irrespective of who they are. Though the policies mentioned above appear favorable to inclusiveness, experience shows that the attitudes of the community including the learning environment make them ineffective.



The 1995 Constitution (Amended 2005) though not explicit on inclusive education per se, has several provisions that allude to inclusivity. For example, Articles 21, 30 and 34. A key informant concurred with this view (Bishop Willis) that "Students with special needs are admitted to this college all right under these favorable policies- but when they are here, they are looked at by everybody as guests", implying they are not fully integrated into the training community because of negative attitude.

The Children (Amendment) Act, 2016 emphasizes inclusiveness and equal treatment of all children regardless of their gender, disability and any other status. Section 9 of the Act stipulates that 'state shall take appropriate steps to see that children with disabilities are offered equal opportunities in education."

Other relevant Acts are the Local Government Act, 1997 (Amended 2005); UNEB Act, 1983 and NCDC Act, (2000). UNEB Act establishes and stipulates the functions of the Board responsible for examinations at all levels, including special needs.

#### **Teacher Capacity to Handle Inclusive Education and Career Related Policy Issues**

#### Capacity

The Education Sector Strategic Plan (ESSP) for 2007-2015 reveals a shortage of teachers, resulting in a high Pupil Teacher Ratio in 2006, especially in Primary 6 to 7. The National Assessment of Progress in Education (NAPE) and the Uganda National Examinations Board (UNEB) report highlight the issue of understaffing, inadequate supply of specialized instructional materials, and defective infrastructure. Teachers Issues in Uganda report highlights that colleges have minimal impact on final performance, and primary teachers exhibit low proficiency levels in oral reading, numeracy, and literacy. Despite special needs education being included in the curriculum, it receives the least time compared to other subjects.

#### Recruitment

The Education Service Act (2002) empowers the Commission to develop national standards for the education service, including recruitment and appointment procedures. The TIET department ensures quality in TIET education by recruiting teachers with relevant experience, knowledge, and skills. However, policies and processes often neglect disability and special needs education, with recruitment advertisements based on PES rather than special education training. The policy of one teacher per classroom in primary schools also hinders inclusive education. The Ministry of Education and Sports provides professional development opportunities for inservice PTC tutors, but less attention is given to special needs and inclusive education, which is crucial for promoting access to inclusive education for children with disabilities and other special learning needs.

#### Retention

The Disability Act, 2006, emphasizes the importance of promoting the educational development of persons with disabilities through the retention of special education teachers in schools and institutions. However, this provision is not followed, and special education tutors/teachers should be entitled to special allowances like other science teachers. The Equity Promotion Strategy Paper, 2012, aims to integrate equity responsive actions in the school education system, but the policy does not explicitly address the retention of trained special education tutors and teachers.

#### Promotion

The TIET department in Uganda is responsible for facilitating promotion in Teacher/Instructor and Tutor Education for motivational purposes. However, there is no policy clarity on



promotion of trained teachers in special needs and inclusive education in Uganda. The majority of primary teaching staff (82%) is employed at the U7-upper level, with only 10% holding U5 or U4 positions. This situation reflects the predominance of education assistants within the primary teaching force and limited career opportunities for primary teachers. The new scheme of service has introduced intermediate positions, such as the U6 senior teacher position, to support teachers' career development, but this remains insufficient to provide improved prospects. Major financial constraints limit its proper implementation and impact. Another promotional mechanism based on teachers' performance is undergoing analysis, but how individual performance could be included in the existing system is yet to be determined. Teachers with skills in special needs are unable to move ahead professionally, as this is not provided for in the public and district service hierarchy.

#### Transfer

The Disability Act, 2006 and the Education Act, 2008 both prohibit the discriminatory transfer of qualified employees with disabilities from their current jobs to positions they cannot perform due to their disabilities. However, the transfer of teachers without considering their skills and knowledge has been found to undermine Special Needs Education (SNE) and lead to undermining the marginalized part of education. Addressing professional teacher career development and management issues is intersectoral and should be approached with consultation among key ministries.

In Uganda, the recent policy of admission to PTCs has led to an increase in the admission of trainees with disabilities. The policy reform has also waived the requirement of mathematic for admission, addressing the issue of difficulty for students with disabilities. However, many stakeholders argue for affirmative action for admission into Kyambogo, including providing loans for those willing to train as special needs educators.

Another challenge is the lack of a formal identification process for special needs education in Uganda's education system. There is a lack of national level guidance on the identification of persons with disabilities by type, which would enable schools to target inclusion effectively. Most teachers lack the necessary skills for identification, and the existing admission policy is not explicit on the conditions and status for pre-service and in-service learners.

#### Gaps in the Policies

Despite the existing policies with inclusive education provisions, there are some gaps that could negatively affect provision of inclusive education to learners with disabilities as highlighted below;

a) Fragmented policies and guidelines for teachers and tutors, therefore, the need for a framework that unifies them all.

b) Inclusive education is not explicitly mentioned or expressed in most of the key policy documents where they should have been emphasized. For example, the UPE, National Health Sector Strategic Plan III 2010, the Second National Health Policy 2010, Uganda Education Act, 2008, ESSP 2007-2015, ESSP 2017-2020, National Development Plan, 2015-2020and the Teacher Issues in Uganda (2013). Besides, there are no clear mechanisms to address inclusive training needs to achieve the desired teacher-pupil ratios of 1:1, 1:3 and 1:10.

The Teachers issues in Uganda (2013), which should address all topical issues on teachers, is silent on special education teachers administrative issues such as promotion, transfer, and deployment in respect of inclusive education. The Persons with Disability Act (2006) provided for 10% budget allocation on disability issues, but less than 1% is being implemented in some sectors, affecting mainstreaming of disability issues in sector programmes. Some policies lack



clear provisions on data collection and management in relation to learners with special needs. The gaps in policy development partly arise due to limited participation of the disability fraternity in the policy making process. UNATU and COUSTA have been involved in education policy development, participating in the ESSP 2017-2020, and being consulted during the preparation of the education budget.

#### **Challenges of Inclusive Education in General**

Inclusive education in Uganda faces numerous challenges, particularly in Teacher Education Programmes, due to national and international laws. The UNCRPD 2016 special committee highlighted issues such as segregated educational institutions, inadequate teacher training, inability to meet accessibility requirements for disabled children, non-admission of severe disabled children, and lack of statistical data on learners with disabilities by age, gender, and disability type.

The NDPII highlights challenges in the education sector, including gross under-funding for TIET institutions, understaffing, and inadequate funding for special needs education. The government has not formalized specialized support services for deaf learners, unsustainable supply of specialized instruction materials, and inadequate data collection on learners with special needs. The funding deficit in the education sector is unduly crippling the implementation of sector programs, including those in the TIET department. The share of public recurrent expenditure devoted to education has shrunk from 27% to 19% over the 2004-11 period, and public recurrent education expenditure has deteriorated as a share of GDP from 4.2% to 3.3%. The government's lack of clear priorities on education affects the sector budget for inclusive education, but at the national level, sectors are expected to commit 10% of their annual budget to disability issues.

#### 4.0 CONCLUSION AND RECOMMENDATIONS

#### Conclusions

Inclusive education is gaining recognition in international and national policy debates, with Uganda having supportive conventions, declarations, laws, and policies. The UNCRPD Act, Sustainable Development Goal 4, and Marrakesh treaty emphasize inclusive education, but Uganda's recent UNCRPD committee found the promotion of segregated educational institutions more pronounced than an inclusive education system. Regional development frameworks like EAC and NEPAD, as well as national planning and budgeting frameworks like ESSP, 2007-2015, ESSP, 2017-2020, NDP II, and Vision 2040, have elements of inclusiveness.

National legal frameworks directly linked to inclusive education include the Disability Act, 2006. Other policies related to TIET and the education of children with special needs include the Constitution, Government White Paper on Education, UPE, and Teachers issues in Uganda (2013). However, most TIET related policies have limited reference to teacher administration issues, fragmented teacher policies, and limited participation by key stakeholders.

The implementation of these policies is largely affected by capacity issues and limited budget appropriation, which can cripple material and equipment supplies to TIET and affect manpower development. The attitude of the community, including the learning environment, makes these policies ineffective.



#### Recommendations

Some of the issues are not entirely new to NUDIPU and yet it is important to reiterate them. The framework used to determine the issues for advocacy. Therefore, NUDIPU should advocate for:

- 1. The promotion of inclusive education institutions over segregated education system as the latter is against the current world trend and the requirements of the major policy, planning and budgeting framework aspirations of the country. Segregated education institutions are only important where it becomes absolutely necessity.
- 2. Considering Special needs and Inclusive Education as an independent subject in the Primary school teacher training curriculum so as to equip pre-service teachers with adequate skills to respond to learning needs of pupils with special needs.
- 3. The amendment of the archaic laws or policies such as the UNEB Act, 1983, NCDC Act, 2000, which currently have marginal or limited mention of inclusive education and broader challenges of special needs education and training.
- 4. The urgent enactment and implementation of National Special Needs and Inclusive Education Policy, which is reportedly being developed, should clearly promote inclusive education. The same urgency should be demanded on the formulation of the on-going Teachers Policy, which could be a cure for the current fragmented teacher education policies. Also included in this category is the pending Persons with Disabilities Bill, 2016 which should be urgently made a law.
- 5. The formulation of teacher related policies should be done in wide consultation of the teaching fraternity, especially those with special needs Education background through their bodies such as UNATU, COUPSTA and other stakeholders.
- 6. 6. The aforementioned forthcoming policies be influenced to succinctly address specific training needs (content, knowledge, skills and pedagogy) to enable the sector attain the desired teacher pupil ratio and meet the growing enrolments of pupils with special needs in the education sector.
- 7. The annual budget appropriations for the Ministry of Education and Sports be increased to enable teacher education unit expand and implement activities relating to inclusive education training. This includes improving the basic infrastructure and supplying specialized materials and equipment to meet the needs of learners with disabilities and other special learning needs. The government should commit 4% of the GDP to education as recommended for meeting the SDGs or make a stride to 20% as proposed under the GPE. Other current funding opportunities such as the capitation grants, school facilities grants, etc. should not only be sustained but increased to cope with the increasing demands for special education training.
- 8. The emerging Education legal framework such as the National Inclusive education Policy and the National Teacher Policy should have clear regulations, monitoring systems and implementation plans. Though the current EMIS is a good step in this direction, it appears to give less attention to issues on special need training and learning



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