

## Issues and Ethics facing the Administration of Special Education in Nigeria

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**Abstract.** This paper looked at issues and ethics facing the administration of special education schools in Nigeria. That ethical issues in special education relate to the ways to educate students with disabilities. Meaning that issues where people struggle to figure out the right thing to do. In their discussion, the authors said that those who teach children with special needs in Nigeria schools today are face with ethical dilemmas each day in their classroom and how to respond to these dilemmas seems to be a very difficult task. They also augured that to be able to address some of these ethical issues, professional in the field of special educators need to be guided by professional ethical principles and practice standards. The author noted that for some times past the administration of special education programme was faced with lack of policy implementation and misplacement of priority. Finally, strategies for the administration of special education programme in Nigeria were detailed.

### 1. Introduction

The challenges facing the implementation of the Commonwealth Disability Standards for Education 2005, that all education providers are required to ensure that all children with disability are able to access and participate in education on the same basis with children without a disability has been a difficult task.

The seemingly insurmountable numbers of challenges facing the administration of special education are quite enormous, issues such like; cultural disproportion, abysmal teacher morale, and paperwork roulette etc and nothing is being said about these.

It has been noted that special education in Nigeria do not have a common board that governs its members' ethical behavior, such as the development of a code of ethics by National Education Association NEA 1975 and Council for Exceptional Children CEC in 2003 for persons with exceptionalities and the guidelines for this ethical issues is to provide educators in this field with the direction for resolving the ethical dilemmas faced each day in the special education classroom. Also in the believing of worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and nurture of the democratic principles. Essentially, ethical goals are the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all.

It is based on this backdrop, that the author discusses the following:

- Ethical Issues for Special Education Programs.
- Special Educators Ethical Dilemmas.
- Special Education Professional Ethical Principle.

- Challenging Policy Influences the administration of Special Education in Nigeria.
- Strategies for the administration of special education programme in Nigeria.
- Conclusion
- Ethical Issues for Special Education Programs

Ethical issues for special education programs relate to the best ways to educate students with disabilities. Ethics are about right and wrong, good and bad. Fundamentally, ethical issues are those issues where people struggle to figure out the right thing to do. In special education, the struggle to determine what is right and wrong is tricky, as special educators often need to balance the needs and wants of many different educational stakeholders from teachers and administrators to parents and, most importantly, students. The first ethical procedures for the selection of individual with disabilities for special education program is assessment problems.

According to Marilyn Friend, author of "Special Education: Contemporary Perspectives for Special Education professionals," He said that assessment is an imperfect science. He enumerated the following as basic factors contributing to assessment difficulties of persons with special needs in Nigeria; pressure from parents or schools, problems related to assessment "trends," or simply the assessment procedures of different personnel. He noted that the imperfection of assessment could create an ethical problem for special education programs. And that for effective assessment of children with special need to be carried out, it must figure out assessment information about these children which will in the determination of best accommodations procedure for them.

Also, another ethical issue central to most special education programs, is the debate about Inclusion. That is to say, whether children with severe disabilities should receive specialized and separate instruction or whether they should receive assistance in the same classroom as their peers. As the Council for Exceptional Children indicates, inclusion's purpose is to provide "meaningful and inclusive participation." Occasionally, a child disability may prevent her

inclusion from leading to such meaningful participation, or some may feel the child's inclusion will prevent other children from obtaining a meaningful educational experience. This is an ethical issue because special educators must consider each of these possibilities as they struggle to determine what the right thing to do is fairness. That fairness can mean two drastically different things. "Fairness" either means that each child with special need is treated exactly the same, or it means that each child with special need is treated exactly as they need to be treated which is an ethical issue because special educators must determine what the right thing to do in regard to how they treat children with disabilities and those without.

Furthermore, the 2004 expansion of the Individuals with Disabilities Education Act (IDEA), that children with disabilities were eligible for educational accommodations until they graduated from public high school. Many colleges and universities, as well as work sites, provide similar accommodations under the Americans with Disabilities Act (ADA). But according to Peter and Wright 2000, many special education programs fear that the accommodations under this ACT are less expensive than those under IDEA. Consequently, one major ethical issue facing special education programs Nigeria is the question of whether they might be making these children overly reliant on services they receive in elementary schools than the services they are not guaranteed to receive in high institution or in the workplace.

## **2. Special Educators Ethical Dilemmas**

Teachers teaching children with special needs in Nigeria schools today are face with ethical dilemmas each day in their classroom. How do they know the "right way" to respond to these dilemmas? Professions such as law and medicine have created codes of ethics to communicate the responsibilities of a profession and to improve personal beliefs, values, and morals. These codes help define a professional's responsibilities to the people they work with and for. Also, many other organizations have review boards that which monitor and enforce their codes of professional standards.

Webb (2007) asserted that special education teachers should also abide with their codes of ethics to guide their decision making during day-to-day professional challenges. One of these codes is the Council for Exceptional Children (CEC) Code of Ethics. This code states "Special education professionals are committed to developing the highest educational and quality of life potential of individuals with exceptionalities" (Council for Exceptional Children, 2003). Additionally, the National Education Association (NEA, 1975) has developed a code of ethics for educators with various roles in the profession.

The NEA developed its code of ethics in 1975. The preamble to the NEA's code of ethics sets a clear and noble standard for educators: The code enforces educators to accept the responsibility to adhere to the highest ethical standards, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and nurture of the democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The NEA code is organized into two main principles. The first principle is based on the commitment to helping each child reach his or her potential, while the second principle is based on the commitment to the profession and public trust and responsibility.

What is considered ethical often comes down to determining what is in the best interest of the child. "Behaving ethically is more than a matter of following the rules or not breaking the law-it means acting in a way that promotes the learning and growth of children and helps them realize their potential" (Parkay, 2004). When professionals or children engage in unethical behavior it can damage a good child-teacher relationship. Unethical behavior can ruin trust and respect between teachers and their colleagues. In extreme situations unethical behavior can result in a teacher losing his or her teaching position and/or certification. Resolving ethical dilemmas requires difficult educational decisions that do not always have a clear-cut "right" answer.

Some of the Ethical Dilemmas been face by special educator teachers today in various classes they teach include subjects such as conflict with a co-worker and writing appropriate Individualize Education Programme (IEP) for children with severe disabilities goals. Dilemmas such as these may be experienced by any teacher at any time. Having a framework for handling these situations (or similar ones) in an ethical manner is necessary for professional special educators. Special education teachers should not expect any single "right answer" to the complex situations following this but having a set of guidelines for approaching ethical dilemmas could help make these difficult decisions a little easier to solve.

### **3. Special Education Professional Ethical Principle**

Professional special educators need to be guided by professional ethical principles, practice standards, and professional policies in ways that respect the diverse characteristics and needs of individuals with exceptionalities and their families. They are committed to upholding and advancing the following principles:

- Maintaining challenging expectations for individuals with exceptionalities to develop the highest possible learning outcomes and quality of life potential in ways that respect their dignity, culture, language, and background.
- Maintaining a high level of professional competence and integrity and exercising professional judgment to benefit individuals with exceptionalities and their families.
- Promoting meaningful and inclusive participation of individuals with exceptionalities in their schools and communities.
- Practicing collegially with others who are providing services to individuals with exceptionalities.
- Developing relationships with families based on mutual respect and actively involving families and individuals with exceptionalities in educational decision making.

- Using evidence, instructional data, research, and professional knowledge to inform practice.
- Protecting and supporting the physical and psychological safety of individuals with exceptionalities.
- Neither engaging in nor tolerating any practice that harms individuals with exceptionalities.
- Practicing within the professional ethics, standards, and policies of CEC; upholding laws, regulations, and policies that influence professional practice; and advocating improvements in the laws, regulations, and policies.
- Advocating for professional conditions and resources that will improve learning outcomes of individuals with exceptionalities.
- Engaging in the improvement of the profession through active participation in professional organizations.
- Participating in the growth and dissemination of professional knowledge and skills.
- Participate in the selection and use of effective and culturally responsive instructional materials, equipment, supplies, and other resources appropriate to their professional roles.
- Use culturally and linguistically appropriate assessment procedures that accurately measure what is intended to be measured, and do not discriminate against individuals with exceptional or culturally diverse learning needs.
- Only use behavior change practices that are evidence-based, appropriate to their preparation, and which respect the culture, dignity, and basic human rights of individuals with exceptionalities.
- Support the use of positive behavior supports and conform to local policies relating to the application of disciplinary methods and behavior change procedures, except when the policies require their participation in corporal punishment.
- Refrain from using aversive techniques unless the target of the behavior change is vital, repeated trials of more positive and less restrictive methods have failed, and only after appropriate consultation with parents and appropriate agency officials.

While special educator professionals should ensure that the following teaching and assessment standard ethics are being adhere to:

- Systematically individualize instructional variables to maximize the learning
  - Outcomes of individuals with exceptionalities
  - Identify and use evidence-based practices that are appropriate to their professional preparation and are most effective in meeting the individual needs of individuals with exceptionalities.
  - Use periodic assessments to accurately measure the learning progress of individuals with exceptionalities, and individualize instruction variables in response to assessment results.
  - Create safe, effective, and culturally responsive learning environments which contribute to fulfillment of needs, stimulation of learning, and realization of positive self-concepts.
  - Do not engage in the corporal punishment of individuals with exceptionalities.
  - Report instances of unprofessional or unethical practice to the appropriate supervisor.
  - Recommend special education services necessary for an individual with an exceptional learning need to receive an appropriate education.
- Lastly, for Parents and Families, special educators must abide with the following ethics.
- Use culturally appropriate communication with parents and families that is respectful and accurately understood.
  - Actively seek and use the knowledge of parents and individuals with exceptionalities when planning, conducting, and evaluating special

education services and empower them as partners in the educational process.

- Maintain communications among parents and professionals with appropriate respect for privacy, confidentiality, and cultural diversity.
- Promote opportunities for parent education using accurate, culturally appropriate information and professional methods.
- Inform parents of relevant educational rights and safeguards.
- Recognize and practice in ways that demonstrate respect for the cultural diversity within the school and community.
- Respect professional relationships with students and parents, neither seeking any personal advantage, nor engaging in inappropriate relationships.

#### **4. Challenging Policy Influences the administration of Special Education in Nigeria**

For some times past, the efficacy of Special Education programs has been challenged by policymakers, professionals, and the general public, whether the impetus for reform comes from a perception of falling behind our international counterparts (as asserted in *A Nation at Risk* in 1983), falling short” of providing equitable opportunities to all children. As in *What Work Requires of Schools*, the 1991 report of the Secretary’s Commission on Achieving Necessary Skills [SCANS]), the consensus seems to be that there are serious things wrong with special education, that the problems are systemic rather than programmatic, and that nothing short of major structural change will fix these problems (Thurlow & Johnson, 2000). While these concerns initially focused on improving, special education, there are now efforts to closely align special education programs with emerging general education reforms

Special education programs have been influenced by several recent federal education reforms, including the School-to-Work Opportunities Act of 1994 and the No Child Left

Behind Act of 2001, all of which have promoted comprehensive strategies for improving public school programs for all students, including those from diverse, multicultural backgrounds and situations of poverty. These reforms stress high academic and occupational standards; promote the use of state and local standards-based accountability systems; point to the need to improve teaching through comprehensive professional development programs; and call for broad-based partnerships between schools, employers, postsecondary institutions, parents, and others.

With the reauthorization of IDEA in 1997, significant new requirements were put into place to ensure students greater access to the general education curriculum and assessment systems. IDEA ‘97 also expanded previous transition requirements by requiring that each student’s individualized education program (IEP) include, at age 14 or earlier, a statement of transition service needs focusing on the student’s course of study (such as participation in advanced-placement courses or vocational education programs). The IEP must also include, beginning at age 16 or younger, a statement of needed transition services and interagency responsibilities or needed linkages. The current reauthorization of IDEA will continue to support and strengthen these requirements.

The current challenge facing the management of special education is to integrate and align these transition requirements with other legislated requirements giving children with disabilities greater access to the general education curriculum and assessment systems. Several recent studies indicate that the implementation of transition service requirements has been too slow, with many states failing to achieve minimal levels of compliance (Johnson & Sharpe, 2000 and ( National Council on Disability, 2000). Areas of greatest noncompliance include having appropriate participants in IEP meetings, providing adequate notice of meetings, and providing a statement of needed services in students’ IEPs. These problems have been complicated further by state and local standards-based assessment systems that either fail to include children with

disabilities or provide inadequate accommodations to support their participation.

Children with disabilities often have trouble meeting graduation requirements, and concern is mounting about the relationship between children's academic experiences and the formulation of transition plans that address how children will access quality education, employment, and community living opportunities (Johnson & Thurlow, 2003 and (Stodden & Dowrick, 2000). They noted that limited levels of service coordination and collaboration among schools and community service agencies create difficulties for children with disabilities as they seek to achieve positive results. They therefore suggested that strategies are desperately needed to help state and local education agencies and community service agencies address transition service requirements. Given the complexity and long-term nature of management, it is evident that families, schools, adult service providers, state agencies, and postsecondary institutions cannot carry the entire burden of fiscal, programmatic, and planning responsibility for the management of special education. Government should enacted a broad range of federal legislation to make available an array of programs and services designed to support people with disabilities in their transition from school to postsecondary education, employment, and community living.

The following should briefly summarize several of these major legislative developments:

***Rehabilitation Act of 1973***

This law provides comprehensive services to all individuals with a disability, regardless of the severity of the disability, and outlaws discrimination against citizens with disabilities. Section 504 of this law specifically prohibits discrimination of any child on the basis of disability. The act ensures the development and implementation of a comprehensive and coordinated program of vocational assistance for individuals with disabilities, thereby supporting independent living and integration into the community.

***Technology-related Assistance for Individuals with Disabilities Act of 1988.***

This law assists states in developing comprehensive programs for technology-related assistance and promotes the availability of technology to individuals with disabilities and their families.

***Americans with Disabilities Act of 1990***

This landmark legislation guarantees equal opportunity and assures civil rights for all individuals with disabilities. The law mandates "reasonable accommodations" for individuals with disabilities in areas, including access to public facilities, transportation, telecommunications, and government services.

***Carl D. Perkins Vocational and Applied Technology Education Act of 1990.***

This act requires states to ensure that special population children have equal access to vocational education and that localities ensure the full participation of these children in programs that are approved, using Perkins money. States receiving federal vocational education money must fund, develop, and carry out activities and programs to eliminate gender bias, stereotyping, and discrimination in vocational education. The act includes a wide range of programs and services, including vocational education classes and work-study for children with disabilities access to postsecondary technical education programs.

***Goals 2000: Education America Act of 1994***

This law established a new framework for the federal government to provide assistance to states for the reform of educational programs. It encourages the establishment of high standards for all children, including children with disabilities, and specifies eight national education goals for all children.

***Workforce Investment Act of 1998 (WIA)***

WIA creates a comprehensive job training system that consolidates a variety of federally funded programs into a streamlined process allowing individuals to easily access job training and employment services. As outlined in Section 106 of WIA, states and localities are required to develop and implement workforce investment systems that fully include and accommodate the needs of individuals with disabilities.

*Ticket to Work and Work Incentives Improvement Act of 1999*

This act makes it possible for individuals with disabilities to join the workforce without fear of losing their Medicare or Medicaid coverage. The legislation creates two new options for states. First, it creates a new Medicaid buy-in demonstration to help people whose disability is not yet so severe that they cannot work. And, second, it extends Medicare coverage for an additional four and one-half years for people in the disability insurance system who return to work.

*No Child Left Behind Act of 2001*

This act redefines the federal role in K-12 education with the goal of closing the achievement gap between disadvantaged and minority children and their peers. It is based upon four basic principles: stronger accountability for results, increased flexibility and control, expanded options for parents, and an emphasis on teaching methods that have been proven to work. The law specifically addresses the importance of structuring implementation to include every child.

**5. Strategies for the Administration of Special Education Programme in Nigeria.**

*Self Determination*

Self-determination is a concept reflecting the belief that all individuals have the right to direct their own lives. Children with special needs who have self-determination skills are more likely to be successful in making the transition to adulthood, including community independence (Wehmeyer & Schwartz, 1997). They opined that for this to be successful, services provided for this children must be based on children's needs and take into account children interests and preferences. They further state that to accomplish this goal, children with special needs must be prepared to participate in planning for their future.

They recommend that to improve self-determination of children with special needs, educator should ensure that the following provided:

- Provide opportunities for decision-making starting in early childhood, and encourage their children to express their preferences and make informed choices throughout life.
- Begin self-determination instruction early in the elementary grades.
- Intensify teaching of specific self-determination skills during high school.
- Support children' development and use of self-advocacy skills, and teach children to develop an internal locus of control.
- Make work-based learning, self-directed learning, and career exploration opportunities available to all children.
- Incorporate self-determination and career development skills in the general education curriculum.
- Promote and support student-centered and student-run IEP meetings.

***Access to curriculum***

To prosper and gain the knowledge and skills needed for success in a variety of settings, children with disabilities must have access to school placement and instruction designed to prepare them for life. IDEA '97 stipulating that states must provide children with disabilities access to the special education curriculum, including the identification of performance goals and indicators for these children or definition of how access to the general curriculum is provided; participation in general or alternate assessments; and public reporting of assessment results. According to Nolet and McLaughlin (2000), the 1997 reauthorization is intended to ensure that children with disabilities have access to challenging curriculum and that their educational programs are based on high expectations that acknowledge each child's potential and ultimate contribution to society. To accomplish access to this programme, they recommend that educator in the field of special education should adopt the following:

- Use universal design to make classrooms, curriculum, and assessments usable by the largest number of children possible without the need for additional accommodations or modifications.

- Provide appropriate instructional accommodations for students.
  - Provide instructional modifications only when necessary.
  - Clearly specify the subject matter domain (facts, concepts, principles, and procedures) and scope of the curriculum.
- Set priorities for outcomes, and allocate instructional time based on these priorities.
- Use instructional approaches that have been shown to promote positive outcomes for students with disabilities.

## 6. Conclusion

Ethics are about right and wrong, good and bad. Fundamentally, ethical issues are those issues where people struggle to figure out the right thing to do. The guidelines for this ethical issues is to provide educators in this field with the direction for resolving the ethical dilemmas faced each day in the special education classroom. Some of the Ethical Dilemmas been face by special educator teachers today in various classes they teach include subjects such as conflict with a co-worker and writing appropriate Individualize Education Programme (IEP) for children with severe disabilities goals.

Professional special educators need to be guided by professional ethical principles, practice standards, and professional policies in ways that respect the diverse characteristics and needs of individuals with exceptionalities and their families. Special education programs have been influenced by several recent federal education reforms. These reforms stress high academic and occupational standards; promote the use of state and local standards-based accountability systems; point to the need to improve teaching through comprehensive professional development programs; and call for broad-based partnerships between schools, employers, postsecondary institutions, parents, etc.

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