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EXPLORING CHILD PROTECTION MEASURES ON DISCRIMINATION IN SELECTED SPECIAL EDUCATION SCHOOLS

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ABSTRACT

The purpose of the study was to explore, how protected are children with disabilities from discrimination in selected special education schools in Luapula province. Interpretive paradigm and qualitative intrinsic case study design were employed because the case study outcomes were intended to tell the researcher something that was solely about the case itself. The sample size comprised of 38 participants who included head teachers, teachers, learners and parents who were purposively selected. In-depth-structured interview guide and focus group discussions guide (FGD) were used to collect data and data were thematically analyzed. The results showed that children with disabilities were protected from discrimination in selected special education schools using safety strategies, punishment strategies and prevention strategies. The safety strategies that were used to protect children with disabilities from discrimination included developing schoolchild protection policies, reacting to acts of discrimination in schools, reporting all forms of ill-treatment to the administration and routine checking to stop harassment and discrimination acts. Punishment strategies included discriminatory language or derogatory remarks, providing positive and negative reinforcement, punishing learners with disruption of activities and those learners with unwanted social behaviour. Further, preventive strategies included in house training for staff on discrimination issues, engaging in Continuous Professional Developments (CPDs) and teacher group meeting on handling learners with disabilities and provision of Guidance and counselling. Based on results, the study recommends for school-based safety, punishment and preventive strategies to

reduce discrimination and to support learners with disabilities in special education schools who may be victim of discrimination.

Keywords: *Child Protection, Discrimination, Preventive strategies, Punishment strategies, Safety strategies*

Introduction

Discrimination is a human rights violation which can have a damaging effect on all learners, especially those who are targeted. Teacher judgements can be biased by a variety of stereotypes which in turn could lead to discrimination. Teachers have been observed to have lower expectations of children with disabilities (Ho & Cherng, 2018) Fighting discrimination takes courage and commitment. Prejudices are deeply ingrained in our society, and discrimination has a long, sad legacy in our schools, but when individuals speak up, students stand to benefit. If we do nothing, such injustices will surely continue. Research has shown that perceived discrimination is associated with a range of adverse outcomes, especially for children with disabilities attending regular schools, including poor academic performance (Baginsky et al., 2019; Armfield et al., 2020).

UNESCO (2019) argued that despite efforts by government to ensure access to education, violations and breaches of the right to education persist. UNESCO reported that persons with disabilities, those from disadvantaged backgrounds are among those who face the worst discrimination, affecting both their right to go to school and their rights within schools. Human Rights Council (2019) also confirmed that children with disabilities face disproportionately high levels of discrimination. Hence, by ensuring protection of the school environment may play a critical role in supporting children affected by of discrimination (United Nations, 2019). This calls for child protection measures to address the needs of all children, including children with disabilities, who are disproportionately affected by discrimination while in school.

Schools can indeed play a key role in reducing discrimination (Banks et al., 2019) and in protecting vulnerable children facing stigma. In other words, schools can act as agents of change. Often it is assumed that schools are 'change agents' in terms of changing the attitudes, aspirations and achievements of individual students; that is, facilitating change within the context of the school. In the study of Mantey (2017), found that children with disabilities mostly face challenges such as discrimination from their colleagues, teachers, and non-teaching staff in the school. Educational needs of children with disabilities are not properly taken care of and the system does not help them to benefit from education. Dankyi et al (2021) found that, discrimination in school encourages the tendencies that distinguish, exclude or restrict

individuals or groups with disabilities from having access to quality education. Because of these inequities, many children with disabilities are not reaping the full benefits of education. Rijbroek et al. (2019) also indicated that 100% of school administrators reported having problems handling children with disabilities in mainstream classrooms and the majority of these administrators lacked knowledge of specific disabilities and special needs. If that is the case, then one ask, how protected are children with disabilities from discrimination in selected special education schools.

Statement of the Problem

Although education is recognized as a fundamental right of Children with disabilities and the government is making extensive efforts to ensure inclusivity, enrolment and participation in a classroom environment absent of discrimination are questionable and need to be treated as a priority. Children with disabilities in schools are subject to multiple deprivations and limited opportunities in several dimensions of their lives. UNICEF (2019) reported that almost two-third of school going learners with disabilities have been discriminated by their peers with or without disabilities on daily. Discrimination contributes to students' reduced sense of belonging at school, disengagement from school, decreased educational aspirations, and perceptions of the school environment as unsafe, all of which negatively impact on academic performance. Similarly, Njelesani et al (2022), posits that learners with disabilities experience discrimination by peers and teachers which makes them miss classes, have problems concentrating or drop out of school. It affects their access to and participation in education, attainment and future prospects. Therefore, as learners with disabilities are a vulnerable group, little is known on child protection measures put in place to protect these learners with disabilities from discrimination in special education schools. Hence, the need to establish how protected children with disabilities are from discrimination in selected special education schools in Luapula province

Theoretical Framework

The ecological approach by Bronfenbrenner (1979) guided the study. From an ecological perspective, child discrimination is viewed as a transactional issue between teacher, children and the environment, and the complexity surrounding discrimination of the child with disability can be understood in several ways by an ecological approach. To protect children with disabilities and prevent them from discrimination, different stakeholders including those with direct (family, and teachers) and indirect contact (school administration, NGOs and government) need to work together. Ecological system theory is applicable to this study

because it brings about child-teacher relationship, which is the tenet of child protection in school. The ecological approach provides protective factors that apply in schools, and therefore, it is beneficial in ensuring the safety of children with disabilities in a school environment. The teacher is potentially able to provide a crucial link to many of the discriminated child's needs. Teachers have the prospective not only to help tend to the emotional wellbeing of the child, but also aid the family in gaining access to the services they need to help avoid any future discrimination (Bronfenbrenner & Morris, 2006). Having access to the types of services, along with positive school experiences, can have an impact beyond the classroom and affect children in a positive manner throughout their lives.

Literature Review

Discrimination are significant and long-standing social issues facing students, educators, and adults; yet, the gap between research findings and real, tangible solutions seems to be growing. Banks et al (2018) in their study on disability and discrimination in Ireland noted that in schools, discrimination make it difficult for students to learn because they do not feel safe or accepted. hence, teachers and education professionals, have a key role to play in both supporting children and young people with a visible difference and creating an inclusive learning environment for all pupils by reporting every form of discrimination in school (Banks et al., 2018). Also, Mantey (2017) study on Challenges and perspectives from stakeholders on discrimination against children with disabilities in mainstream schools in Southern Ghana. The study found that children with disabilities mostly face challenges of discrimination from their colleagues, teachers, and non-teaching staff in the school. Hence, the study by Mantey (2017) suggested that in order to address issues of discrimination most important thing is to be proactive and to create a safe and inclusive environment for all students report any incidents of discrimination to the school administration.

In the study of Janardhana (2015) on discrimination against differently abled children among rural communities in India. The article attempted to analyse and describe the common discriminatory grounds that children with disabilities commonly face from their immediate families. The study found that people with disabilities also report a greater incidence of repeat discrimination, with 77 per cent of those who experienced discrimination saying it occurred more than once. Further the study revealed that it happens when education providers specifically exclude students with disabilities from educational services, withhold benefits that are available to others, or impose extra burdens that are not imposed on others, without a legitimate reason (Janardhana, 2015; Bastart, et al., 2021). Bastart, et al (2021) pointed the need of setting of initial priorities that should go hand in hand with professional development

for senior leadership teams as well as teaching staff. In particular, it is important for school staff to be trained in beliefs and values with regard to discrimination, including their own unconscious biases and prejudices. Hence, schools should strongly commit to ensure protection for the wellbeing of children with special needs.

According to Bibou-Nakou & Markos (2017) in their study Greek teachers' experience and perceptions of child abuse/neglect in Greece. The study revealed that lack of appropriate facilities, inaccessible school buildings, high pupil to teacher ratios, and limited support for children with disabilities are some of the factors are associated with increased risk of discrimination in schools. Not only that, Swearer & Hymel (2015) study on variations across student subgroups on discrimination in schools in United States. The study also found that a range of disability discrimination issues were uncovered in the areas of enrolment, post enrolment, meeting personal support needs, participation and belonging, discriminatory attitudes by staff, other parent attitudes, and insensitivity to disability specific issues hence the school need to have policy that defines actions on discrimination in school. With those risks of discrimination in school the study by Bibou-Nakou & Markos (2017) recommended for policies are needed to specifically support and protect members from different forms of discrimination within the school. However, little is known about how protected these children with disabilities from discrimination in special education schools.

Deuchert et al. (2017) in their study disability discrimination in higher education in Switzerland the study found that children with disabilities are treated unfairly and discriminated against because of who they are, this had a detrimental effect on their mental health, their self-esteem, and their educational performance. This study noted that it is important that schools understand how to protect students with disabilities from discrimination. According to the study by Sightsaver (2021) suggested that to protect the children form discrimination there is need to ensure quality education opportunity; upholding human rights; safe school environment; physical accessibility of school and related facilities; capacity building; family-school partnerships; and appropriate language use and increasing awareness campaigns among other innervations

Material and Methods

Research design

This study was guided by a Constructivist Paradigm, as it enabled the researcher to have in depth understanding of the subjective world of head teachers, teachers, parents and learners on how children with disabilities are protected from discrimination in selected special education

schools in Luapula province. In keeping with the research paradigm, a qualitative research design, an intrinsic case study design was employed because the case study outcomes were intended to tell the researcher something that was solely about the case itself. In that case the child with disability and child protection measures of discrimination in special education school was of primary interest in the study. An intrinsic case study is when the aim is fundamentally to understand the case (Kamal, 2019), and in this case was to explore protective measure put in place to protect children with disabilities from discrimination while in schools.

Study population and sampling procedure

For the study population, purposive critical case sampling was used to select 2 head teachers as they were the in charge and overseers of children's safety protection while in school. Expert sampling was used to sample 12 Teachers as they have day to day responsibility for children protection from discrimination, while in school. Criterion sampling was used to select 12 Learners as they were key informers who appreciate child protection measure on discrimination, in special education schools. For 12 Parents were brought in to help validate the views of head teachers, teachers and learners on how the school protects the children from discrimination and criterion sampling was used to sample them. The sample sizes of teachers, parents and learners are adequate as they are consistent with the principle of data saturation. Guest et al (2006) state that in qualitative studies, saturation may occur with as few as six participants. Jassim and Whitford (2014), also found that after the 10th interview, there were no new themes generated from the interviews. Therefore, it was deemed that the data collection was reached a saturation point, the two more interviews were to ensure and confirm that there are no new themes emerging (Jassim and Whitford, 2014).

Research instruments and Data collection procedures

The research instruments that were used in this study included semi-structured interview guide and focus group discussions guide (FGD). The semi-structured interview guide was used to collect in-depth qualitative data from head teachers and teachers as it allows a back and forth dialogue (Vagle, 2014), thus providing an opportunity to react to comments, change wording of questions, interjections for probes and clarifications. Focus group discussion guide were used to collect data from learners and parents, it was chosen because it allowed participants to discuss their concerns in a group. As participants interact within the group the quality and richness of data were enhanced. Data from the semi-structured interviews and focus group discussion were triangulated to enhance trustworthiness of the study findings.

Data analysis

The data was analysed manually to answer the research questions on how children with disabilities are protected from discrimination in selected special education schools, using six major stages that includes familiarization with the data, generation of initial codes, searching for themes among codes, reviewing themes, defining and naming themes and report writing and where possible, verbalisms were used to indicate actual voices of the participants (Saldaña et al.,2014).

Results

The research question of this study focused on how children with disabilities were protected from discrimination in selected special education schools in Luapula province. A question was asked to the participants: *“How are children with disabilities protected from discrimination in selected special education schools in Luapula province?”* From the findings three significant themes emerged namely Safety strategies, Punishment strategies and Prevention strategies. This were supported by relevant codes or near codes as shown in Table 1 below:

Table 1: Ways children with disabilities were protected from discrimination in selected special education schools

Themes	Codes or Near Codes
1. Safety strategies	<ul style="list-style-type: none"> • Developing school child protection policies. • Reacting to acts of discrimination in schools. • Reporting all forms of ill-treatment to the administration. • Routine checking to stop discrimination acts.
2. Punishment strategies	<ul style="list-style-type: none"> • Punishing learners using discriminatory language or derogatory remarks. • Providing positive and negative reinforcement. • Punishing learners with disruption of activities. • Punishing learners with unwanted social behaviours.
3. Prevention strategies	<ul style="list-style-type: none"> • In house training for staff on discrimination issues. • Engaging in CPDs and teacher group meeting on handling children. • Provision of Guidance and counselling.

Source: Researcher’s illustration based on fieldwork

Safety strategies

The study findings indicated that children with disabilities were protected from discrimination in selected special education schools using safety strategies. These strategies included developing schoolchild protection policies, reacting to acts of discrimination in schools, reporting all forms of ill-treatment to the administration and routine checking to stop harassment and discrimination acts.

These findings were evidenced in the following verbal account given by one female parent participant during the third focus group discussion <FGD 3 FP> who observed that:

“To protect children from discrimination the school has rules and regulation which stop everyone, parent, teachers or fellow learners from discrimination others by word of mouth or action or denying them access to what they are entitled to in school” (28.10.2022).

Adding to the same discussion, one head teacher participant from School 2 during interviews <SCH2 HT2> reported that:

“As school administration we have come up with the child protection policy to help every individual at our school how to cope up with children living with disabilities” (25.10. 2022).

Contributing on the same, another female learner participant from School 2 during second focus group discussion <FGD 2 FL> confirmed that:

“To ensure that children with disabilities are protected from discrimination in selected special education schools, we report all forms of ill-treatment to the administration so that the offenders are punished” (20.01.2023).

These findings were supported by one female Specialist teacher participant from School 1 during interviews <SCH 1 ST3 F> who noted that:

“As teachers we conduct routine checking to stop harassment and discrimination acts in the school” (21.10.2022).

Based on the findings above, children with disabilities were protected from discrimination in selected special education schools using safety strategies such developing school child protection policies, reacting to acts of discrimination in schools, reporting all forms of ill-treatment to the administration and routine checking to stop harassment and discrimination

acts. These discrimination prevention strategies enabled the teachers in the school to protect learners with disabilities in schools.

Punishment strategies

The findings of the study also indicated that children with disabilities were protected from discrimination in selected special education schools using punishment strategies. These strategies included punishing children using discriminatory language or derogatory remarks, providing positive and negative reinforcement, punishing children with disruption of activities and punishing learners with unwanted social behaviour.

In support of this, one female Specialist teacher-participant from School 1 during interviews, <SCH 1 ST5 F > noted that:

We usually punish children using discriminatory language or derogatory remarks” (21.10.2022).

In her contribution on how children with disabilities were protected from discrimination, one female Specialist teacher participant from School 2 <SCH 2 ST8 M> reported that:

“We provide positive and negative reinforcement to the children. By positive reinforcement, we give praises and awards to good performing children. Concerning negative reinforcement, we withdraw certain incentives from the children” (26.10.2022).

Adding to the same discussion, one head teacher participant from School 2 <SCH 2 HT2> expressed additional feelings by observing that:

“Children with disruptive behaviour are usually punished. Because of our strictness, some children don’t even misbehave” (25.10.2025).

A similar sentiment came from another male Specialist teacher participant from School 1 <SCH 1 ST2 M> who mentioned that:

Children fear punishment. So, when they hear that all those with unwanted social behaviour will be punished, they stop misbehaving” (21.10.2022).

Based on the findings above, it was clear that children with disabilities were protected from discrimination in selected special education schools using punishment strategies such as

punishing children using discriminatory language or derogatory remarks, providing positive and negative reinforcement, punishing children with disruption of activities and punishing children with unwanted social behaviour. Thus, if these prevention strategies were implemented, children with disabilities would be protected for discrimination in schools.

Prevention strategies

Concerning the findings of the study on how children with disabilities were protected from discrimination in selected special education schools using prevention strategies, participants revealed that some of the prevention strategies employed included in house training for staff on discrimination issues, engaging in Continuous Professional Developments (CPDs) and teacher group meeting on handling learners and provision of Guidance and counselling.

This was confirmed by one male Specialist teacher participant from School 1 <**SCH 1 ST4 M**> who reported that supported these findings:

“To protect children with disabilities from discrimination in selected special education schools, we engaged teachers in the school in house training for staff on discrimination issues” (21.10.2022).

One other male Specialist teacher participant from School 2 <**SCH 2 ST10 M**> added that:

“Engaging in Continuous Professional Developments (CPDs) and teacher group meeting on handling learners is one-way children with disabilities are protected from discrimination in selected special education schools” (26.10.2022).

These findings were also supported by views of one female parent participant from school 2 during third focus group discussion <**FGD 3 FP**> who stated that:

“The school also has special education teachers and guidance teachers who counsel them against discrimination. I have witnessed some individual teachers have taken upon themselves to assign learners to help those with disabilities to write or copy for them the notes in class, promoting the spirit of brotherhood” (28.10.2022).

With the findings above, it was clear that children with disabilities were protected from discrimination in selected special education schools using prevention strategies such as in-house training for staff on discrimination issues, engaging in Continuous Professional

Developments (CPDs) and teacher group meeting on handling learners and provision of Guidance and counselling.

Discussion

The research objective of this study focused on how children with disabilities were protected from discrimination in selected special education schools in Luapula province. The findings on how children with disabilities were protected from discrimination in selected special education schools through three significant themes emerged namely safety strategies, punishment strategies and prevention strategies.

The results indicated that children with disabilities were protected from discrimination in selected special education schools using safety strategies. These strategies included developing school child protection policies, reacting to acts of discrimination in schools, reporting all forms of ill-treatment to the administration and routine checking to stop harassment and discrimination acts. To protect children from discrimination the school had rules and regulation which stop everyone, parent, teachers or fellow learners from discriminating others by word of mouth or action or denying them access to what they are entitled to in school. School administration have come up with the child protection policy to help every individual in school how to cope up with children living with disabilities. These findings were in line with the study by Bibou-Nakou & Markos (2017) who indicated that policies are needed to specifically support and protect members from different forms of discrimination within the school. Schools need to make it clear that they have a zero-tolerance policy toward discrimination. Similarly, Swearer & Hymel (2015) noted that schools are engaged in development of written policy that defines procedures and rules as deterrent to discrimination in schools.

Further, the school has to ensure that school staff report all forms of ill-treatment to the administration so that the offenders are punished. These findings were consistent with the study by Banks et al (2018) who indicated that teachers and education professionals, have a key role to play in both supporting children and young people with a visible difference and creating an inclusive learning environment for all pupils by reporting every form of discrimination in school. Similarly, the study by Mantey (2017) reported that in order to address issues of discrimination most important thing is to be proactive and to create a safe and inclusive environment for all students by reporting any incidents of discrimination to the school administration. Also, teachers need to conduct routine check-ups to stop harassment and discrimination acts in school. There is need to increase supervision in areas in school where students are fearful of going, creating more opportunities for constructive learning and play in

school. These discrimination prevention strategies enable the teachers in the school to protect learners with disabilities in schools.

Further, the findings of the study also indicated that children with disabilities were protected from discrimination through punishment strategies that included punishing children using discriminatory language or derogatory remarks, providing positive and negative reinforcement, punishing children with disruption of activities and punishing learners with unwanted social behaviour. The schools usually punish children using discriminatory language or derogatory remarks against peer with disabilities. Children with disruptive behaviour are also usually punished and because of school strictness, some children don't even misbehave. Children fear punishment. So, when they hear that all those with unwanted social behaviour will be punished, they stop misbehaving.

Furthermore, the school provide positive reinforcement in form of give praises and awards to good performing children, then negative reinforcement, by withdrawing certain incentives from the children. These results resonate with Duncan et al (2020) who revealed that in a classroom setting, for any positive action to address discrimination the teacher need to be giving praise, letting students out of unwanted behaviour, or providing token rewards, candy, extra playtime, or fun activities. this simply adding a factor to increase a behavior. while for perpetuator of discrimination something uncomfortable or otherwise unpleasant should take away in response to a stimulus. Over time, the target behavior should increase with the expectation that the unpleasant thing will be taken away. Thus, with these prevention strategies in place and reinforced, children with disabilities would be protected for discrimination in schools.

Additionally, children with disabilities were protected from discrimination in selected special education schools through prevention strategies which included in house training for staff on discrimination issues, engaging in Continuous Professional Developments (CPDs) and teacher group meeting on handling learners with special education needs and or disabilities and provision of guidance and counselling. To protect children with disabilities from discrimination, the school engage teachers in the house training for staff on discrimination issues. These findings agree with the report of Maciver et al (2019) who reported that school can provide training for school personnel, discussing ways to talk about race and prejudice in the classroom, raise awareness of the necessity of fair and just classrooms, and close the achievement gap between marginalized and non-marginalized students. This has been also achieved by engaging in Continuous Professional Developments (CPDs) and teacher group meeting on handling learners with special education needs and or disabilities and on the best ways of fighting discrimination in special education schools. These findings were consisted

with the study by Bastart, et al (2021) who suggested that the setting of initial priorities should go hand in hand with professional development for senior leadership teams as well as teaching staff. An element of personal training for tackling of discrimination in school. In particular, it is important for school staff to be trained in beliefs and values with regard to discrimination, including their own unconscious biases and prejudices.

The schools also have guidance teachers who provide counselling in school against discrimination to teacher and learners. These results were in line with Deuchet et al (2017) who indicated that most important thing for guidance and counselling teachers in school to deal with discrimination is to be aware of the signs of discrimination, talk to the students who are being targeted, speak out against discrimination and promote inclusion in classroom or school. With the findings above, it was clear that children with disabilities were protected from discrimination in selected special education schools using prevention strategies.

Conclusion and Recommendations

Based on the findings, children with disabilities were protected from discrimination in selected special education schools using safety strategies, punishment strategies and prevention strategies. The safety strategies that were used to protect children with disabilities from discrimination in selected special education schools included developing schoolchild protection policies, reacting to acts of bullying in schools, reporting all forms of ill-treatment to the administration and routine checking to stop harassment and discrimination acts. Punishment strategies included punishing those using discriminatory language or derogatory remarks, providing positive and negative reinforcement, punishing learners with disruption of activities and punishing learners with unwanted social behaviour. Further, preventive strategies that were used included in house training for staff on discrimination issues, engaging in Continuous Professional Developments (CPDs) and teacher group meeting on handling learners and provision of Guidance and counselling. These strategies enable the teachers in special education schools to protect children with disabilities from discrimination.

Based on these results, the study recommends the following:

- ❖ School to introduce rules and regulation (policy) on discrimination that promote inclusion and diversity in all aspect of school experience among learners with disabilities
- ❖ The school to take action to tackle the root cause of discrimination, including attitude that underpin discrimination among learners with disabilities in special education school

- ❖ There is need for school-based safety, punishment and preventive strategies to reduce discrimination and to support learners with disabilities in special education schools who may be victim of discrimination.
- ❖ There is need for collaboration among teacher, parents and learners in schools for the purpose of identifying and reporting all forms of direct or indirect discrimination among learners with disabilities.
- ❖ The special education schools to decrease school and self-discrimination among learners with disabilities and promote affirming and inclusive attitudes and behaviour targeted to learners with disabilities in school.

Conflict of Interest statement

The authors declare no conflict of interest

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