

An Exploration of the Legal Framework and Supervision of Preschool Institutions in Nigeria

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Abstract

The regulation and supervision of preschool institutions in Nigeria play a crucial role in ensuring quality early childhood education. The aim of this paper was to examine the legal framework governing preschool institutions, focusing on the implementation and challenges of the Integrated Early Childhood Development (IECD) policy. Through a critical review of national policies, regulatory standards, and existing literature, the study highlights key gaps, including inconsistent government oversight, inadequate supervision, and the dominance of privately managed preschools. Findings revealed that while the National Policy on Education (NPE) provides a foundation for preschool governance, weak enforcement mechanisms and resource constraints hinder effective implementation. The study applied Bronfenbrenner's Ecological Systems Theory to analyze how interactions between policy, institutional actors, and social environments impact preschool education. Recommendations include strengthening supervision through periodic inspections, increasing government investment in infrastructure, and fostering community participation in preschool regulation. Addressing these gaps will enhance the quality and accessibility of early childhood education in Nigeria.

Keywords: Preschool Education, Legal Framework, Supervision, Regulatory Compliance.

Introduction

Preschool education in Nigeria has undergone significant evolution over the years, reflecting the country's changing social, economic, and educational landscape. The traditional forms of early childhood education have existed within Nigerian communities for centuries. The traditional societies had an informal setting which allowed children learn through play, storytelling and apprenticeships, (Omolewa, 2017). The formalized preschool education began to take shape during the colonial period.

During British colonial rule, missionaries and colonial administrators introduced Western-style education systems, including primary and secondary schools. However, formal early childhood education was not initially prioritized within this framework. Instead, informal and culturally rooted methods of childcare and early learning predominated, often within the family or community setting (Omolewa, 2017).

It was not until Nigeria gained independence in 1960 that efforts to establish formal preschool institutions gained momentum. The government recognized the importance of early childhood education in laying the foundation for future learning and development. The government then established the National Commission for UNESCO and the Federal Ministry of Education (UNESCO, 2015). In the following decades, various initiatives

such as National Universal Primary Education (UPE) scheme were launched to expand access to preschool education and improve its quality.

Early Childhood Care and Development (ECCD) Policy recorded that the Nigerian government adopted the World Declaration on Education for All (EFA) as part of their efforts towards recognizing and adopting ECE. The government also introduced the Early Childhood Care and Development (ECCD) Policy, focusing on children from birth to age 8.

One significant milestone was the adoption of the Universal Basic Education (UBE) programme in 1999, which aimed to provide free and compulsory education for all Nigerian children, including those at the preschool level. The UBE programme emphasized the importance of early childhood care and education (ECCE) as an integral component of the education system.

In terms of legislation, the National Policy on Education (NPE) has served as a guiding framework for preschool education in Nigeria. Initially formulated in 1977 and subsequently revised in 1981, 1998, and 2004, the NPE outlines the government's goals and objectives for education at all levels, including early childhood education.

In addition to national policies, individual states within Nigeria have enacted their own laws and regulations pertaining to preschool education (Sanni and Akinsanya, 2019). These include provisions for the registration, supervision, and quality assurance of preschool institutions, reflecting the diverse needs and contexts within the country.

Overall, the historical trajectory of preschool education in Nigeria reflects a gradual shift from informal, community-based approaches towards formalized, regulated systems. While challenges remain in terms of access, quality, and equity, ongoing efforts are being made to strengthen the legal and policy frameworks governing preschool education and ensure that all Nigerian children have the opportunity to receive a solid foundation for their future learning and development.

Research Questions

This study aims to critically analyze the legal and policy frameworks governing preschool education in Nigeria, identify key implementation challenges, and provide policy recommendations. The research questions guiding this study include:

- What are the key legal frameworks governing preschool education in Nigeria?
- How effective is the implementation of these policies?
- What challenges hinder effective supervision and regulation of preschool institutions?
- What strategies can be adopted to improve preschool supervision and regulation?

Theoretical Framework

This study adopted the Bronfenbrenner's Ecological Systems Theory (1979) to analyze how different environmental systems influence preschool education. Bronfenbrenner (1979) conceptualized human development as occurring within a nested arrangement of interconnected systems that shape an individual's growth and learning experiences. These layers include:

- a. Microsystem: The immediate environment of the child, including parents, caregivers, teachers, and peers, which directly impact early childhood education quality (Bronfenbrenner, 1979). In the Nigerian situation, parents constitute the first significant caregivers available to the child and they exert lots of influences on the overall development of the child. The socio-economic conditions of parents therefore often determine the equality of life available to the child. On enrolment in preschool environments especially daycares and later kindergarten classes, the child's development becomes deeply influenced by teachers and peers.
- b. Mesosystem: The interactions between different elements of the microsystem, such as the relationship between parents and teachers or between community organizations and schools also impact on the child's development (Bronfenbrenner, 2005).
- c. Exosystem: External environments that indirectly influence the child, such as parental workplaces, local education authorities, and government regulations (Bronfenbrenner, 1994).
- d. Macrosystem: The overarching cultural and societal influences, including national policies, economic conditions, and social norms that shape early childhood education (Bronfenbrenner, 1986).
- e. Chronosystem: The dimension of time, which includes historical events, policy changes, and the

evolving nature of preschool education over time (Bronfenbrenner & Morris, 2006).

With the application of this framework, this study evaluated how different systemic factors interact to influence the regulation and supervision of preschool education in Nigeria. Additionally, this theory is relevant in understanding how different elements within Nigeria's preschool system interact. Weak coordination among policy actors, funding agencies, and regulatory bodies can result in ineffective supervision, making a holistic systems approach necessary for sustainable improvements.

Legal Framework for Registration

The registration of preschool institutions in Nigeria is governed by a combination of national laws, policies, and guidelines, as well as regulations established by state governments. These legal frameworks provide the basis for ensuring that preschools meet specified standards of quality, safety, and educational provision. The following are key components of the legal framework for registration:

- National Policy on Education (NPE): The NPE serves as a foundational document outlining the government's objectives and principles for education at all levels, including early childhood education. According to the NPE, (FRN, 2013 cited in Salami, 2016) there are three levels of ECE in Nigeria, each with its respective goals. The Early Child Care and Development Education spans over the period of (0-4 years) situated in daycare or crèches, fully in the hands of private sector and social development services. Secondly, the kindergarten education, a one-year education given to children between ages 4-5 years prior to their entry into primary school. Lastly, the lower primary classes (1-3) meant for ages 6 to 8 years plus. This official document also stated the teacher-pupil ratios for the above-mentioned classrooms.
- Education (National Minimum Standards and Establishment of Institutions) Act: This Act, also known as the National Minimum Standards for Education Act, provides guidelines for the establishment, registration, and operation of educational institutions at all levels, including preschools. It sets forth minimum standards for infrastructure, staffing, curriculum, and other aspects of educational provision.
- State Laws and Regulations: In addition to national legislation, individual states within Nigeria may have their own laws, policies, and regulations governing preschool education. These state-level frameworks may supplement national standards and address specific regional or local needs and priorities.

The National Policy of Education

The preschool is recognized as the Early Child Care Development and Education (ECCDE) in the National Policy on Education, (FRN, 2014). It means the care, protection, stimulation and learning promoted in children between ages 0 and 4 years in a crèche or nursery. The operational objectives of the ECCDE are to:

- Effect a smooth transition from the home to the school.
- Prepare the child for the primary level of education
- Provide adequate care, supervision and security for the children while their parents are at work
- Inculcate social, moral norms and values
- Inculcate in the child the spirit of enquiry and creativity through the exploration of nature, the environment, art, music and the use of toys, etc.
- Develop a sense of co-operation and team spirit
- Stimulate in the child good habits, including good health habits; and
- Teach the rudiments of numbers; letters, colours, shapes, forms, etc., through play.

Technically, the preschools in Nigeria are aimed at preparing the child for the primary education and the rigours of the future. It helps to keep the child safe and adequately provided for while the parent is at work and unavailable. Preschools instills the sense of cooperation, team-spirit, social, moral and the ethics of the immediate environment into the child. The preschool arouses the interest of the child in making enquiry, exploring the nature and self-learning. Lastly, the preschool is supposed to stimulate good habits in the child, teach the basic rudiments needed for the primary schools through play.

Policy Guidelines and Regulations for Implementation

The National Policy stated the guidelines for achieving the outlined objectives of the preschool. The stated guidelines by the government to achieve these objectives are to;

- Set and monitor minimum standard for ECCDE centres;
- Develop and disseminate curriculum materials such as the Integrated Early Child Care Development (IECD) Policy, National Minimum Standard for the establishment of Early Child Care Education Centres, IECD Curriculum, IECD Implementation Guidelines and all other materials that will enhance the implementation of ECCDE;
- Encourage both community and private efforts in the establishment of ECCDE centers based on set standards.
- Make provision in teacher education programmes for specialization in early child care and education, and for retaining of teachers;
- Ensure that the curriculum of teacher education is oriented towards play-way method;
- Ensure that the ECCDE Centers adopt the following caregiver infant ratios: i. Creche shall be 1:10 ii. Nursery 1:25
- Develop suitable curriculum for nationwide implementation;
- Supervise and control quality of ECCDE centers
- Make provision for the production and effective utilization of learning and instructional materials in adequate numbers; and
- Ensure that the medium of instruction is principally the mother-tongue or the language of the immediate community. This points to the need to continuously develop the orthography of more Nigerian languages and production of textbooks, supplementary readers and other instructional materials in Nigerian languages.

To regulate the ECCDE centres, the government shall develop suitable ECCDE curriculum for nationwide implementation, supervise and control quality of ECCDE centres, make provision for the production and effective utilization of learning and instructional materials in adequate numbers and ensure that the medium of instruction is principally the mother tongue or language of the immediate community. The guideline for the Early Child Care and Development Education according to the National Policy on Education, states that the centers are to adopt the caregiver infant ratios of 1:10 for the crèche and 1:25 for the nursery.

Obiweluzor, (2015) critiqued that the National Policy on Education, (2012) specified some guidelines for pre-primary education in Nigeria but it does not recognize the need for policy to guide the children of ages 0-3 years of age. However, the revised edition (6th edition) of the NPE, 2014 stated some guidelines for operations of ECCDE for children of ages 0-4 years a one-year education programme for ages 5 years.

Based on personal experience, majority of the ECE centers available for children are private establishments. A lot of these institutions are handled by individuals or an organization under a uniformed umbrella (i.e. as a subset of a school). Only a few of these institutions stand as a lone private preschool. Although, the government according to the policy takes responsibility for a one-year pre-primary education of the child but a lot of parents would prefer that their child continues to adapt to the private preschool the child has been acquainted to rather than disturbing the child's smooth transitioning from the home to the school. Therefore, the pre-primary preschool fails its function greatly.

In addition, the availability and the standards of these preschool centers seems to be in the policy alone without adequate provisions because no specific institute of such has been recognized in majority of our immediate community. From residual knowledge, government taxes are not paid on the preschool aged children and a uniformed curriculum is provided by the state ministries of education to be implemented by the institutions.

Standards and Criteria for Registration

The registration of preschool institutions in Nigeria involves meeting specific standards and criteria to ensure quality, safety, and effectiveness (Fartro, 2020). These include:

- **Safety and Security:** Preschools must prioritize the safety of children, with furniture having rounded edges to prevent injuries and first aid materials kept out of children's reach.
- **Developmental Appropriateness:** Tables and chairs should be appropriately sized for children to ensure comfort and accessibility.
- **Accessibility:** The preschool environment should be child-centered, with resources easily accessible to foster independence and self-confidence.
- **Intellectual Stimulation:** The learning environment should encourage exploration, play, and communication, with didactic materials that promote experimentation and collaboration.

Registration Process and Regulations

The Integrated Early Child Care Development (IECD) Policy outlines the registration process for preschools. Key steps include:

- Submission of an expression of interest and reference letters to the Regulator for Childminding Services.
- Completion of an application form and submission of required documents, such as pre-registration training certificates, first aid certificates, medical certificates, criminal records, and identity verification.
- Issuance of a valid certificate of registration by the Institute of Early Childhood Development (IECD).
- Display of the registration certificate in a visible and accessible manner.

The IECD policy mandates regular inspections to ensure that preschools conform to national standards. These inspections, conducted at least every six months, verify the quality of services and the availability of required documentation.

Inspection and Supervision of the Preschools according to the (IECD) Policy

The preschool institute and the personnel who is in direct contact with the child is referred to as the Childminder in the Integrated Early Child Care Development (IECD) policy is expected to, in accordance with the Institute of Early Childhood Development Act 2014,

- be subjected to inspection to determine whether the quality of service that he or she renders conforms to the national standards stated under these regulations;
- be subject to inspection at least once every six months;
- in addition to the certificate of registration, have readily available during inspection, documents such as medical and criminal records.

The IECD which serves as the blueprint for the government on the preschoolers ensures that, according to the above stated policy, some government agencies are expected to carry out routine inspection at least every six months to oversee the quality of service the childminder renders to the children left in his/her care in line with the national standards. Also, during the inspection the childminder is expected to produce upon request the certificate of registration, his/her medical and criminal records. This is to ensure that the children in his care are from any health hazard that could be contracted from him as well as certify him medically fit for the job. The childminder should not be a criminal. Parents and guardians should be rest assured that no harm would come the way of their children from the childminder.

Challenges of Preschools in Nigeria

Despite the established legal frameworks and policies, preschool institutions in Nigeria face several challenges:

- **Lack of Supervision and Inspection:** There is often inadequate supervision and inspection to ensure effective implementation of policies, leading to varying standards of preschool education (Obiweluozor, 2015).
- **Insufficient Government Support:** The reliance on private institutions for preschool education means that government support and funding are limited, affecting the quality and accessibility of services.
- **Poor Social Services:** Many Nigerian children suffer from poor nutrition, inadequate healthcare, and lack of access to safe water and sanitation, impacting their overall development.
- **Inconsistent Implementation:** The implementation of policies varies across regions, with some areas lacking adequate facilities and trained personnel.

Review of the Integrated Early Child Care Development (IECD) Policy in Nigeria Implementation Status

The IECD policy in Nigeria represents a significant effort by the government to formalize and regulate early childhood care and education (ECCE) across the country. The policy aims to provide a structured framework for the establishment, operation, and supervision of early childhood care facilities, ensuring that children receive quality care and educational preparation before entering primary school.

The Guidelines for Implementing National Policy on Integrated Early Child Care Development (IECD) Policy in Nigeria was published in by the Federal Ministry of Education, 2013. The document contained guidelines on the provision of basic services to the child, support for socio-cultural development, quality assurance, monitoring and evaluation, funding, resources mobilization, etc. (Salami, 2016). These challenges and many more prompted the Federal Ministry of Education with the assistance of UNICEF to make provisions for children between 0-5 years.

Progress and Achievements: The following are some of the visible progress and achievements of the policy;

Policy Framework: The IECD policy outlines clear objectives and guidelines for ECCE, emphasizing the importance of early childhood development in preparing children for formal education (Federal Republic of Nigeria, 2014).

Regulatory Standards: It sets minimum standards for infrastructure, staffing, curriculum, and health and safety measures in ECCE centers, aiming to standardize practices across diverse socio-economic and regional contexts (Federal Republic of Nigeria, 2014).

Implementation Efforts: Government initiatives, such as training programs for ECCE educators and periodic inspections of facilities, demonstrate efforts to enforce compliance with the policy's standards (Federal Ministry of Education, Nigeria).

Challenges and Lapses: However, the following lapses are also observable;

Inadequate Supervision and Monitoring: Despite the policy's provisions for inspections, there are reports of inconsistent enforcement and inadequate monitoring of ECCE centers nationwide (Obiweluzor, 2015). This inconsistency leads to varying standards of care and educational quality.

Resource Limitations: Many ECCE centers, particularly in rural and underserved areas, lack adequate resources, including trained personnel, instructional materials, and infrastructure that meets the policy's standards (Obiweluzor, 2015; Sanni & Akinsanya, 2019).

Funding Constraints: The reliance on private institutions to provide ECCE services, coupled with limited government funding, restricts the expansion and improvement of ECCE facilities across the country (Sanni & Akinsanya, 2019).

Areas for Improvement

To enhance the effectiveness and impact of the IECD policy in Nigeria, several areas require attention:

- Enhanced Supervision and Compliance: Strengthening the capacity for regular and rigorous inspections of ECCE centers to ensure adherence to established standards (Obiweluzor, 2015).
- Investment in Infrastructure: Increasing government investment in ECCE infrastructure, particularly in marginalized communities, to improve facilities and access to quality early childhood education (Sanni & Akinsanya, 2019).
- Professional Development: Providing continuous professional development opportunities for ECCE educators to enhance their skills and knowledge in line with modern pedagogical practices (Federal Ministry of Education, Nigeria).
- Public Awareness and Participation: Promoting community involvement and awareness of the importance of ECCE, encouraging partnerships between government, NGOs, and private stakeholders for sustainable development (Federal Ministry of Education, Nigeria).

Conclusion

Pre-school is the education provided for children before the appropriate school age. It is the variety of active learning activities structured for children between the ages 0-5 years. In Nigeria, this level of education is recognized and adequately provided for in the National policy of education. One major objective of the preschool is to help ease the transition of the child from home to school before the appropriate school age. The child is also prepared for the rigors of the primary schools as well as the other levels of education. This policy however, has given the responsibilities of caring for the child to the private institutions. Although, it allocated some responsibilities to the government, a large portion of the job is left for private institutions which has made it very easy for these individuals run the preschools as they deem fit. It is however recommended that the government ensure the effective implementation of the policy by carrying out routine inspection as stated in the IECD policy, ascertain that the children placed in the preschools are properly taken care of for the period of being in the school and also, the mother tongue which has been slated as the medium of instruction in the policy should be well implemented. Adequate provisions should be made for the registration of the preschools by the appropriate ministries and departments as recommended by the IECD policy. This would give a control to the level of standards expected of a preschool and a regulated number of preschools that is suitable for the states and their local governments.

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