



The need to review UBE act (2004) on funding structure and community participation to enhance effective implementation in a depressed economy

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Abstract

Universal primary education has been a stated priority of every Nigerian government since its introduction in the seventies. The actual commitment of the different governments to the scheme, however, has varied substantially. The economic problems encountered have also contributed to the difficulties experienced in its implementation. Successful implementation will depend on the availability of adequate resources, the sharing of responsibility amongst different levels of government, greater community and student participation. Nigeria's "National Policy on Education," published in 1977 was revised in 1981, 1990, 1998, 2004, and 2013 respectively. The policy document has been revised to ensure that the policies address the perceived needs of the government in power and to try to ensure that the education sector is supportive of government development goals. Following recent economic down-turn in Nigeria, Researchers, through this paper examines the concepts of funding structure, community participation and UBE Act (2004). The paper concludes that UBEC should initiate the process for the UBE Act to be reviewed to include among others things, that federal government should deduct at source State's counterpart funds for UBE, so as to ensure that basic education system meets the needs of her citizens in relation to funding vis-à-vis effective implementation in a new economic dispensation.

Keywords: basic education, UBE act, economic down-turn, funding structure, community participation

Introduction

Basic education can be seen as the means through which the citizenry of a nation could be transformed from mere human population to human resource. In other words, education has remained a social process in capacity building and maintenance of society for decades; it is a weapon for acquiring skills, relevant knowledge and habits for surviving in the changing world. There is no gainsaying the fact that education is very vital to the pace of social, political and economic development of any nation. This is why most nations of the world strive to devote a sizeable proportion of their Gross National Income to develop the educational sector.

The Universal Basic Education (UBE) programme was officially launched in September 1999. Its operations began in January 2000 while its enabling Act (Compulsory, Free Universal Basic Education Act No. 8 of 2004) was passed in 2004. It is Nigeria's home-grown response to the global EFA (Education for All) call for action in favour of basic education that came in the wake that followed the now famous EFA Jomtien Conference of 1990, a call that was renewed by the Dakar World Education Forum of year 2000. Its formal take-off also coincided with the coming into being of the Millennium Development Goals (MDGs) intended to be pursued world-wide from 2000 to 2015. UBE was conceived as a necessary first-step response to the myriad of challenges facing the nation's education system at the end of military rule and the inception of civil rule in 1999. It was therefore a contributory aspect of a new national democratic dispensation that should democratize access to education with strong focus on laying a solid foundation for lifelong learning for all. Its objectives go beyond the conventional literate paradigm while its scope covers education in a more comprehensive and holistic sense than mere schooling.

Though the formal launch of UBE predated the Dakar World Education Forum of April, 2000, the programme had a conceptual link with Dakar and its objective and scope representing Nigeria's efforts at thinking globally for all.

The concept of basic education could be seen as early childhood care and nine years of formal schooling while that of Universal Basic Education could be seen as early childhood care and education, the 9-years of formal schooling, adult literacy and non-formal education, skills acquisition programmes and the education of special groups, such as: nomads and migrants, girl-child and women, almajiri, street children and disabled groups (UBE Act, 2004). The UBE Act (2004) is the enabling law that guides the implementation of the UBE programme since its enactment.

Funding Structure of UBE

The 1970's were the period of the oil boom in Nigeria. The economy expanded and with it came rapid growth and development of the education sector. By the 1980s, in contrast, major economic problems were encountered following the decline in revenue from petroleum products. The decline in the real gross domestic product in the 1980's and 1990's was estimated to be 6%. By 1994, the central bank of Nigeria reported that the money supply, particularly by way of deficit financing, had increased tremendously in a period of ten years. By 1995 the value of the Naira had fallen from a US\$ ratio of 1:1 in 1985 to one of 85:1. Funding responsibilities during the crisis were transferred from one level of government to another, as well as to families, to help subsidize education through fee payments at secondary school and in higher education. The total expenditure on education as a percentage of the GNP has dropped from 1.4 percent in 1990 to 0.9 percent in 1995. According to 1995 data, the total education budget represent on average 11.5

percent of total government expenditure. The education budget remains a huge share of the annual budget but it is still not sufficient to address existing problems as well as cater for new needs. The implications are that new sources of funding should be sought while government also increases its share of the cost units per pupil. These were remedies taken in the mid 80s and late 90s during economic recess as what we are passing through presently in Nigeria.

According to a World Bank survey on Nigeria, the federal expenditure on education seems to be below 10% of its overall expenditures. For instance, between 1997 and 2002, the total share of education in total federal expenditure ranged between 9.9% and 7.6% with the trend showing a downward plunge (World Bank, 2003) ^[10]. This issue of under-funding of education is so endemic that it has now encompassed series of other problems of shortages of human and material resources (Durosaro, 2000) ^[3]. The current pattern of investment within the education sector is such that the tertiary level gets the lion share while the primary level gets the least. This pattern is inversely related to number of institutions, enrolment and teachers at the different education levels. Amaechi and Ozoemena (2014:58) ^[2] reported that the federal government allocation to education between 2000 to 2014 galloped between 6.1% and 11% which is not by any means near the 26% benchmark set by UNESCO.

The funding structure of UBE in Nigeria is that basic education will be funded by consolidated revenue fund, the federal government in accordance with the UBE Act No. 8 of 2004 set aside a minimum of 2% of its Consolidated Revenue Fund (CRF) as support for funding Basic Education in Nigeria. From June 2005 to August 2015, the total amount released to UBEC is N560, 629, 202, 887. 04 (UBEC, 2015) ^[8]. Half of this amount (280,314,601,443.52 is allocated to states as matching grants. Some of this has been accessed by the states while a few others have been unable to access all the available funds. This is one of the core issues that is necessitating the review of the UBE Act. Table one shows the un-accessed grants by states in Nigeria. However, in addition to the 2% CRF, the UBE Commission receives other forms of funding and support from the MDGs Office, International Development Partners such as World Bank, UNICEF, UNESCO, Japan International Cooperation Agency, Korea International Cooperation Agency, China Economic Programme in Nigeria, etc. The additional funding was in the areas of provision of classrooms and other school infrastructure, teaching and learning material in schools; capacity development of teaching and managerial skills, building of institutional capacities in all the UBE strata. The disbursement of this fund is done through the Universal Basic Education Commission (UBEC) with the following sharing formula approved by the Federal Executive Council:

- 50% as matching grants fund for the provision of infrastructure such as classrooms, furniture, toilets, workshops, libraries, equipment, etc.
- 14% as educational imbalance fund for maintaining equity and inclusiveness and eliminating all forms of disparities and disadvantages;
- 15% as instructional materials fund for the provision of textbooks in the core subjects and reading materials;
- 10% as teacher professional development fund for the

training of the serving teachers and education managers on various aspects of school activities.

- 5% as good performance fund to encourage states doing well in the implementation of the UBE programme.
- 2% as special education fund for those with special needs.
- 2% as UBE monitoring fund; and
- 2% as UBE implementation fund.

The Act also provided that for States to access this grant, they must pay a 50% matching fund into the UBEC fund, the following table shows the un-accessed funds by States.

From table 1, it is clear that in 2009-2010 only Ebonyi State could not access their funding for UBE, in 2011 – 2012, eleven states representing 30.5% could not access their UBE funding; in 2013, 16 States representing 44.4% could not access their UBE funding, in 2014, 29 states representing 80.5% could not access their UBE funding; also as at August which was 3rd quarter when this document was published, 36 States representing 100% had not accessed their UBE funding for that year. The reason may not be far from the fact that there is economic down-turn so states could meet up with the payment of their own counterpart funding, or some of them could not account for the funds released earlier. However, by the context of this paper, we are looking at the best way possible to tackle the management of funding of UBE in a dwindling economy, which by standards, the UBE Act (2004) needs to be amended to address this issue, by empowering the federal government through the UBEC and its Act to deduct from source the counterpart funds of States, so that access to UBE funds will be optionally compulsory to all States of the federation, if effective implementation is envisaged based on economic realities.

On the other hand, section 15(1) of the compulsory, free, universal basic education and other related matters act, 2004 make the following free: tuition, books, instructional materials, furniture and lunch. We all are living witnesses that if not all, most of these things are not adequate in our schools. This menace has given an edge to private schools, the stand of this paper therefore is that we should borrow a leaf from what happened in the 80s, we should re-introduce some fees at the basic education level, such as: development levy, PTA or SBMC levy, handicraft levy, etc, some of the cost of books and lunch should be transferred to parents, while schools can take care of instructional materials from the internally generated revenue through the above levies. Due to the present economic down-turn, our basic education is going into extinction, because nothing is happening there, the head-teachers, and principals are handicapped by poor funding to run the schools, teachers on the other hand, are not willing to teach for not being paid for several months. In the words of Moja (2000) ^[6], during the oil crisis in the eighties, the administration and funding of the universal primary education scheme was decentralized. The rich states managed to maintain it while it collapsed in the poor states. At college and university levels, the changes included the termination of the student teachers bursary awards and subsidized feeding for students in higher education institutions. A cost-saving mechanism used in higher education was that of establishing state-owned universities that were financed in part from tuition fees. This can still be possible with basic education in Nigeria based on economic realities.

Table 1: Un-accessed UBE Matching Grant

Unaccessed UBE Matching Grant From 2005 - 2015 As At 10th August,2015									
S/N	State	2005-2006	2007-2008	2009-2010	2011-2012	2013	2014	2015	Total
1	Abia	1.38	0.00	0.00	879,367,607.88	1,030,797,297.30	952,297,297.30	176,959,459.45	3,039,421,663.31
2	Adamawa	1.38	0.00	0.00	0.00	0.00	476,148,648.64	176,959,459.45	653,108,109.47
3	Akwa Ibom	1.38	0.00	0.00	0.00	1,030,797,297.30	952,297,297.30	176,959,459.45	2,160,054,055.43
4	Anambra	1.38	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,460.83
5	Bauchi	1.38	4,865.00	0.00	0.70	0.00	952,297,297.30	176,959,459.45	1,129,261,623.83
6	Bayelsa	1.38	0.00	0.00	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.13
7	benue	1.38	0.00	0.00	978,249,016.13	1,030,797,297.30	952,297,297.30	176,959,459.45	3,138,303,071.56
8	borno	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,459.45	
9	C/ River	1.38	0.00	0.00	852,936,713.92	1,030,797,297.30	952,297,297.30	176,959,459.45	3,012,990,769.35
10	Delta	1.38	0.00	0.00	0.00	1,030,797,297.30	952,297,297.30	176,959,459.45	2,160,054,055.43
11	Ebonyi	1.38	0.00	311,390,982.82	1,725,464,020.62	1,030,797,297.30	952,297,297.30	176,959,459.45	4,196,909,058.87
12	Edo	1.38	0.00	0.00	0.00	1,030,797,297.30	952,297,297.30	176,959,459.45	2,160,054,055.43
13	Ekiti	1.38	0.00	0.00	527,306.70	1,030,797,297.30	952,297,297.30	176,959,459.45	2,160,581,362.13
14	Enugu	2.38	0.00	0.00	1,079,367,607.88	1,030,797,297.30	952,297,297.30	176,959,459.45	3,239,421,664.31
15	Gombe	1.38	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,460.83
16	IMO	1.38	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,460.83
17	Jigawa	1.38	0.00	0.00	-0.04	604,328,940.64	952,297,297.30	176,959,459.45	1,733,585,698.73
18	Kaduna	1.38	0.00	0.00	-0.04	0.00	952,297,297.30	176,959,459.45	1,129,256,758.09
19	Kano	1.38	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,460.83
20	Katsina	1.38	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,460.83
21	Kebbi	1.38	0.00	0.00	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.13
22	Kogi	1.38	0.00	0.00	0.00	1,030,797,297.30	952,297,297.30	176,959,459.45	2,160,054,055.43
23	Kwara	1.38	0.00	0.00	1,000.00	10.00	952,297,297.30	176,959,459.45	1,129,257,768.13
24	Lagos	1.38	0.00	0.00	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.13
25	Nasarawa	1.38	0.00	0.00	852,936,713.92	1,030,797,297.30	952,297,297.30	176,959,459.45	3,012,990,769.35
26	Niger	1.38	0.00	0.00	5,000,000.00	1,030,797,297.30	952,297,297.30	176,959,459.45	2,165,054,055.43
27	Ogun	1.38	0.00	0.00	852,936,713.92	1,030,797,297.30	952,297,297.30	176,959,459.45	3,012,990,769.35
28	Ondo	1.38	0.00	0.00	0.00	1,030,797,297.30	952,297,297.30	176,959,459.45	2,160,054,055.43
29	Osun	1.38	0.00	0.00	9,527,306.70	0.00	952,297,297.30	176,959,459.45	1,138,784,064.83
30	Oyo	1.38	0.00	0.00	852,936,713.92	1,030,797,297.30	952,297,297.30	176,959,459.45	3,012,990,769.35
31	Plateau	1.38	0.00	0.00	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.13
32	Rivers	1.38	0.00	0.00	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.13
33	Sokoto	1.38	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,460.83
34	Taraba	1.38	0.00	0.00	0.00	0.00	0.00	176,959,459.45	176,959,460.83
35	Yobe	1.38	0.00	0.00	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.13
36	Zamfara	1.38	0.00	0.00	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.13
37	F.C.T. Abuja	1.37	0.00	0.68	0.00	0.00	952,297,297.30	176,959,459.45	1,129,256,758.80
Curriculum	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
grand total	50.67	4,865.00	311,390,983.50	8,942,187,436.13	16,066,288,410.14	27,140,472,973.04	6,547,499,999.65	58,154,908,004.21	

The concept of community participation

The UBE Act put in place regulations to ensure the orderly development of basic education in Nigeria and ensure that all children of school age enroll into basic education, attend school and complete as appropriate, thus entrenching equal opportunities into the basic education sub-sector. The UBE Act also prescribed punishment for parents and or guardians who may fail to ensure that their children or wards enroll, attend and complete basic education. However, UBE has operated in Nigeria for sixteen years now, still On 7th August, 2013 Vanguard quoted UNESCO report that Nigeria has the highest number of out-of-school children in the world, which rose from 4.7 million in 2005 to 10.5 million in 2013. This was further confirmed by Premium Times of 18th August, 2015 quoting UNICEF that 40% of children aged 6-11 do not attend any primary school in Nigeria. Yet no parent or guardian has been prosecuted for not enrolling his or her ward or child in any school. It is estimated that about 80% of the primary schools are located in the rural areas. This means that traditional rulers have a big role to play in the implementation of UBE; moreso that in the past, according to Omoja (2000) [6], Schools are subsidized through additional funds contributed by communities to their local schools through Parent-Teacher Associations (PTAs), Schools' Councils, and Community-based Organizations. These funds are used for infrastructure construction, maintenance, and supply of basic equipment. Most communities are not clear with what roles they are expected to play in the implementation of UBE, thus there is a dire need for the Act to be reviewed so as to remove the encumbrances that currently impede the smooth implementation of the UBE programme, especially as it concerns funding and community participation. This is consistent with the finding of Amaechi (2016) [1], who conducted a study and it revealed that strategies adopted by communities to ensure the success of UBE implementation is below average in Nigeria. Also, the social sector client consultations, conducted by the World Bank in Nigeria in 2000, revealed the substantial contributions made by communities to their local schools through the PTA, school committees and community-based organizations (CBOs). So there is no gainsaying the fact that there is need for participatory funding and administration of basic education by its consumers, that is, parents, and communities, if effective implementation is envisaged in the present economic dispensation. The establishment and development of school-based management committees (SBMCs) is part of the key strategies of UBEC to get the community members participate in school governance. Essentially, a functional SBMC is expected to, amongst other things: (a) act as a bridge between the school, the host community and the government educational agencies towards school improvement; and (b) promote effective community links and participation in decision-making at the school level; but this has not be functional in many communities in the implementation of UBE in Nigeria, hence the need to review the Act.

The UBE Act (2004)

With the successful launch of the UBE programme in 1999, the major task that faced the federal government of Nigeria was to give it the required legal impetus. This came with the enactment of the Compulsory, Free, Universal Basic Education and Other Related Matters Act Number 8 of 2004 which is referred to as "UBE Act 2004". Thus, it took five

years to package the Act because of its importance, the need for all the major stakeholders to make their required input into the Act, and other political considerations. This Act has continued to guide the implementation of the UBE programme since its enactment. The lessons learnt from the ill-fated UPE programme were factored into the planning of the new programme, which is the reason it has subsisted till now. However, considering the economic realities on ground, government policies, and other issues, the Act is overdue for review. Take for instance the National Policy on Education which was published in 1977, revised in 1981, 1990, 1998, 2004, and 2013 respectively. This means that on the average, the policy is reviewed every six or seven years. The policy document has been revised to ensure that the policies address the perceived needs of the government in power and to try to ensure that the education sector is supportive of government development goals. In the case of the UBE Act, it has been in use now for twelve years without any review. Following recent economic down-turn in Nigeria, this paper is of the opinion that the federal government through the National Assembly should review the Universal Basic Education (UBE) Act of 2004 to reflect the following:

- a) Empower the federal government to deduct at source, States' counterpart funds for UBE implementation.
- b) Re-introduce some levies such as PTA or SBMC, Development levy, Handicraft levy, etc. as internally generated revenue to basic education.
- c) The cost of books and lunch should be transferred to parents, while schools will take care of instructional materials and government to take care of infrastructure, furniture and teachers' entitlements.
- d) Empower communities through the traditional rulers to prosecute any parent/guardian who fail to ensure that their ward or children enroll, attend and complete basic education.
- e) Allocate a percentage of the consolidated revenue fund for teachers' remunerations, as a strategy to attract and retain quality teachers at the basic education level.

Conclusion

The overall responsibility of the UBEC, SUBEB, and LGEA is to ensure quality within the system, to encourage and initiate innovations, and to ensure that the schools maintain minimum standards of acceptable educational practice. The public perception is that the quality of education offered is low and that standards have dropped. These perceptions are based on lack of adherence to acceptable educational practice. The learning environment does not promote effective learning. Basic facilities, teaching and learning resources are generally not available. Teacher-pupil ratios are high, no community ownership, etc. So they should initiate the move for the UBE Act to be reviewed so as to ensure adequate funding, community participation and effective implementation of basic education in a depressed economy like ours.

Recommendations

Based on the discussions, the following recommendations are made.

1. The federal government through Universal Basic Education Commission (UBEC) should as a matter of urgent public importance, engage the National Assembly to review the UBE Act of 2004, so that it can address the economic realities on ground.

2. In view of the fact that several States are owing teachers and cannot pay their counterpart funding for UBE, the Act should be amended to empower federal government to deduct it at source; with this development, there will be nothing like un-accessed UBE funds.
3. Certain percentage of the Consolidated Revenue Fund (CRF) should be allocated to teachers' remuneration at all levels; this has become necessary because the laudable objectives of UBE cannot be achieved without teachers.
4. Some levies such as PTA, Development and others should be re-introduced at the basic education level, while some financial responsibilities be transferred to parents and the school management; this is crucial if basic education must thrive amidst dwindling economy, instead of deceiving ourselves with free education syndrome.
5. Community leaders should be empowered to prosecute and bring to book any parent(s) who fail to enroll his or her ward into school.
6. Meaningful involvement of communities by means of awareness creation through print, social and electronic media should be emphasized by government at all levels to sensitize the public on their expected roles in the UBE implementation, especially in this period of economic recess.
7. Experts should calculate the private cost of education in Nigeria so that the federal, state and local governments can agree on how much of such cost could be subsidized by government, so we can face the realities instead of deceiving ourselves with free education that is not free.

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