

**Rapoport Center Human Rights
Working Paper Series**

4/2019

**Fostering the Inclusion of Disabled
Students in Higher Education in South
Africa: Some Reflections**

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RAPOPORT CENTER
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ISSN 2158-3161

Published in the United States of America
The Bernard and Audre Rapoport Center for Human Rights and Justice
at The University of Texas School of Law
727 E. Dean Keeton St.
Austin, TX 78705
<https://law.utexas.edu/humanrights/>

<https://law.utexas.edu/humanrights/project-type/working-paper-series/>

ABSTRACT

Higher education is an important step towards ensuring human development. This was understood by South Africans who included the right to education, and to *further* education, in their Constitution. Subsequently, the country has adopted various policies to ensure access to higher education for students with disabilities, and this was in line with the spirit of the Convention of the Rights of Persons with Disabilities to which South Africa is a party. Yet disabled students still face barriers to higher education. The article examines these barriers to inclusion for students with disabilities in higher education and proposes solutions to foster their inclusion. To this end, the article reviews legal and policy documents as well as the enforcement of such policies (or lack thereof). It also evaluates the appropriateness of support for students with disabilities in higher education by exploring the practice at various South African universities. It concludes that although policies and legislative measures are in place, it is essential to implement enforcement mechanisms to foster the inclusion of students with disability in higher education. In addition, adequate policy measures should be supplemented by appropriate institutional support structures. The latter should include establishing credible Disability Units and implementing universal learning design methods that comprise planning for accessibility of buildings, flexible curricula, training and awareness of academic and non-academic staff on disability issues.

Fostering the Inclusion of Disabled Students in Higher Education in South Africa: Some Reflections

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Summary

Higher education is an important step towards ensuring human development. This was understood by South Africans who included the right to education, and to *further* education, in their Constitution. Subsequently, the country has adopted various policies to ensure access to higher education for students with disabilities, and this was in line with the spirit of the Convention of the Rights of Persons with Disabilities to which South Africa is a party. Yet disabled students still face barriers to higher education. The article examines these barriers to inclusion for students with disabilities in higher education and proposes solutions to foster their inclusion. To this end, the article reviews legal and policy documents as well as the enforcement of such policies (or lack thereof). It also evaluates the appropriateness of support for students with disabilities in higher education by exploring the practice at various South African universities. It concludes that although policies and legislative measures are in place, it is essential to implement enforcement mechanisms to foster the inclusion of students with disability in higher education. In addition, adequate policy measures should be supplemented by appropriate institutional support structures. The latter should include establishing credible Disability Units and implementing universal learning design methods that comprise planning for accessibility of buildings, flexible curricula, training and awareness of academic and non-academic staff on disability issues.

1. Introduction

Higher education is essential to obtain good employment, earn higher income, social status, a better life and human dignity in general.¹ For persons with disabilities, higher education is considered to be a vehicle for improving the quality of life and addressing the “disabilisation” of poverty. Getting an education ensures that disability does not go hand in hand with poverty.² In this respect, broadening access of students with disabilities in higher education would increase their chances to improve their standards of living. Article 24 of the Convention on the Rights of Persons with Disabilities (CRPD)³ provides:

States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure *an inclusive education system at all levels and lifelong learning*.⁴

States Parties shall ensure that persons with disabilities are able to access *general tertiary education*, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.⁵

South Africa is party to the CRPD and its Optional Protocol⁶ and is therefore expected to enforce this mandate. Furthermore, prior to the adoption of the CRPD, and specifically after apartheid, the country adopted a constitution informed by the need to protect human dignity and equality. For the right to education, the Constitution provides:

Everyone has the right to basic education including adult basic education and *to further education* which the state through reasonable measures must make progressively available and accessible.⁷

To give effect to this provision, various policies were adopted to ensure the enrollment of students with disabilities in higher education. These policies include:

¹ Tsitsi Chataika, “Inclusion of Disabled Students in Higher Education in Zimbabwe,” in *Cross-Cultural Perspectives on Policy and Practice: Decolonizing Community Contexts*, eds. Jennifer Lavia and Michele Moore (New York: Routledge, 2010), 117.

² For more on disability and poverty see: Tanya Barron and Jabulani Manombe Ncube, eds., *Poverty and Disability* (London: Leonard Cheshire Foundation, 2010); Nora Groce et al., “Poverty and Disability: A Critical Review of the Literature in Low and Middle-Income Countries,” (June 2011).

³ Paul Wehman *Life Beyond the Classroom: Transition Strategies for Young People with Disabilities* (Baltimore: Paul H Brookes Publishing, 2006).

⁴ Convention on the Rights of Persons with Disabilities (CRPD), art 24 (1). My emphasis.

⁵ CRPD, art 24 (5). My emphasis

⁶ South Africa ratified the CRPD and its optional Protocol on 30 November 2007, see article 24.

⁷ 1996 Constitution, Act 108, sec 29 (1) (a)&(b). My emphasis.

- The Integrated National Disability Strategy (INDS),⁸
- The Education White Paper 3: Transformation of the Higher Education System,⁹
- The National Plan for Higher Education,¹⁰
- The Education White Paper 6: Special Needs Education,¹¹
- The 2012 Green Paper for Post-school Education,¹²
- The South African White Paper on post-school education and training,¹³ and the
- White Paper on the Rights of Persons with Disabilities adopted on 9 December 2015.

Yet, in spite of this normative arrangement, statistics indicates that at 22 of the 23 public universities, 5,807 students with disabilities were enrolled in higher education institutions in 2011, accounting for only 1 per cent of the total enrollment.¹⁴ This percentage shows that persons with disabilities still face barriers to higher education.¹⁵

The aim of this paper is to examine barriers to inclusion of students with disabilities in higher education and propose solutions to foster their inclusion. To this end, the article critically examines legal and policy documents as well as the state's practice. It also examines the appropriateness of support for students with disabilities in higher education by exploring the practice at various South African universities. Ultimately the article shows that although policies and legislative measures are in place, they need to be supplemented by practical adequate measures that will open the doors of higher education to students with disabilities.

The paper is divided into four parts, including this introduction. Without trying to be exhaustive, but to stimulate more research on the inclusion of students with disabilities in the post-secondary education, the second part examines legislative and policy deficiencies. The third part explores the adequacy of support for students with disabilities in higher education and the final part provides conclusions and recommendations.

⁸ Integrated National Disability Strategy, 1997, Office of the Deputy President.

⁹ Doe, 1997.

¹⁰ Ministry of Education (2001).

¹¹ Department of Education (DoE), July 2001.

¹² Department of Higher Education and Training (DHET), 2012.

¹³ DHET, 2013.

¹⁴ DHET, "White Paper for post-school education and training building an expanded, effective and integrated post-school system," as approved by Cabinet on 20 November 2013: 45.

¹⁵ DHET, "White Paper for post-school education and training building an expanded, effective and integrated post-school system," as approved by Cabinet on 20 November 2013.

2. Addressing legislative and policy deficiencies

To build an inclusive society and an inclusive tertiary education in particular, various legislative and policy measures listed above were adopted. This section assesses the adequacy of legislative and policy measures for the inclusion of students with disabilities in higher education.

2.1 Legislative and policy measures for the inclusion of students with disabilities in higher education from 1997-2001

This section probes the adequacy of 1997 INDS, the 1997 Education White Paper 3: Transformation of the Higher Education System, the 2001 National Plan for Higher Education and the 2001 White Paper 6 on Special Education: Building an Inclusive Education and Training System.

The INDS provides direction on education at all level of learning, including tertiary. It prohibits discrimination and marginalisation against students with disabilities across the board. Nevertheless, its focus on the higher education is extremely thin as it merely acknowledges that the “inclusion of students with disabilities in [higher education] has not been clearly defined or researched.”¹⁶ Besides acknowledging that as many as 70% of students with disabilities at school-going age were outside of the general education and training system,¹⁷ the INDS failed to focus on the exclusion of disabled students in the higher education sector. One way of addressing the question could have been to remedy the exclusion of black disabled students as regulated under apartheid.¹⁸ These students were included in the concept of “non-traditional students,”¹⁹ who were perceived as “uneducable” from their childhood and therefore were not given the opportunity to go to primary schools, nor secondary schools and universities thereafter.²⁰ As the early legislation addressing disability rights, the INDS was supposed to set the tone in transforming the society into one where everyone is equal, with equal access to all levels of education. Unfortunately, it failed to do so.

¹⁶ Integrated National Disability Strategy, Office of the Deputy President 1997, 41.

¹⁷ Integrated National Disability Strategy, 1997, Office of the Deputy President.

¹⁸ Colleen Howell, “Disabled Students in South Africa,” in *Disability and Social Change: a South African Agenda*, eds. Brian Watermeyer et al. (Cape Town: Human Sciences Research Council, 2006).

¹⁹ DoE, 2001a: 28; Howell, “Disabled Students,” 164.

²⁰ Howell, “Disabled Students.”

In an attempt to close the gap, the Education White Paper 3: Transformation of the Higher Education System,²¹ aiming to tackle unfair discrimination in admission to higher education, was adopted. This piece of legislation is important for outlining mechanisms to ensure that students with disabilities access the “system as a whole and individual institutions.” One of the goals of the reforms is to build a higher education system that promote[s] equity of access and fair chances of success to all who are seeking to realise their potential through higher education, while eradicating all forms of unfair discrimination and advancing redress for past inequalities.²² Nevertheless, in this document, the concept of transformation is generic and disabled students are specified sparingly under the prohibition of discrimination on various grounds, including disabilities and the need to increase access for disabled students.

In an effort to close the gap left by the INDS, the National Plan for Higher Education²³ acknowledges the plight of disabled students who have been historically excluded by the apartheid higher education system, and it aims to repair the injustices of the past. Nevertheless, this document also refers to disabled students very sparingly. As observed by Matshedisho, “the document [contains] only thirteen lines on equity for disabled students in higher education.”²⁴ Perhaps more importantly, it cautions against enrolling students who “do not have the potential to pursue further their study” and against “retain[ing] students who have no chance of success.”²⁵ This sort of warning is a deterrent for the admission of students with disabilities into tertiary education. The situation was compounded by the lack of leadership from the Ministry of Education. Instead of providing a general direction on the insertion of disabled students into tertiary education, the ministry requested higher education institutions in each region to develop regional strategies for providing access to students with disabilities.²⁶ This encouraged a piecemeal approach to legislations, guidelines and strategy for inclusive education initiatives. The National plan of Action could have provided a clear strategy for all institutions of higher learning to inform methods and approaches for inclusion of students with disabilities.

The other piece of legislation of interest is the White Paper 6 on Special Education: Building an Inclusive Education and Training System.²⁷ It focuses more on the education of students with disability at the level of basic education. Nevertheless, the lawmakers should be

²¹ DoE, 1997.

²² DoE (1997): 14.

²³ DoE (2001).

²⁴ K.R. Matshedisho, “The Challenge of Real Rights for Disabled Students in South Africa,” *South African Journal of Higher Education* 21, no. 4 (2007): 708.

²⁵ DoE (2001): 26.

²⁶ Ministry of Education 2001, 41; Matshedisho, “The Challenge of Real Rights,” 708.

²⁷ DoE, July 2001.

commended for attempting to include children with disabilities in basic education as this level is where education begins; basic education is the bridge without which no one reaches the university. However, when referring to tertiary education, White Paper 6 states:

The National Plan for Higher Education . . . commits our higher education institutions to increasing the access of students with special education needs. The Ministry therefore expects institutions to indicate in their institutional plans the strategies and steps, with the relevant time frames, they intend taking to increase enrollment of these students.²⁸

Yet, the law only urged institutions to provide access for *physically* disabled students. This reduced the law's applicability to students with physical disabilities, at the exclusion of other disabilities. There would not be resources for blind and deaf students.²⁹

In sum, an examination of the legislative and policy arrangements for the inclusion of students with disabilities in tertiary education from 1997 to 2001 shows that these policies were generally not adequate and focused very little on the higher education sector. The piecemeal aspect of these measures and an absence of strong leadership in relevant departments did not ease the integration of disabled students into tertiary education. These shortcomings kept students with disabilities away from universities. The Foundation of Tertiary Institutions of the Northern Metropolis (FOTIM) that handled a Disability in Higher Education Project in South Africa³⁰ observes:

Traditionally limited attention has been placed on addressing issues of access, retention, progression, and participation of students with disabilities within the South African tertiary environment. This is notwithstanding the fact that students with disabilities have been identified in various governmental policy documents as being historically disadvantaged and deserving of special attention.³¹

2.2 Legislative and policy measures for the inclusion of students with disabilities in higher education from 2012 to present

In 2012, the Department of Higher Education and Training (DHET), through the Green Paper for Post-school Education and Training, pledged to work,

[T]owards developing a National Disability Policy and Strategic Framework which will seek to create an enabling and empowering environment across the system for staff and students with disabilities.

²⁸ Matshediso, "The Challenge of Real Rights"; DoE (2001): 31.

²⁹ DoE (2001): 31.

³⁰ From 2009 until 2011. Through this project, Foundation of Tertiary Institutions of the Northern Metropolis (FOTIM) released data from 15 Disability Units at 23 Higher Education Institutions in the country.

³¹ FOTIM, "Disability in Higher Education," project report (2011): 10.

Institutions may then customise the policy in line with their institutional plans as the policy will act as a benchmark for good practice.³²

This approach is likely to harmonise and institutionalise mechanisms for an efficient inclusion of students with disabilities. The Green Paper for Post-school Education and Training provides some hope for students with disabilities’ access at universities. It recognizes the historical exclusion of disabled students and proposes to redress structural barriers to their inclusion. It stipulates that Disability Units (DUs) should be well equipped and capacitated to provide adequate support to students with disabilities. Similarly, the curriculum will be revised, teachers and academics trained, to meet the needs of students with disabilities. Although the DEHT should be commended for its commitment, it should not assist students with disabilities with mere subsidies which are simply voluntary,³³ and not compulsory. There is a need “to develop a clear funding model”³⁴ if the integration of students with disabilities in higher education is to be sustainable. For a systemic change, sustainable funding is essential to equip all universities with viable DUs and undertake permanent measures for disability mainstreaming.

Following the Green Paper for Post-school Education and Training, the DHET reiterated its commitment to inclusive higher education via its White Paper on Post-school Education and Training. The latter emphasises the significance of “including support staff, management and lecturers in the process of disability inclusion, thus pointing to a systemic approach to inclusion.”³⁵ More importantly, the DHET commits to:

[B]uild its own internal capacity to support a new approach to addressing disability within post-school institutions, including information management, conducting research into disability in the

³² The Green Paper Green Paper for Post-school Education, 2012; the Baseline Country Report to the United Nations on the Implementation of the Convention on the Rights of Persons with Disabilities in South Africa, para 255.

³³ Charles Ngewena and Loot Pretorius “Substantive Equality for Disabled Learners in State Provision of Basic Education: a Commentary on *Western Cape Forum for Intellectual Disability v Government of the Republic of South Africa*,” *South African Journal on Human Rights* 28, no. 1 (2012): 99.

³⁴ Higher Education South Africa (HESA), “Response of HESA to the Green Paper for Post-School Education and Training,” http://www.usaf.ac.za/wp-content/uploads/2017/08/2012_HESA_Response-to-Green-Paper-for-PSET.pdf (accessed 18 July 2019).

³⁵ M. Lyner-Cleophas et al., “Increasing Access into Higher Education: Insights from the 2011 African Network on Evidence-to-Action on Disability Symposium – Education Commission,” *African Journal of Disability* 3, no. 2 (2014): 1.

post-school sector, policy development and support, and providing the necessary resources to institutions to enable transformation in this area.³⁶

This is a positive development which is likely to lead to better monitoring and evaluation of what institutions of higher learning are doing to ensure access for students with disabilities. Nevertheless, the most important development was the adoption of the White Paper on the Rights of Persons with Disabilities adopted on 9 December 2015 by the Cabinet. Without being the crystal ball to solve all disability rights problems it provides guidelines and directives to secure “Life-long Education and Training” for persons with disabilities.³⁷ To this end, the directives include the provision of “accessible education facilities, education support and reasonable accommodation at all institutions of learning,” as well as the integration of “disability rights awareness in the curriculum and training programmes as well universal access and design.”³⁸ While this policy provides some hope, much more needs to be done for its implementation, and failure to do so will further exclude students with disabilities from higher education.

Overall, the path towards transforming South African society goes through an equitable higher education system that opens its doors to all, especially to students with disabilities. For this to happen, it is imperative to address the inadequacy of support for students with disabilities in higher education.

3. Addressing the inadequacy of support for students with disabilities in higher education: the social model approach

It is crucial to start from the premise that disability is essentially located in the environment as “social restrictions and constraints imposed on persons with impairments in their pursuit of full and equal participation.”³⁹ In other words, a person using crutches or braille becomes disabled when s/he cannot access a building because of stairs or cannot read books which are not brailled. Ensuring that the society and its higher education institutions adjust to meet the needs of students with disability is the social model which stands in opposition to the medical model which find the problem in the person and not in the environment.⁴⁰

³⁶ DHET (2013) xv.

³⁷ White Paper on the Rights of Persons with Disabilities, adopted on 9 December 2015; see paragraphs 6.4.1.2.

³⁸ See paragraphs 6.4.1.2 and 6.1.1.5.

³⁹ S.F.M. Crous, “The Academic Support Needs of Students with Impairments at Three Higher Education Institutions,” *South African Journal of Higher Education* 18, no 1 (2004): 230.

⁴⁰ Simon Brisenden, “Independent Living and the Medical Model of Disability,” *Disability, Handicap & Society* 1, no. 2 (1986): 173; Romel W. Mackelprang and Richard O.

According to the medical model, disability is simply the outcome of physiological impairment caused by illness.⁴¹

In line with the CRPD, this paper subscribes to the social model, rather than the medical model, in seeking ways to get more students with disabilities into postsecondary education. Therefore, to break environmental barriers, this section examines the adequacy of services and support afforded to students with disabilities who arrive at universities. Without the pretention to be exhaustive, the focus of this section will be on Disability Units and the responsiveness of the curriculum identified as the cornerstones for disabled students' access to our universities.⁴²

3.1 Establishing a responsive Disability Unit in tertiary institutions

The Disability Unit (DU) can be defined as a unit established at the universities to make sure that students with disabilities acquire the necessary "accommodations and support they need in order to fully participate in the teaching and learning processes."⁴³ According to the Department of Education, setting up DUs aims to support the equal participation of students with disabilities in all aspect of university life and to eradicate unlawful disability discrimination, including disability-based persecution.⁴⁴ Acknowledging the importance of the DUs, the first point of entry for students with disabilities,⁴⁵ many South African universities have established such units, which offer various reasonable accommodation measures for needy students.⁴⁶

Salsgiver, *Disability: A Diversity Model Approach in Human Service Practice* (New York: Oxford University Press, 2014).

⁴¹ *Ibid.*

⁴² Crous, "The Academic Support Needs of Students with Impairments."

⁴³ Sithabile Ntombela and Roshanthni Soobrayen, "Access Challenges for Students with Disabilities at the University of KwaZulu-Natal: A Situational Analysis of the Edgewood Campus," *Journal of Social Science* 27, no. 2 (2013): 150.

⁴⁴ DoE, 2005.

⁴⁵ A. Naidoo, "Students with Disabilities' Perceptions and Experiences of the Disability Unit at the University of KwaZulu-Natal: Howard College Campus," (2010) Unpublished Thesis, Pietermaritzburg: Faculty of Humanities, Development, and Social Sciences, University of KwaZulu-Natal.

⁴⁶ A.K. Tugli et al., "Perceived challenges of serving students with disabilities in a historically disadvantaged tertiary institution, South Africa," *African Journal for Physical, Health Education, Recreation and Dance* (2013): 347, 348.

However, the DUs exist only in eleven higher education institutions out twenty three in the country.⁴⁷ This is simply not enough for a country where the right to equality and dignity for all is provided for by the Constitution,⁴⁸ and where everyone has the right to education and to “further education.”⁴⁹ Furthermore, in some institutions where DUs exist, the majority of students (65,4%) are oblivious to their university’s policy concerning students with impairments.⁵⁰ Most students (84,1%) are unaware of the presence of a DU on the campus.⁵¹ This raises the question of disability awareness on campus. The setting up of DUs should be followed by a campaign to educate the academic community, through posters, brochures, and other media, on the work that the Unit does. This should be the first step towards the accommodation of students with disabilities in the institution.

The other problem facing DUs is staffing. Some DUs are understaffed, with one officer having to do the work of a full team that should be made of people with different types of expertise.⁵² In a study at the University of Kwazuku Natal, Ntombela and Soobrayen observe:

The Disability Support Officer manages the administrative component, the reformatting program, advocacy, counselling and support, support programs for teaching practice, collaboration with internal and external stakeholders, student funding and other functions of this office. The office relies solely on student assistants to reformat notes yet this is a labour intensive program.⁵³

In another study at the same university, Naidoo discovered that insufficient human and financial resources and uneven ratio of staff to students was prejudicial to the success of students with disabilities.⁵⁴ This situation is not unique to the University of Kwazulu Natal. Similar findings were made at the University of Venda, where personnel at the DU were “overworked as a result of inadequate resources, shortage of staff and poor support systems.”⁵⁵ The situation is worsened by the fact that, in general, the personnel of the DUs do not have job security as they are contract workers.⁵⁶ This can demotivate them and lead to their exit for greener pastures, or for permanent employment in a different field or organisation. Given that the DUs need a specific type of expertise and that such personnel must be trained, not securing permanent positions for these employees is problematic for

⁴⁷ “The Baseline Country Report,” para 256.

⁴⁸ Sec 9 and 10.

⁴⁹ 1996 Constitution, sec 29.

⁵⁰ Crous, “The Academic Support Needs of Students with Impairments,” 238.

⁵¹ *Ibid.*

⁵² Ntombela and Soobrayen, “Access Challenges for Students with Disabilities,” 152.

⁵³ *Ibid.*

⁵⁴ Naidoo, “Students with Disabilities’ Perceptions and Experiences.”

⁵⁵ A.K. Tugli et al., “Perceived Challenges of Serving Students with Disabilities,” 346.

⁵⁶ Ntombela and Soobrayen, “Access Challenges for Students with Disabilities,” 152.

the existence of the Units. Therefore, to be efficient and sustainable, the DUs must ensure that they are staffed with qualified permanent employees who are well paid and motivated to do their work.

One of the questions related to the DUs is whether a unit could be part of a Student Service Bureau or it could function autonomously in order to be more efficient. On the one hand, incorporating the Unit into the general student services may lead to its invisibility and to its being hindered by bureaucracy, which creates unnecessary backlogs that keep it away from the university top management. On the other hand, isolating the Unit may lead to further discrimination of students with disabilities as it could be perceived as the office of “the disabled” and not be the concern of non-disabled students and staff, which is not recommended.

Nevertheless, the independence of the Unit could lead to better planning in terms of budgetary provisions, appointments of qualified staff and better services for the needy students.⁵⁷ This was confirmed by FOTIM that found that the incorporation of the DUs in other university services was not good for the efficiency of the units.⁵⁸ Therefore, it called for the independence of the DUs as to enable them to develop relevant programmes, nurture better campus-wide communication and collaborate with other departments and systems that students relate with, considering the cross-cutting nature of disability.⁵⁹ In the same perspective, independent DUs with a direct line to the university top management would limit the backlogs, permit the involvement of “academics at a higher level of negotiation for necessary resources and awareness, which could help to effect meaningful inclusion of students in the various faculties.”⁶⁰

Yet, it could be argued that the autonomy or the incorporation of a Unit into general services for students does not provide the key for its success, but instead introduces the concepts underpinning its work. The latter should be informed by the social model of disability, it should be equipped with motivated experts, adequate equipment commensurate with various types of disabilities and an adequate budget to provide needed services. Whether the DU is independent or not, the Department of Higher Education and Training should find the necessary funding to enable the universities through the units to acquire assistive devices and expertise (including education psychologists)⁶¹ needed to accommodate students and personnel with disabilities.

⁵⁷ “Disability in Higher Education.”

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*; Lyner-Cleophas et al., “Increasing Access into Higher Education,” 2.

⁶⁰ *Ibid.*

⁶¹ Lyner-Cleophas et al., “Increasing Access into Higher Education,” 3.

3.2 Ensuring curriculum responsiveness

A responsive curriculum aims to make sure that students with disabilities receive all the essential support needed to obtain the skills, knowledge and competencies required.⁶² This suggests that the inclusion of students with disability entails a flexible curriculum which will not only enable the entire class to learn, but will also be appropriate for students with disabilities. In this perspective, universities should ensure the inclusion of students with disabilities by incorporating notions of universal learning design into faculty instruction and curricula. According to the CRPD:

“Universal design” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.⁶³

In other words, universal learning design is a multifaceted mechanism of teaching and learning that enables all students to participate and benefit from education. According to FITOM, the universal design “is an educational approach for instructing all students through developing flexible classroom materials, using various technology tools, varying the delivery of information and/or adapting assessment methodologies.”⁶⁴ In this context, flexibility is the rule. Thus, alternative test arrangements, prolonged time for examination or the use of assistive devices commensurate with students’ impairments⁶⁵ would assist for an effective inclusion of students with disabilities.

However, some universities simply have a curriculum which does not accommodate the needs of students with disabilities. Research shows that the exclusion of disabled students from most South African universities is related to lack of reasonable accommodation. Accommodation entails adjusting the environments, practices and tools to meet the need of all, including those of persons with disabilities, in a setting characterised by diversity.⁶⁶ In this respect, reasonable accommodation measures request that recommended books, study guides, examination papers and even calendars and registration forms are in

⁶² A.K. Tugli et al., “Perceived Challenges of Serving Students with Disabilities.”

⁶³ CRPD, art 2.

⁶⁴ FOTIM, “Disability in Higher Education,” 13, 14.

⁶⁵ D. Quick et al., “Opening doors for students with disabilities on community college campuses: What have we learned? What do we still need to know?” *Community College Journal of Research and Practice* (2003).

⁶⁶ See CRPD, art 2; LV Martel, “Reasonable accommodation: The new concept from an inclusive constitutional perspective,” *Sur International Journal on Human Rights* (2011): 88.

accessible formats for all students, including those with disabilities.⁶⁷ Tugli *et al* are of the view that “critical and wider issues pertain to the curriculum, teaching, learning, assessment, progression and social integration as well as the trauma of coping and managing their various disabilities.”⁶⁸ Such issues are significant in excluding students with disabilities from our Universities. This led FOTIM to urge the DUs to:

[M]ove beyond the built environment, technology and assistive devices to interrogate the learning and teaching methodologies at their institutions. More awareness must be created with faculty staff about disability issues and how to respond appropriately to the needs of students, and the imperative to incorporate concepts of universal design into faculty instruction and curricula that ultimately benefit ALL students in their learning process.⁶⁹

In a similar vein, Morley and Croft claim that “[i]t is often a lack of planning to make buildings and curricula accessible, and a lack of academic and non-academic support that creates barriers for disabled students’ retention and achievement.”⁷⁰

The curriculum developers should be mindful of the presence of students with disabilities who have the same right to education as their non-disabled counterparts. They should therefore ensure that their work accommodates students who have different abilities and that they are able to meet diverse needs in a classroom. This entails, for example, ensuring that learning and assessment material are available in various formats as to leave no students behind. Moreover, curriculum designers should allow students with disabilities to specify their preferred format for examination. They should be given a choice between oral and written examination, for example.⁷¹

Another potentially exclusionary factor is the capacity of teachers to attend to or to accommodate students with disabilities and their level of awareness regarding disability issues.⁷² In this regard, statistics⁷³ are disquieting. In South Africa, there are 781 educators with basic Braille comprehension, but without any qualifications; 89 educators tasked to teach visually impaired students do not have any knowledge of Braille at all; 985 educators are teaching deaf students basic South African Sign Language but do not have any

⁶⁷ Crous, “The Academic Support Needs of Students with Impairments,” 244.

⁶⁸ Tugli et al., “Perceived Challenges of Serving Students with Disabilities,” 347.

⁶⁹ FITOM, “Disability in Higher Education,” project 14.

⁷⁰ L. Morley and A. Croft, “Agency and Advocacy: disabled students in higher education in Ghana and Tanzania,” *Research in Comparative and International Education* 6, no. 4 (2011), 385.

⁷¹ Crous, “The Academic Support Needs of Students with Impairments,” 244.

⁷² Ntombela and Soobrayen, “Access Challenges for Students with Disabilities,” 151.

⁷³ Statistics South Africa Census, “Profile of persons with disabilities in South Africa,” (2011), 108.

qualifications; 266 educators (21%) teaching deaf students have no knowledge of South African Sign Language at all. Ntombela and Soobrayen observe:

The persistence of exclusionary practices and attitudes is exacerbated by the fact that most university tutors have no expertise to work with students who have disabilities and that not all of them hold positive attitudes towards inclusion generally, a condition that affects their ability to provide support for all students.⁷⁴

In the same perspective, while conducting a study in an undergraduate Civil Engineering program in South Africa, Mayat and Amosun argue that the insufficient interactions between students with disabilities and academic staff reduces the capacity of the staff to accommodate students with disabilities, even when they are willing to accommodate the needy students.⁷⁵ Although there were reports that a curriculum for South African Sign Language is currently being drafted for higher education,⁷⁶ training should be systematic and extended beyond Free State University, the University of the Witwatersrand and University of South Africa, which are the only sites for such trainings.⁷⁷

Furthermore, attitudinal barriers from teachers, staff and other students compel some disabled students to hide their disability for fear of marginalization and victimisation. A survey of three higher education institutions in South Africa discovered that only 0.4% of the students' population reported having any form of disability compared to almost 10% or more in the more developed countries such as the USA, UK and Germany.⁷⁸ This is an illustration of the amount of pressure students with disabilities have to go through in our tertiary institutions. As a result of such pressure, these students struggle in class and are unable to learn as "they feel pushed to the margins and disempowered."⁷⁹

Ensuring the responsiveness of a curriculum goes beyond designing disability friendly course material, providing necessary assisting devices and training academic staff to handle a diverse classroom, with specific attention to disabled students. It includes the training of academic staff on implementing universal learning design in faculty instruction and curricula development.⁸⁰ Key performance agreements should include the ability to implement the concepts of universal learning design. Ntombela and Soobrayen write:

⁷⁴ Ntombela and Soobrayen, "Access Challenges for Students with Disabilities," 151.

⁷⁵ N. Mayat and S.L. Amosun, "Perceptions of academic staff towards accommodating students with disabilities in a Civil Engineering Undergraduate Program in a University in South Africa," *Journal of Postsecondary Education and Disability* 24 (2011): 53.

⁷⁶ "The Baseline Country Report," para 241.

⁷⁷ *Ibid.*

⁷⁸ Crous, "The Academic Support Needs of Students with Impairments," 244.

⁷⁹ Ntombela and Soobrayen, "Access Challenges for Students with Disabilities," 151.

⁸⁰ FOTIM, "Disability in Higher Education," project 14.

The quality of students' experiences of teaching and learning depends largely on how aware, able and willing staff is to support all students. This speaks to the need for [higher education] institutions to provide on-going staff development and support programs across the board.⁸¹

In sum the lack of infrastructure, negative attitudes from others, lack of appropriate services and programmes for students with disabilities all lead one to believe that the needs of these students in higher education are yet to be understood. In this context, the DHET needs to work extra hard to address the deficiency of curriculum flexibility and inclusive education practices across the tertiary education sector in the country. In this regard, under the leadership the DHET, institutions of higher learning should always be proactive in setting up support structures and mechanisms for the accommodation of students with disabilities before they are even admitted to the institutions.

4. Conclusion and recommendations

The aim of this paper was to examine barriers to inclusion for students with disabilities in higher education and to explore solutions to foster their inclusion. Firstly, the paper found that although early legislative and policy measures dealing with education recognized the plight of students with disabilities in tertiary education, these measures did not address the inclusion of these students adequately. They often focused on basic education, used discriminatory terms when referring to students with disabilities, and shifted responsibility in terms of who should provide leadership. Nevertheless, this paper also found that 2012 and 2015 policies on disabilities in the higher education provide new hope for efforts to ensure the inclusion of students with disabilities in tertiary education.

Nonetheless, to remedy the inadequacy of policy and legislative initiatives related to the inclusion of disabled children in the education in general, it is essential to implement the 2015 White Paper on the Rights of Persons with Disabilities with a focus on reasonable accommodation and universal access design, amongst other measures.

Secondly, this paper found that the inadequacy of support offered to students with disabilities in institutions of higher learning perpetuates the exclusion of these students. In this respect, ill equipped and understaffed DUs, inflexible curricula, and an absence of staff-training and disability awareness are problematic.

In terms of remedies, it is an imperative to equip, capacitate and fund DUs, as well as ensure that their work is social model oriented. Similarly, there is a need to implement a universal learning design that encompasses planning for the accessibility of buildings,

⁸¹ Ntombela and Soobrayen, "Access Challenges for Students with Disabilities," 155.

flexible curricula, and training for academic and non-academic staff on disability issues. Only then, will the doors of higher education be opened to students with disabilities.

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