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A CRITICAL REVIEW OF SOUTH AFRICA'S NATIONAL DISABILITY POLICY: ARE HIGHER EDUCATION INSTITUTIONS MEETING THE MANDATE?

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Abstract

The South African government introduced the Disability Policy in 2015 to support the inclusion and rights of differently abled students in higher education. Despite these efforts, differently abled students continue to encounter significant barriers in higher education, calling into question the effectiveness of current policy implementation. This study examines the implementation of the Disability Policy at selected institutions in the Raymond Mhlaba Municipality, Eastern Cape, to evaluate if the mandate is being fulfilled. Using a qualitative approach, fifteen differently abled students and five staff members from Disability and Student Counselling Units were selected through purposive sampling. Semi-structured interviews provided in-depth insights into the challenges and successes of policy implementation. Data was thematically analyzed, revealing persistent barriers such as inadequate staff training, insufficient resources, and a lack of clear guidelines within the policy. Additionally, some students hesitated to access support due to low awareness or stigma associated with disclosure. The findings underscore the need for comprehensive improvements, including policy reviews, increased budget allocations, and enhanced training for institutional staff on disability policy and inclusivity practices. The study advocates for a proactive, collaborative approach to ensure effective policy implementation, ultimately guiding policymakers on bridging the gap between policy and practice in South African higher education.

Keywords: Differently Abled Students, Higher Education Institutions, National Disability Policy Of South Africa, Disability Unit and Student Counselling Unit

1. Introduction

Globally, differently abled students (DASs) encounter difficulties accessing Higher Education. Even if they manage to enroll, they face various barriers that hinder their academic success (Desalegn *et al.* 2023). These barriers include negative attitudes, inadequacies in educational curricula, physical obstacles, insufficient support, and unequal allocation and distribution of resources (Mutanga, 2017). Consequently, these barriers are causing DASs to drop out of school,

and some need help to complete their studies. As per the 2021 data from South Africa Statistics, the leading causes for absence were categorized as follows: health issues and disabilities accounted for 22.7%, academic performance stood at 21.2%, and the inability to afford fees constituted 19.6%. These statistics demonstrate that disability is the leading cause of school dropout rates in South Africa, representing the highest percentage (Mutanga, 2017). Desalegn, *et al.* (2023) added that there are between ninety-three million and hundred and fifty million children worldwide living with disabilities. In certain countries, having a disability more than doubles the likelihood of never being able to attend school.

Many countries have recognized the difficulties differently abled students (DASs) face, prompting them to endorse and adhere to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and incorporate its provisions into their national disability policies. South Africa, for example, ratified the UNCRPD in November 2007 and established its National Disability Rights Policy in 2015, which aims to safeguard the rights of persons with disabilities (Fernandez *et al.* 2017). The policy promotes the inclusion, participation, and empowerment of individuals with disabilities across all sectors, including education (National Disability Policy of South Africa, 2015). Higher education institutions (HEIs) play a crucial role in realizing the goals of this policy, as they are tasked with creating accessible, inclusive environments that foster the academic and social success of SWDs (Zongozzi, 2022).

Roets *et al.* (2019) added that adopting the National Disability Policy in South Africa was necessary because traditional human rights instruments had previously provided limited safeguarding for people with disabilities, resulting in the devaluation of their rights. In other words, due to the frequent violation of their fundamental rights, individuals with disabilities require enhanced protection and acknowledgment, which the National Disability Policy seeks to provide. According to Murungi (2015), during apartheid in South Africa, differently abled students (DASs) were not included in the education system. However, after 1994, the South African government developed policies to promote inclusive education and reduce the gap between DASs and abled students. This demonstrates a commitment to achieving equality for people with disabilities, which is also evident in their progressive constitution 1994 (Murungi, 2015).

Despite progressive legislative frameworks, the lived experiences of differently abled students (DASs) often reflect significant challenges. Therefore, questions arise about whether higher education institutions are effectively meeting the mandates of the National Disability Policy of South Africa. Oliver (2018) indicated that the National Disability Policy has instilled hope by reducing the enrolment gaps of DASs in higher education. On the other hand, Pather (2019) holds a contrasting perspective, asserting that despite adopting the National Disability Policy, progress in promoting the rights of DASs in South Africa has been slow. According to Pather (2019), DASs face challenges, indicating that the policy needs to address their needs effectively. This highlights the significant disparity between formulating a written policy, implementing it in practice, and ensuring its enforcement. Evans *et al.* (2017) proposed alternative approaches to the challenges encountered. The authors recommended that the government establish and enforce a comprehensive legal structure to protect these students' rights in higher education.

The critical contribution of this paper is to address the existing policy-to-practice gap in implementing the National Disability Policy within South African Higher Education Institutions. This paper's primary contribution is to address the gap between policy and practice in implementing the National Disability Policy within South African Higher Education Institutions. Only some studies in South Africa have focused on inclusive policies and those that often concentrate on general policy objectives without assessing the effectiveness of these policies or examining institutional accountability. For instance, Ndlovu and Woldgiorgis (2023) recently pointed out that students with disabilities were excluded from the disability policy review at a South African institution. However, they should have delved into the effectiveness of the policy or its implementation. Unlike previous research, this study bridges a significant gap by closely evaluating how policies are executed at selected institutions and offers guidelines for effectively implementing the disability policy within higher education institutions. The study aimed to identify gaps between policy intent and practical outcomes, assessing institutional accountability and the lived experiences of DASs.

The paper is structured as follows: Section 2 addresses the challenges encountered by differently abled students in South African higher education. Section 3 examines the implementation of inclusive policies on a global scale. Section 3 also outlines the methodology, covering the research approach, sampling techniques, data collection and analysis methods, and ethical considerations. Section 4 presents the study's findings, and Section 5 concludes with a discussion of these findings, followed by conclusions and recommendations.

2. Challenges faced by differently abled students in South African Higher Education

Differently abled students (DASs) in South African higher learning institutions face numerous difficulties. Franklin *et al.* (2018) further stated that barriers that students with impairments experience include stigmatization, discrimination, physical barriers, information barriers, communication barriers, and attitudinal barriers. These barriers may also prevent DASs from interacting fully with their abled peers. The authors concluded that this could lead to DASs receiving sub-standard education or even being denied access to education.

Infrastructural barriers emerge as a notable difficulty encountered by differently abled students (DASs), as highlighted by Tugli *et al.* (2013). Their findings revealed that DASs confront obstacles to facilities, support materials, and physical entry within the university setting. The physical environment constitutes a significant hindrance to effective learning. Also, stigma poses an additional hurdle for students with impairments in higher education settings. A study by Dreyer *et al.* (2020) investigated the experiences of students with specific learning disabilities (SLDs) at a particular university, revealing that negative self-perceptions, coupled with lecturers' reluctance to acknowledge and support SLD students through inclusive practices, were prevalent challenges. Consequently, students often face stigmatization due to their disabilities, leading many to hesitate to disclose their learning challenges to lecturers (Dreyer *et al.* 2020).

Additionally, attitudinal barriers pose challenges for differently abled students (DASs) in institutions of higher learning, according to De (2015). These barriers, defined as biased ways of thinking or feeling that limit the independence of individuals with disabilities, were explored in a study by Mutanga and Walker (2017) at selected South African universities. The researchers interviewed lecturers from both institutions to understand how socio-cultural backgrounds influenced their perceptions of disability and their role in the academic lives of DASs. The authors further mentioned that some lecturers reported difficulties in assisting students who did not disclose their disabilities, as symptoms often overlapped with challenges faced by abled students. The study concluded that lecturers should try to understand why DASs might keep their status private. It recommended measures to differentiate between challenges faced by DASs and those faced by abled students in the classroom (Mutanga, 2017).

Again, service providers, encompassing faculty, staff, and personnel from institutional disability units, among others, lack a sufficient grasp of the needs of differently abled students (DASs). According to Gilmour (2018), service providers, including faculty and staff, may need adequate training to comprehend and address the unique needs of DASs. This lack of awareness can result in the formation of misconceptions and stereotypes about disabilities, hindering the ability to understand the distinctive challenges faced by the students. Van Puymbrouck *et al.* (2020) further proposed that to tackle challenges faced by DASs and enhance their understanding, institutions of higher learning should invest in disability awareness and sensitivity training for all service providers. Collaborative initiatives involving faculty, staff, disability service offices, and students can foster a more supportive and understanding environments for all learners (Van Puymbrouck *et al.* 2020).

3. Implementation of inclusive policies in higher education worldwide

Implementing inclusive policies in higher education institutions (HEIs) in South Africa aims to create an inclusive and accessible environment for differently abled students (DASs) and marginalized groups. McKinney and Swartz (2022) stated that there has been a rise in the number of DASs in higher education (HE) since the mid-1990s. This increase is attributed to heightened competition among institutions, greater legislative accountability mandating disability-specific

laws to protect the rights of DASs, and increased enforcement of policies and regulations to monitor such provisions. Notably, Article 26 of the Universal Declaration of Human Rights emphasizes everyone's right to education, advocating for equal accessibility to higher education (McKinney and Swartz, 2022).

Additionally, Murray *et al.* (2020) highlighted the inclusion of a dedicated chapter on the right to education for individuals with disabilities in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), particularly in Article 24. This article asserts the right of differently abled students (DASs) to access higher education (HE) and calls for the provision of reasonable accommodation (Murray, *et al.* 2020). Chaney (2022) further stated that nations have acknowledged the challenges confronted by DASs, leading them to support and comply with the UNCRPD and integrate its principles into their national disability policies. The author noted that over two-thirds of African states have formally accepted the UNCRPD. South Africa is among the countries that have ratified the UNCRPD. As Fernandez *et al.* (2017) stated, South Africa ratified the UNCRPD in November 2007 and embraced its National Disability Policy in 2015.

Additionally, Hussey *et al.* (2017) further stated that by ratifying the UNCRPD, South Africa committed to adopting all necessary legislative, administrative, and other measures to enforce the rights of individuals with disabilities as outlined in the Convention. This includes modifying or abolishing existing laws, regulations, customs, and practices that hinder persons with disabilities from exercising their rights on an equal footing (Hussey *et al.* 2017).

"The vision of South Africa's National Disability Policy is aligned with Vision 2030 of the National Development Plan (NDP). It focuses on eliminating poverty and reducing inequality by 2030, uniting South Africans, unleashing the energies of its citizens, growing an inclusive economy, building capabilities, enhancing the capability of the state, with leaders working together to solve complex problems" (South Africa National Disability Rights Policy (NDRP) 2015:36). Also, "the main target of the National Disability framework are duty bearers, including overnight institutions, government institutions, the judiciary, the private sector, the media, policymaker, public servants, frontline staff, as well as representative organizations of persons with disabilities (PWDs) and non-governmental organizations (NGOs). The main beneficiaries of the successful implementation of the NDRP will be the persons with disabilities" (National Disability Rights Policy 2015:37). Mutanga *et al.* (2018) additionally asserted that the primary goal of the National Disability Rights Policy is to assist in the context of higher learning in adequately catering to students and staff with disabilities.

Additionally, other countries have formulated national disability policies, like Namibia, Swaziland, Australia, and more. Namibia ratified the UNCRPD in 2007 and adopted its National Disability Policy in 1997 (Chibaya *et al.* 2021). However, the policy has been revisited for approximately two decades, as noted by Chichaya *et al.* (2018). This lack of review has raised concerns among individuals with disabilities and stakeholders in the disability and rehabilitation fields. In response to these concerns, the Namibian government intended to review the Policy in March 2017 (Shumba and Moodley, 2018). Additionally, Sheyapo (2017) highlighted that Higher Education Institutions in Namibia had improved access to HE, with numerous students with various disabilities enrolled in multiple programs across different universities. Despite the reduction in enrolment gaps, there are loopholes in policy implementation (Chichaya *et al.* 2018).

Furthermore, Swaziland ratified the UNCRPD in 2012 and a National Policy on Disability in 2013 (Blanchfield and Brown, 2015). The policy aims to integrate disability-related issues into all government development programs and align with the provisions of Swaziland's constitution, which recognizes and articulates the rights of individuals with disabilities (Blanchfield and Brown, 2015). Nevertheless, there is still a lack of coherence in legislation, policies, and programs addressing the rights of individuals with disabilities (Hussey *et al.* 2017).

Additionally, Australia has embraced a Disability Strategy for 2021-2031. According to Hamin *et al.* (2022), this Strategy serves as the national policy framework addressing disability-related issues in the country. The primary objective is to enhance the well-being of individuals with disabilities over the next decade. However, Davy *et al.* (2018) observed disappointment among stakeholders regarding the uneven progress in its implementation. While recognizing the importance and value of the Strategy's principles and goals, stakeholders expressed concerns

about the lack of consistent and systematic implementation across Australia, as indicated by the document review findings (Davy *et al.* 2018).

In countries adhering to the UNCRPD and embracing national disability policies, there has been a noticeable increase in the enrolment of differently abled students (DASs) in HEIs (Vincent and Chiwandire, 2019). In South Africa, the selected institutions in Raymond Mhlaba Eastern Cape reflect this trend by actively promoting inclusive education through the admission of DASs. Both institutions operate within the frameworks of the National Disability Policy of South Africa. However, a significant concern arises concerning the approval status of one of the selected institutions, the University of Fort Hare's Disability Policy, as the institution currently lacks an overarching institutional disability policy. Moriña *et al.* (2020) contended that universities and colleges generally lack comprehensive policies addressing inclusive education, leading to unpreparedness in accommodating DASs.

However, specific educational institutions like Lovedale College TVET (LCTVET), one of the selected institutions, have formulated disability policies to protect the rights of students with impairments. Lovedale College adopted its disability policy in 2022 (Lovedale College Disability Policy, 2022). "This Policy outlines the principles and provisions that would guide LCTVET in becoming an accessible institution for differently abled students. This implies striving towards disability inclusion regarding physical spaces and other facets of Technical, Vocational Education, and Training (TVET) life" (Lovedale College Disability Policy, 2022:1).

According to Lovedale College Disability Policy (2022:1), "the policy applies to Lovedale community, that is the physical and non-physical environment of living, learning, and teaching, which includes the academic, co-curricular and community spaces." "The broader Lovedale community, including fellow staff and students, are mandated to adhere to the principles of non-discrimination, inclusivity, and equal opportunities and must act following prescribed procedures" (Lovedale College Disability Policy 2022:1). However, it is essential to acknowledge that the fight for disability rights is ongoing. There are considerable hurdles in effectively implementing and upholding these rights.

Although countries and institutions have tried to promote the rights of differently abled students (DASs) by formulating national disability policies, the challenge of effectively implementing these policies persists. Several barriers hinder the effective implementation of the policies. These include a need for prioritization, capacity building, or sufficient resourcing (Fernandez *et al.* 2017). In South Africa, for example, the identified 'lack of ownership' regarding psychosocial disability as a policy priority has been identified as a significant issue that requires considerable correction for the country to fulfil its Convention on the Rights of Persons with Disabilities (CRPD) obligations (Fernandez *et al.* 2017).

Additionally, Salmi and D'Addio (2021) added that even in higher education institutions (HEIs) where disability policies exist, they often remain in theory and are seldom put into practice. Despite adopting a National Disability Policy (NDP) in South Africa, differently abled students (DASs) encounter numerous challenges in HEIs, as noted by Vincent and Chiwandire (2019). This raises the question of whether the HEIs are effectively implementing the NDP of South Africa. This underscores the significant gap between drafting a policy, its practical implementation, and ensuring its enforcement. The policy must be created with implementation as a priority, as this will influence its effectiveness (Pollack *et al.* 2018). Thus, the policy's success relies on how well it is executed.

Globally, Heiskanen *et al.* (2016) argued that governments often create policies merely as a formality, lacking a genuine commitment to leveraging them as catalysts for change. This assertion is underscored by the noticeable deficiencies in executing disability policies. Shumba and Moodley (2018) suggested that the ineffectiveness of policy implementation may stem from the disintegration and inadequate coordination among intersectoral stakeholders responsible for implementation, insufficient or non-existent allocation of human and financial resources, and a distinct separation between the stages of policy development and implementation. This shows that policy documents are often drafted with vague objectives and need clear implementation guidelines, which fail to achieve the intended goals (Engelbrecht *et al.* 2017).

4. Methodology

The study investigated the implementation of the National Disability Policy of South Africa by selected higher education institutions in Raymond Mhlaba, Eastern Cape. A qualitative study was conducted with an exploratory research design underpinned by an interpretivist paradigm. The qualitative method allowed the researcher to gain insights into differently abled students' (DASs) first-hand experiences and evaluate how effectively university stakeholders implement the National Disability Policy.

The study employed purposive and snowball sampling to recruit participants, resulting in a sample of fifteen differently-abled students (aged 20–35) and five staff members (aged 30–56). This included two staff from the University of Fort Hare Disability Unit, one from the Student Counselling Unit, and two from Lovedale College's Student Support Office, all actively implementing the National Disability Policy. Among the students, ten were from the University of Fort Hare and five from Lovedale College. This ratio of participants was based on the number of volunteers who signed up from both institutions. To initiate recruitment, the researcher worked with the Fort Hare Disability Unit to access a list of willing participants. Using snowball sampling, participants helped identify others who could provide valuable insights. The final sample included nine male students, six female students, three male staff members, and two female staff members, all Black South Africans fluent in English and isiXhosa, with four postgraduates and eleven undergraduates across various disciplines.

A semi-structured interview guide with open-ended questions was used to gather data, allowing for flexible, in-depth exploration aligned with the study's objectives (Knott *et al.* 2022). Interviews were recorded for accuracy, with a research assistant handling face-to-face sessions and note-taking. Due to upcoming exams, some participants opted for virtual interviews via Zoom or WhatsApp. Two students used Zoom, four used WhatsApp, and nine were interviewed in person, each lasting about 30 minutes. Interviews were conducted in English in private settings, and the results were presented using direct quotes from interviewees. Six steps of thematic data analysis by Martin (2022) were used to analyze data. The data was transcribed, and themes were subsequently generated, presented below. The first step involved transcribing all interviews and translating them into English verbatim to familiarize the researcher with the data. This process included reading and rereading the transcriptions multiple times. The researcher further interacted with the information obtained from participants by listening to the recordings and taking notes for coding. Secondly, the researcher identified and created codes to organize the data. The third step involved extracting themes from relevant data

by grouping the coded or relevant data into possible themes.

The fourth step involved reviewing the themes to ensure they corresponded with the coded data and the entire dataset. In the fifth step, the researcher defined and named the themes through continuous analysis of each theme to extract meaning and assign appropriate labels. The sixth step was to produce a report that included a comprehensive analysis, a discussion addressing the research question, and a presentation of the findings. The study upheld trustworthiness by ensuring credibility, transferability, dependability, and confirmability (Nowell, *et al.* 2017).

The study received approval from the Ethics Committee at the University of Fort Hare. (project number: HEN031SMUN01; approved 26 September 2023). Participation required full and informed consent following the ethical standards set by the Ethics Boards. Participants signed the consent forms. The research followed strict confidentiality and anonymity guidelines.

5. Findings

The study's findings obtained through the semi-structured interviews are presented. The findings are provided through the themes and sub-themes developed during data analysis. The following themes were identified: challenges faced by differently abled students, implementation of the national disability policy of South Africa in selected institutions, barriers that prohibit effective implementation of the policy, and guidelines on effectively implementing inclusive policies in higher education institutions.

5.1. Theme 1: challenges faced by differently abled students

Students were asked about their challenges at selected institutions of higher learning in Raymond Mhlaba, Eastern. The participants highlighted several challenges as obstacles to their full participation in their education, more on accessibility in both selected institutions since most participants have physical disabilities. The following verbatims present various challenges faced by differently abled students in HEIs. Infrastructural barriers emerged as one of the challenges faced by students:

The university's layout and lack of accessible facilities created significant challenges for me, especially with limited mobility due to a past stroke. When ground-floor stoves in the Marikana residence were left unrepaired, I was forced to navigate stairs to the first-floor kitchen, which became so complicated that I needed my wife's assistance for daily tasks (Student 1).

Attending lectures is challenging as they take place in different venues, requiring me to navigate between locations for each module. Moving through crowded areas in a wheelchair adds to the difficulty, and having all lectures in a single venue would make this much easier for me (Student 11).

Financial constraints are another challenge faced by participants from both selected institutions. They expressed the following:

I am facing significant challenges due to financial constraints, as I have yet to receive meal allowances this year from NSFAS, making it challenging to afford essentials like groceries and toiletries. Although I receive an R2090 disability grant, it barely covers my needs, especially with responsibilities like paying for a funeral policy and hiring someone to type my assignments due to my right-hand amputation; without funds, I'm often unable to complete tasks on time, sometimes paying up to R300 at an internet café, which leaves me financially strained (Student 11).

I am facing severe financial difficulties; after a fall in 2018 that led to a stroke, I returned to Fort Hare with limited mobility in my left leg and hand. Despite consistently passing all my modules and funding my expenses alone, I have been unable to secure a bursary, making it challenging to afford essentials. I often rely on limited food parcels from the Disability Unit to get through the month (Student 1).

Some participants in this study mentioned that they had terrible experiences with their lecturers. They expressed how they felt about the negative attitudes of their lecturers:

Some lecturers seem unaware of our challenges, which can feel frustrating. Once, when I arrived late to my English class and got my wheelchair stuck trying to enter, the lecturer noticed my struggle but continued teaching without offering help; thankfully, a classmate assisted me, but I was too embarrassed and upset to focus afterward (Student 15).

Another student had a similar experience. She was emotionally upset after her lecturer responded rudely to her when her computer was giving problems, and she asked her for help. She expressed the following:

When my laptop froze during a computer practical, I asked the lecturer for help, but she said it was not her responsibility and walked away. Feeling neglected, I stepped outside for an hour, then returned and received assistance from a classmate instead (Student 12).

Further, a staff member who works closely with differently abled students gave his opinion on the lecturers' understanding of the needs of differently abled students. He explained that:

Our staff are not yet equipped enough to accept differently abled students. It is not that they are not accepting but fear not knowing how to accommodate differently abled students in class. Staff A further suggested that workshops should be conducted to educate lecturers on how to treat differently abled students (Staff A)

SWDs mentioned stigma as another challenge they are facing. One of the participants expressed that his case is associated with the stereotype that differently abled students cannot do what abled students can do. He said the following:

I have a heart condition and liver infection, which has caused a skin condition on my back. When I wear clothes that reveal my back, some students stare or comment that I should not wear such clothing, leaving me exhausted from constantly explaining my hidden disability, which many do not understand; more awareness around invisible disabilities and their impact on students is needed. (Student 6).

Stigma and pity towards differently abled students are prevalent at this institution, with many abled students viewing me as incapable or different. One particularly hurtful encounter occurred when I made a mistake in class. A classmate questioned another if I was "okay upstairs," which deeply affected me, as it suggested that my disability led them to doubt my mental capacity, an assumption rooted in the misconception that all individuals with disabilities are unwell or abnormal (Student 14).

Discrimination was mentioned by two participants as another challenge they are facing. One participant experienced discrimination in school activities because he has a physical disability, and the other participant experienced discrimination when he was seeking help from the Student Representative Committee (SRC).

I wish differently abled students could enjoy the same opportunities as their non-disabled peers, who have access to various activities like soccer and basketball. At the same time, there are no sports available for them. In high school, I participated in wheelchair basketball and even represented the Eastern Cape Province, which was incredibly fulfilling and made me feel included (Student 13)

I feel that differently abled students are not adequately recognized here, as the Student Representative Council (SRC) claims to represent all students but directs us to the Disability Unit for issues like NSFAS allowances. The SRC should include a member specifically for differently abled students not part of any political party, as they would better understand our experiences (Student 9).

5.2. Theme 2: implementation of the national disability policy of South Africa in selected institutions

Participants were asked how well they implemented the National Disability Policy of South Africa at two selected institutions. Participants' awareness and implementation of the National Disability Policy of South Africa (NDP) were assessed by asking participants to name any principle of the NDP and explain how they are implementing the policy. Policies are designed to set standards and guidelines for specific areas, such as education; hence, being aware of the policy ensures that you comply with its requirements (Fulcher, 2015). Three participants indicated that they knew the policy and explained how they implemented it. The explanations of the participants include:

I am familiar with South Africa's National Disability Policy, which advocates for the rights of individuals with disabilities, and we are committed to ensuring equitable treatment for differently abled students (SWDs) by providing accessible accommodations like ground-floor single rooms with ensuite bathrooms. Although we are in the process of drafting an institutional disability policy, we currently rely on the National Disability Policy for guidance while recognizing that achieving

immediate changes in infrastructural accessibility is challenging due to the age of our buildings (Staff B).

We align our efforts with the National Disability Policy and utilize it alongside our approved institutional disability policy to achieve comprehensive accessibility, including temporary ramps and ongoing infrastructure modifications. Our involvement in the Eastern Cape Regional Disability Collaboration demonstrates our commitment to advancing disability inclusion, and we have seen a positive impact on the enrolment and academic performance of differently abled students. However, a review of the policy is needed to address specific terms within our institutional policy.

Staff E acknowledged that she is aware of the NDP and that they are trying to implement the policy. She said the following:

I am aware of the National Disability Policy. In delivering services, we adhere to the principles outlined in the National Disability Policy, given that our university lacks its disability policy. We rely on existing policies, including the NDP, to guarantee equal treatment for differently abled students compared to abled students. The NDP is impactful as it compels us to accommodate disabled students. As an institution, we are committed to ensuring accessibility and meeting the needs of disabled students, aligning with the objectives advocated by the NDP (Staff A).

Findings revealed that the participants lacked knowledge about the policy, making it challenging to implement it more effectively. Ignorance of the Policy can lead to inadvertent violations of disability rights laws and regulations (Morgan, 2021).

I lack adequate knowledge of the policy, which makes implementation challenging. Although I received training on a different policy, I have not had any training on this or others. The institution should organize workshops to help us implement the policy more effectively, as I have not had time to review it thoroughly. (Staff C).

Further, staff B shared that she does not know the contents of the policy and how it should be implemented. She said:

I am not knowledgeable about the policy; I only know that we have our institutional disability policy, but I do not know its contents. I cannot say much about the National Disability Policy or our Policy; I think you should ask those in the higher office I work with. They might know those policies (Staff E).

5.3. Theme 3: barriers identified that prohibit effective implementation of the policy.

The participants were asked about the barriers hindering them from implementing the policy more effectively. The participants interviewed about policy implementation in this study indicated that barriers prohibit effective policy implementation. The following are the barriers highlighted by the participants:

Inadequate resources are one of the barriers indicated by staff members who work with differently abled students and are involved in policy implementation. The participants explained the following:

In the Student Counselling Office, we do not have enough funds to carry out awareness campaigns. Students need refreshments for them to attend. If there are no refreshments, they do not attend. (Staff C).

Our budget in the Disability Office is minimal; it only caters to the administration side. We need money to purchase wheelchairs, and sometimes, differently abled students come to print their assignments here (Staff D).

Another participant indicated that the gaps in the policy are another hindrance to the effective implementation of the policy.

... there are problems with the policy document. For example, the framework states that all institutions should adjust to enable people with disabilities to be on par with everyone else. But there's a contradiction. Institutions are not supposed to incur significant expenses when making these adjustments. The reality is that some alterations, like making lecture halls and residences accessible, particularly to people in wheelchairs, will cost money (Staff A).

Another issue is that the policy framework views all disabilities as the same. However, differently abled students have varied and unique needs. They require individually tailored services based on what each person requires to be successful. The first big win would be if this policy could be amended to cover some of its shortcomings. It needs to be adjusted to improve the lives of differently abled students and introduce a culture of inclusion and diversity at national, institutional, and individual levels (Staff E).

Participants indicated that one of the barriers that hinder them from implementing the policy is a lack of knowledge about policy implementation.

Disability policy is still under draft. It was with the council, and now it is with the legal department that needs to finalize it so that it can be published. My only training was in social work when I was doing my undergraduate (Staff C).

Institutional support systems reported that some differently abled students do not seek assistance. The participants indicated several reasons that caused SWDs not to seek help. Two staff member participants stated the following:

There is a fear that whoever approaches student counselling has serious issues; hence, they do not want to approach the office... (Staff C).

Some people do not have confidence, and it is because of where they come from. If you come from a home or environment where you have been despised or looked down upon and go to another environment, you would expect such kind of treatment and would not want to regard yourself as differently abled (Staff D).

5.4. Theme 4: guidelines on effectively implementing inclusive policies in higher education institutions

The participants were asked to provide guidelines institutions should consider implementing inclusive policies in higher education effectively. Toward the end of each interview, the researcher asked the participants how institutions should solve the challenges differently abled students face in higher education. As found in this study, some of the participants' recommendations seem to point out that institutional support systems need to raise awareness of disability among both staff members and abled students. The following provides the verbatims from participants of these recommendations:

The institution should initiate activities that include us in the university that will teach other students to see us as equals (Student 2).

Awareness campaigns should be carried out about hidden disability (Student 12).

Building more accessible buildings was one of the suggestions given by the participants. Quotations from the participants stated the following:

The buildings should be made accessible. They should give us transport to classes. The residence is far if I am late, I cannot run. I also went to the laboratory, which was on the top floor. There are stairs and no lifts, making it difficult for me to go for practical's (Student 3).

They should put more ramps in place to make the floor smoother and rougher. I have had seven operations. Sometimes, they hurt me. Small stones are outside when I go to class (Student 12).

Having a standalone Disability Unit (DU) is one of the recommendations provided by participants. They explained the following:

Providing these students with optimal support within the current Learner's office is challenging, where various programs, including counselling, academic assistance, and disability services, are all handled together. To ensure that differently abled students receive the undivided attention they deserve, a dedicated disability unit should be created to address their services exclusively and comprehensively (Staff D).

I wish we had an office that focused on us only. The Student Support Office is uncomfortable since it's not only for students with special needs. Our institution should have an office that caters to disabled students only (Student 11).

Participants recommended that institutions should develop their disability policies:

Our institution should have its own disability policy. That way, we will have something that focuses on our institution. We use other inclusive policies like the White Paper and the National Disability Policy. That way, we can effectively render services to our students per the Policy (Staff B).

6. Discussion

A thorough analysis of the themes in this study reviewed the implementation of the National Disability Policy of South Africa by selected institutions of higher learning in Raymond Mhlaba Municipality, Eastern Cape.

6.1. Challenges faced by differently abled students in higher education institutions

Physical facilities are essential to the learning process within any institution, serving as the spaces where learning occurs. These areas facilitate various activities, such as instruction, peer and faculty interaction, engagement with non-teaching staff, and conducting examinations, consequently, access to these facilities is vital for learners (Abuya and Githinji, 2020).

The study uncovered the challenges faced by participants struggling to access vital institutional facilities such as kitchens, classrooms, and lecturers' offices. This difficulty contradicts Article 24 of the UNCRPD, which stipulates the right of disabled individuals to access higher education with reasonable accommodations (Broderick and Quinlivan, 2017). The findings indicate non-compliance with both the UNCRPD and the National Disability Policy of South Africa, which advocates for the removal of all barriers. Participants clearly express that physical accessibility poses a significant hurdle for students with physical disabilities. The leading cause of frustration for differently abled students is the absence of working elevators. Also, as highlighted by participants, some students are partially sighted and have difficulty note-taking from lecture slides, mainly when seated at the back of the lecture hall. These issues underscore the urgent need for institutions to address physical accessibility barriers per international and national disability rights frameworks.

Another challenge differently abled students face in higher education is financial problems. This is so because living with a disability entails expenses such as trips to doctors, therapists, counsellors, and administrators (Nene, 2019). The participants indicated they are the beneficiaries of NSFAS except for one self-funded student. According to Vincent and Chiwandire (2019), in 1996, the NSFAS, a student loan scheme to fund needy but capable students in higher

education, was established. The findings indicate that differently abled students on NSFAS do not receive their meal allowances on time, and some do not. The findings resonate with the findings of Ndlovu and Woldegiorgis (2023), who conducted a study on student funding in South African higher education, with interviews from students with disabilities (SWDs) revealing issues with delayed fund disbursements, which negatively impacted their studies. They shared that timely access to funds was necessary for essentials like food and learning materials, but this was not provided. Their experiences highlight the inadequacy of funding, particularly as it fails to address additional learning needs stemming from impairment-related challenges (Ndlovu and Woldegiorgis, 2023).

Griful-Freixenet *et al.* (2017) noted that many faculty members overlook the learning needs of DASs, often due to feeling unprepared to teach them effectively. Research shows that university lecturers are central to the support system and are crucial in advancing inclusive higher education. Van Jaarsveldt and Ndeya-Ndereya (2015) emphasized the importance of lecturers becoming more aware of the diverse learning needs in their classrooms, which is essential for creating inclusive campuses. Educators' attitudes significantly influence their daily practices, and those with opposing views on inclusive education are unlikely to adopt strategies that support it (Van Jaarsveldt and Ndeya-Ndereya, 2015).

In this study, participants reported facing stigma within their institutions. A significant stressor recurring across various contexts was the social stigma that students with disabilities encounter daily. Likewise, Grimes *et al.* (2020) found that stereotypes suggesting people with disabilities should avoid displaying or disclosing their disabilities contribute to students choosing not to reveal due to fears of stigmatization (Grimes *et al.* 2020).

The findings indicate that students are discriminated against because the institution does not have sports that accommodate differently abled students. The findings of this study align with those of Grenier *et al.* (2014), who investigated a disability sports curriculum and discovered that students began to view individuals with and without disabilities as having equal status, offering a clearer understanding of being an athlete with a disability. Disability sports have been incorporated into the physical education curriculum to promote diversity.

Another issue raised is the level of support from the Student Representative Committee (SRC) for students with disabilities. Students expressed frustration over the lack of SRC representation when seeking assistance with financial matters. Similarly, Nene (2019) conducted a study on accessibility challenges faced by students with disabilities at the University of KwaZulu-Natal's Pietermaritzburg campus, finding that many students felt the SRC did not truly understand their needs. Some interviewees believed the SRC leveraged their needs for election campaigns only to neglect the promises once in office (Nene, 2019).

6.2. Implementation of the national disability policy of South Africa in selected institutions

For institutional staff tasked with enacting inclusive policies, being well-versed in policy details is not just a legal obligation but an essential element in creating an inclusive and supportive environment for everyone, regardless of their abilities (Mitchell and Sutherland, 2020). Staff members have expressed their awareness of the NDP's contents and their active policy implementation. The three personnel found it more manageable to execute the policy because they familiarized themselves with its provisions, serving as a guide in delivering services to differently abled students.

Moreover, the dedication and comprehension of disability policy exhibited by these staff members are committed to valuing diversity and creating an accessible and inclusive atmosphere. Acquaintance with the Policy enables staff to identify and address instances of discrimination, cultivating a more inclusive and respectful institutional culture (Gould *et al.* 2020). Similarly, Shumba and Moodley (2018) conducted a study in Namibia to assess participants' knowledge of various disability policies and legislation by asking them to name relevant ones. The researchers found a general awareness of existing policies; however, some participants had difficulty identifying key policies or legislation.

Shumba and Moodley (2018) noted that the four most recognized documents include the National Policy on Disability, UNCRPD, the National Disability Council Act, and the Sector Policy

on Inclusive Education. This aligns with the study's findings, as most interviewed staff members expressed awareness of the National Disability Policy of South Africa. Inadequate comprehension of inclusive policies may lead to misinterpretation or selective application, resulting in disparities in the provision of accommodations (Graham, 2020). Based on the feedback from some of the staff, it appears they are offering services to differently abled students without adhering to the guidance of the National Disability Policy. There is a likelihood that they are providing services without a clear understanding of the specific accommodation needed to address the requirements of differently abled students. This could contribute to the creation of a hostile or unwelcoming environment for such students.

Moreover, the absence of an institutional disability policy within an institution is a considerable concern that should not be overlooked. The study's findings indicate that one of the examined institutions lacks a formal disability policy; although it has been drafted, it has not yet received approval. Valle and Connor (2019) stated that the importance of having a well-established disability policy cannot be overstated, as it reflects and reinforces the institution's ideology and values. The prolonged approval process or the policies remaining in draft form may suggest a lack of commitment from senior management.

Bason (2016) added that institutional disability policies are pivotal in shaping strategies and procedural guidelines for service design and delivery. This aligns with the study's findings, which reveal that participants face challenges in policy implementation due to a lack of knowledge and reluctance, notably when their institution lacks a disability policy. Valle and Connor (2019) also observed that some Higher Education Institutions (HEIs) in South Africa mistakenly believe existing legislation does not establish enforceable rights for differently abled students. Consequently, these institutions may avoid implementing institutional policies to sidestep additional obligations and compliance requirements. As students become more aware of their rights, the potential risks associated with the absence of policies are likely to increase (Valle and Connor, 2019).

6.3. Barriers identified that prohibit effective implementation of the policy

Providing comprehensive and practical support for differently abled students often requires financial, human, and technological resources (DeCenzo *et al.* 2016). The findings revealed that institutional support systems are hindered by a lack of resources when providing services to SWDs. This makes it difficult to organize workshops for staff since this requires funding. According to Gin *et al.* (2020), it can be challenging to provide personalized assistance and accommodations to differently abled students without an adequate number of trained staff. Sufficient funding and support are crucial for creating an inclusive educational environment that meets the diverse needs of all students (Gin *et al.* 2020).

Gaps in disability policy can significantly impact the effective implementation of support and services for individuals with disabilities (Saran *et al.* 2020). This is because policy gaps can contribute to disparities in the treatment of people with different types of disabilities or those from various demographic backgrounds. Specific disabilities or populations may be overlooked, leading to unequal opportunities and outcomes. The findings revealed that the service providers find it difficult to implement the policy more effectively because of its loopholes. This means that the rights of students that are supposed to be protected end up being ignored because the policy, which is a guide, has many gaps. Periodic reviews and updates are necessary to ensure policies remain relevant and practical (Benneer and Wiener, 2021). They further suggested that regular evaluation and refinement of disability policies are essential to enhance their effectiveness and ensure the well-being and inclusion of individuals with disabilities.

Faculty members, teaching assistants, and staff are on the front lines and often serve as the institution's primary representatives to students. Through their direct interactions in the classroom, individual faculty members can either significantly support or hinder student success (Becker and Palladino, 2016). The findings showed that staff members do not receive training on the policy, limiting its effective implementation due to their lack of policy knowledge. Students with disabilities may hesitate to contact their colleges or universities for assistance or to register for support services (Becker and Palladino, 2016). They might feel embarrassed about

their disability, uncomfortable disclosing it, unwilling to be labelled as disabled or experience shame and stigma. Additionally, they may lack the knowledge or confidence to articulate their needs. Participants indicated that students refrain from seeking help for various reasons, primarily due to stigma and fear. These barriers adversely affect graduation rates for students with disabilities. The better informed they are about their legal rights and the available support systems on campus, the more successful they tend to be in higher education (Becker and Palladino, 2016).

Despite legal requirements for higher education institutions to provide information and accommodations for students with disabilities, offices dedicated to disability support are seldom fully utilized by these students to help them achieve academic success, graduate on time, and reach their full potential (Yssel, Pak *et al.* 2016). Students with disabilities transitioning from high school to college face challenges due to their limited experience in managing their disabilities during high school and a lack of awareness about campus services available to them (Alverson, *et al.* 2019).

7. Limitations

The study recognizes its limitations, suggesting further investigation. It was conducted at two institutions within a single province, and future research could involve multiple institutions in different provinces to compare policy implementation on a broader scale. A vital strength of the study is that respondents were not restricted to specific questions; instead, emerging interview issues were explored as they emerged.

8. Recommendations

This study offers valuable insights into policy implementation challenges within higher education institutions. According to the study's findings, South Africa and the Department of Higher Education need to reevaluate current inclusive policies, as many respondents expressed that the implementation was lacking. The following actions can be considered during the policy review process:

- i. A significant challenge in implementing inclusive policies is inadequate funding for disability services. To bridge this gap, institutions must ensure that they allocate dedicated funding for accessibility improvements and disability services. External aid might be needed; institutions should partner with government bodies, non-governmental organizations (NGOs), and the private sector to secure additional resources. Transparent budgeting processes should clarify how these funds are used, fostering accountability and ensuring that resources are effectively directed toward inclusivity goals.
- ii. Institutions should offer maximum support to basic implementers of the policies. This should include compulsory training of lecturers and staff members who work at the Disability Unit and Student Counselling Unit and the provision of continuous professional development.
- iii. Institutions should consider policy implementation issues to inform policy review and amendment where applicable. Also, they should stay current with the latest research to identify gaps in policy implementation.
- iv. Implementing policies without a monitoring and evaluation framework risks limited progress and inadequate feedback on effectiveness. Higher education institutions should establish mechanisms to periodically assess how well the National Disability Policy and other inclusivity initiatives are being implemented. This might involve setting up an oversight committee or task force dedicated to disability inclusion that regularly reports on policy adherence, student satisfaction, and areas needing improvement.
- v. Inclusive learning environments rely heavily on accessibility, both physical and digital. Institutions must conduct audits to identify barriers within campus facilities, ensuring that classrooms, libraries, restrooms, and dormitories are accessible to students with various disabilities. Installing ramps, elevators, accessible toilets, and other essential

modifications to infrastructure should be prioritized, with funding allocated specifically for these improvements.

- vi. Faculty play a critical role in supporting differently abled students and, thus, should be equipped with the skills necessary to implement inclusive teaching methods. Training programs focusing on universal learning design (ULD) principles should be developed, helping educators adapt content delivery to meet diverse needs. This may involve providing lecture materials in various formats (e.g., transcripts, audio recordings, or closed-captioned videos), offering flexible deadlines, and utilizing assessment methods that accommodate different abilities.

9. Conclusion

The study reviewed the implementation of the National Disability Policy of South Africa at Selected institutions of higher learning in Raymond Mhlaba Municipality, Eastern Cape. The study results showed that implementing the policy is still challenging in higher education. Barriers to effective policy implementation include lack of training, limited resources, gaps in the policy, and students not seeking help. It is recommended that the government and universities address these barriers by reviewing inclusive policies, allocating enough resources to promote inclusivity, and offering training to staff members. Such actions can serve as a foundation for reforming the policy implementation process to ensure inclusive education for everyone.

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Conflicts of Interest:

The authors declare that there are no conflicts of interest. Future research should review the implementation of inclusive policies by different institutions from different provinces.

Author contributions

E.M. conducted data collection E.M. and analysis for her master's degree and drafted the initial draft of the article. E.H. provided supervision to E.M. throughout her master's studies. Each author made a conceptual contribution to the work.

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Disclaimer:

The views and opinions included in this article are those of the authors and do not necessarily represent the official policy or stance of any affiliated agency of the authors.

Institutional Review Board Statement

The University of Fort Hare Research Ethics Committee (UREC) guidelines were adhered to in this study (project number: HEN031SMUN01; approved 26 September 2023).

Informed Consent Statement:

Every participant in the research gave their informed consent.

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