

EASTERN CAPE INCLUSIVE EDUCATION SOCIAL TRANSFORMATION INDABA

“Quality Teaching and Learning Environments across the Inclusive
Education system”

13-15 March 2019

White Paper on the Rights of Persons with Disabilities



“A democracy is an order of social equality and non-discrimination. Our compatriots who are disabled challenge us in a very special way to manifest in real life those values of democracy.

It is for us to adapt our understanding of a common humanity; to learn of the richness of how human life is diverse; to recognise the presence of disability in our human midst as an enrichment of our diversity”.

Nelson Mandela (2004)



EDDIE NDOPU

Humanity & Inclusion (UK)'s Ambassador

“As a young, black, queer, disabled person,
I need to dream bigger than my circumstances
and I often say to people when I give my motivational talks
that you are bigger and more expansive than the space you currently
occupy and that is what my entire advocacy is about.

There is another dimension about joy, about intimacy, about aspiration
and hopes. Part of my work is about how do we humanize the statistic
because behind these statistics that we quote,
there are real human beings and there is lost potential there.

I really want to bring that to the fore.”



CURRENT STATUS OF CHILDREN WITH DISABILITIES IN THE EASTERN CAPE



The Education System in the Eastern Cape

Pre1994



Mainstream schools
for learners **without** disabilities
according to race classification



Special (segregated) schools
for learners with disabilities
according to race classification and
type of impairment

2019



Ordinary schools
for learners **without** disabilities and
those with a few with mild
impairments in full service schools



Inclusive (segregated) schools
for learners with disabilities
according to type of impairment



Apartheid has taught us that

SEPARATE \neq EQUAL



Children with Disabilities in the Eastern Cape's lives are characterised by:

DISCRIMINATION



EXCLUSION



MARGINALISATION



SEGREGATION



ABUSE



NEGLECT

1 164 learners with disabilities are on the waiting list to attend schools ONLY in Nelson Mandela Bay

Almost R16m 'Discrimination Saving'



MTSEF 2020-2025 MISSION

From a Province of Shame in 2019

To a Province of FAME in 2025



WPRPD as a response

APPROVED BY CABINET IN DECEMBER 2015

- ❑ Provides guidance as to specific measures that should be taken to **embed disability inclusion** in governance and administrative **systems**
- ❑ Demands **disability disaggregation in statistics and admin data**
- ❑ Advocates for **universal design** approach
- ❑ Demands **disability-specific support measures**
- ❑ Demands **accountability**
- ❑ Advocates for **recourse**



A duty bearer could be regarded as having intentionally discriminated on the basis of disability if he/she cannot illustrate that he/she:

- ▶ Have **acknowledged** that persons with disabilities experience marginalisation and exclusion (**attitude**)
- ▶ Have identified the **barriers/sources** of exclusion and marginalisation (**baseline**)
- ▶ Have identified the **enablers** to remove the barriers (**intent**)
- ▶ Have **budgeted** to remove the barriers (**commitment**)
- ▶ Can **report** on **results/impact** of implementation (**accountability**)



SONA2019 (Reply to Debate)

“As we noted in the State of the Nation Address, we have a responsibility, as a nation, to ensure that all South Africans are able equally and without exception to enjoy their inalienable rights to life, dignity and liberty.

We know and concede that with respect to the rights of people with disability, we have not achieved nearly enough.

It is for this reason that we are insisting that the next Medium Term Strategic Framework, for 2020-2025, should mainstream disability across all government departments **and programmes**.

This should be accompanied by an integrated information system that is able to **track performance against targets**.

Every state organ should be reporting substantively on the inclusion of people with disability within their respective mandates.”

President Cyril Ramaphosa, 14 February 2019, Parliament



Conscience

**a person's moral sense of right and wrong,
viewed as acting as a guide to one's behaviour.**

**a cognitive process
that elicits emotion and rational associations
based on an individual's moral philosophy or value system**

**doing what you believe is right
even though it might be unpopular**



Consciousness-raising

the activity of seeking
to make people more aware
of personal, social, or political issues

Your **conscience** tells you the **difference between** right and wrong.
You are **conscious** of something when you are aware of it.



INCLUSION = UBUNTU

In practical terms, inclusion is:

- targeted at the ways in which communities, systems and societies are organised
- about transforming communities, systems and societies to be diversity-sensitive, and
- a sustainable vehicle for achieving human rights.



ALL children with disabilities

Children with disabilities is not a homogenous group.

- ❑ Race, age, gender, sexual orientation, type and severity of impairment, geographical location, socio-economic status matters.
- ❑ One Size Fits All therefore will not reduce equality even within the disabled population
- ❑ This requires a differentiated approach for interventions
- ❑ For monitoring purposes – disability, gender, race, age
- ❑ For evaluation purposes – other dimensions also



Outcomes require coordinated action by many players

- ❑ **Limited access to transport** results in no access to early childhood development services, education opportunities, participating in community life
- ❑ **Poor access to information and communication** results in low levels of participation and therefore self-actualisation
- ❑ Poor access to **appropriate rehabilitation and assistive devices/technology** results in reduced access to lifelong education opportunities, economic emancipation and life expectancy
- ❑ Limited access to **early childhood development** impacts on educational outcomes
- ❑ Lack of access to quality education limits self-reliance and self-actualisation



Expected Outcomes

- ❑ The ultimate is to enable persons with disabilities to **self-actualise**
- ❑ By removing barriers to access and participation across the service delivery and opportunity value chain (**universal design** approach)
- ❑ By putting in place relevant, timeous and **uninterrupted** disability specific support measures (**reasonable accommodation**)



WPRPD Pillar 1

Thematic Area	Action
Changing attitudes and behaviour Goal 1; 4	<ul style="list-style-type: none"> Develop and implement a Provincial Disability Rights Awareness Plan for ALL schools
Access to the built environment Goal 2; 3	<ul style="list-style-type: none"> Develop a financing strategy to retrofit existing school infrastructure to comply with the SABS minimum norms and standards for the use by children and adults with disabilities (EPWP opportunity) Appoint and train infrastructure accessibility liaison officers (ALOs)
Access to information & communication 4th Industrial Revolution Pillar 3 Goal 5; 11	<ul style="list-style-type: none"> Promote access for learners and teachers with disabilities to new information and communications technologies and systems - All public and private institutions must promote access to new information and communications technologies and systems, including the Internet. Ensure equal access to all information and communication platforms Promote South African Sign Language (SASL) and train SASL Interpreters



WPRPD Pillar 1

Thematic Area	Action
Access to transport Goal 5; 6 ??	<ul style="list-style-type: none"> • Costed, Funded Inclusive Provincial Scholar Transport Plan • Incorporate the concept of universal design and access in all scholar and public transport licenses and permits • Conduct transport access audits
Universal Design and Access Goal 2; 3; 5; 11; 12	<ul style="list-style-type: none"> • Develop and implement universal design access strategies, minimum standards and guidelines in learning processes • Train decision-makers and implementers on universal design and access
Reasonable Accommodation (RA) Measures Goal 2; 3; 5; 11; 12	<ul style="list-style-type: none"> • All schools must ensure equitable access to and participation in programmes and services. • Development and publication of reasonable accommodation measures in service charters and standards across the full spectrum of services.



WPRPD Pillar 2

Thematic Area	Action
<p>The right to life Goal 2; 5; 6; 7</p>	<ul style="list-style-type: none"> • Strengthen mechanisms to protect the lives of learners with disabilities whilst at school • Monitor loss of life of learners with disabilities due to insufficient measures having been taken
<p>Freedom from torture or cruel, inhuman or degrading treatment or punishment, exploitation, violence & abuse Goal 10 ???</p>	<ul style="list-style-type: none"> • Develop and implement quality assurance programmes and strengthen monitoring systems for all types of institutions and facilities for learners with disabilities • Develop measures to protect the mental health of learners with disabilities • Strengthen human rights monitoring mechanisms for older persons • Develop integrated multi-focus area strategies and plans for other categories at risk (displaced persons with disabilities, homeless persons with disabilities)



WPRPD Pillar 3

Thematic Area	Action
Building socially cohesive communities and neighbourhoods Goal 4	<ul style="list-style-type: none">• Include the rights of children with disabilities in all school-based social cohesion and human rights promotion programmes and messages• Address violence/bullying against girls/boys with disabilities
Building and supporting families Goal 1; 3	<ul style="list-style-type: none">• Provide information on available services to all parents and care-givers of children with disabilities
Accessible human settlements/ Neighbourhoods Goal 2	<ul style="list-style-type: none">• Ensure all modes of transport are accessible to children and adults with disabilities
Protection during situations of risk and disaster Goal 2; 6	Review all school-based disaster management plans to ensure provisions for children and teachers with disabilities in emergencies



WPRPD Pillar 4

Thematic Area	Action
Early childhood development ???	<ul style="list-style-type: none"> • Identification, intervention and enrolment • 7% top slice of conditional ECD grant for access to children with disabilities
Inclusive education Goal 1-14	<ul style="list-style-type: none"> • Zero waiting lists; Zero rejection approach (enforcement) • Zero savings for exclusion (register all 'stimulation centres' for children of compulsory school-going age and formalise their educational programmes; every child must get his/her equitable share regardless of educational setting) • Scholar transport & school nutrition programme extended to special schools • Ring-fenced increased funding for inclusive education (disability awareness programmes in all schools; roll-out of support services in all schools)



WPRPD Pillar 4

Thematic Area	Action
<p>Rehabilitation and assistive devices services</p> <p>Goal 11</p>	<ul style="list-style-type: none"> • Zero backlog in assistive devices (ring-fenced budgets); (Not having an appropriate device on time deprives from access to ECD, education, employment, community life and detracts from right to dignity) • Expansion of range of assistive devices • Turnaround time and maintenance of assistive devices • Expansion of rehabilitation services, including establishment of a provincial rehabilitation centre for ALL disability types and access to community-based rehabilitation services • Ring-fenced budget for rehabilitation services
<p>Social welfare services</p> <p>Goal 1; 4</p>	<ul style="list-style-type: none"> • Accelerating making general social welfare services accessible • Expansion of childhood disability-specific welfare services through improved subsidisation (cost-related) to NGOs delivering on behalf of government • Expansion of self-advocacy programmes for under-represented groups



WPRPD Pillar 5

Thematic Area	Action
<p>Disability, poverty, development and human rights</p> <p>??</p>	<p>Develop and/or strengthen and broaden the geographic reach of programmes and projects designed to reduce poverty amongst persons with disabilities</p> <p>The programmes and projects must focus on, among others:</p> <ul style="list-style-type: none"> • Access to education; • Support for caregivers of children with disabilities; • Accessible and affordable scholar transport; • Affordable assistive devices and support, including accessibility of information and communication technology
<p>Reducing the cost of disability for persons with disabilities and their families</p> <p>Goal 2; 3; 4; 5; 8; 9</p>	<p>E.g.</p> <ul style="list-style-type: none"> • Bringing services and opportunities closer to where children with disabilities live • Making accessible user & scholar transport available • Declaring special schools Quintile 1 schools



WPRPD Pillar 6

Thematic Area	Action
Strengthening Access and Participation through Self-Representation Goal 1	<ul style="list-style-type: none"> • Include persons with disabilities in all design, planning, implementation and monitoring of policies and programmes - institutionalise consultative platforms with representative organisations of persons with disabilities
Recognition of representative organisations of persons with disabilities (incl of parents organisations) Goal 1	<ul style="list-style-type: none"> • Representative organisations of persons with disabilities must register with the designated provincial disability rights coordinating mechanisms for purposes of participation in policy development, implementation support and monitor and evaluation processes. • Self-representation on ALL SGBs



WPRPD Pillar 7

Thematic Area	Action
<p>Disability Equitable Planning, Budgeting and Service Delivery Goal 5; 6; 10; 13; 14</p>	<ul style="list-style-type: none"> • Develop disability rights and equity commitment statements in Strategic Plans, APPs and IDPs of EC DoE • Develop and implement funded Universal Design Access Plans • Incorporate universal design principles in procurement of goods, services and construction of infrastructure • Review all programmes targeting children for access to children with disabilities • Provide top-up budgets for service delivery in deep rural and isolated communities
<p>Monitoring, Evaluation, Reporting, Research, Data and Statistics Goal 7</p>	<ul style="list-style-type: none"> • Develop and implement a provincial research agenda • Strengthen reporting systems to include disability related reports • Disaggregate disability data to reflect gender statistics



WPRPD Pillar 7

Thematic Area	Action
Public Procurement and regulation Goal 5; 6; 14	<ul style="list-style-type: none"> All public procurement and tender documents and processes must comply with the concept of universal design All service level agreements with state owned enterprises must include a disability dimension that contributes towards equitable outcomes for persons with disabilities.
Capacity Building and Training Goal 3	<ul style="list-style-type: none"> Train personnel on providing services to persons with disabilities (provincial strategy and POA)
Strengthening Accountability Goal 10	<ul style="list-style-type: none"> Include disability outcomes in performance contracts of senior managers, school principals, district officials across the state machinery



The Way Forward

- ▶ Let the Special Needs Education/Inclusive Education Directorate focus on the business of making special schools safe places where children with disabilities learn
- ▶ Make inclusive education the business and responsibility of EVERY business unit/programme/ directorate in the department and hold them accountable
- ▶ Shift approach from raising awareness towards changing behaviour by speaking to the conscience of yourselves, leaders, principals, SGB chairpersons, communities, etc
- ▶ Mobilise EVERY leader (traditional, political, community, religious, disability sectors) to champion INCLUSIVE EDUCATION with a zero tolerance for exclusion
- ▶ Work with the SAHRC in developing a monitoring and tracking system to pick up on transgressions as they happen – a public that doesn't know is a public that will not report (www.sahrc.gov.za)



The Way Forward

- ▶ Tap into the talent of adults with disabilities by creating a systematic approach through which they can lead the transformation process in ordinary schools
- ▶ Focus education access solutions on localities where children with disabilities live

- ▶ There can be no **YES BUT** when it comes to upholding basic human rights
- ▶ You either exclude, or you include – there are no half measures
- ▶ It is accessible, or it is not
- ▶ Take personal responsibility for the change you want to see
- ▶ Take personal responsibility for INCLUSION – start in the school where your child is enrolled



**“It always seems impossible
until it is done”
Nelson Mandela**



thank you

