COMMENT ON THE DRAFT NORMS AND STANDARDS FOR SCHOOL INFRASTRUCTURE BY THE RIGHT TO EDUCATION FOR CHILDREN WITH DISABILITIES NATIONAL CAMPAIGN (R2E CWD)

1. The entire draft document does not adequately define or detail the norms or standards for school infrastructure. The detail envisaged in the technical framework (point 8) is in fact the detail that should be contained in the norms and standards. In allowing '18 months for a technical framework to be drafted can simply be viewed more as a delaying tactic than anything else.

2. Paragraph 2 of the preamble states that all schools built after the dawn of democracy have exceeded the minimum norms and standards (It is also not clear which norms and standards this paragraph is referring to). This is not the case, as many new schools remain inaccessible.

3. No mention of accessibility for learners with disabilities in the entire document.

4. The definitions section should be reviewed:
   - In particular educational spaces; and
   - Educational support spaces.

5. The entire draft is structured around socio-economic rights limitations, which is not envisaged in the interpretation of the right to basic education in section 29 of the Constitution. S29 is not a progressive right. As inadequate infrastructure acts as a barrier to the realisation of the right to basic education is should be addressed immediately and not progressively as is envisaged in this draft document.

6. Universal design is the architectural principle which should be utilised as the principle in the design of all schools. This ensures that all school buildings are designed to accommodate the needs of all potential uses, for example, the provision of wheelchair access. This is not mentioned in the regulations.

7. There is no relation to the norms of environmental accessibility as mentioned in the UNCRPD draft South African Country Report. This report states that 97.1% of 25 156 ordinary schools had no accessible toilets and 97.8% of these schools had no ramps.

8. The Minimum Uniform Norms and Standards for Public School Infrastructure must provide for accessibility not only of sporting facilities, but more importantly for accessibility to educational spaces, administrative spaces, support spaces, as well as ablation facilities.

9. Under the “scope and application” these regulations should apply to all ordinary and special public schools.

10. With regards to the provision of temporary structures, as mentioned in point 4(7), there must a designated timeframe for the existence of such structures, which is acceptably considered by all to be “temporary".
11. There is no mention in the draft of a "safe environment" for children to learn within despite it being mentioned in the definitions.

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