



Deaf Education

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Preamble

DeafSA, formerly known as the South African National Council for the Deaf (SANCD), was founded in 1929. And in 1995 the former SANCD was transformed to a new democratically elected organisation, namely, Deaf Federation of South Africa (DeafSA). DeafSA is represented in all 9 provinces with 19 offices across South Africa and its mission is to preserve, protect and promote the civil, human and linguistic rights of Deaf, Deafblind, Hard of hearing and deafened people in South Africa.

DeafSA has a vast experience in training Deaf Social Auxiliary Workers and SASL interpreters and puts a high premise on quality and professionalism.

DeafSA believes there are significant gaps and opportunities for Deaf Children in Schools of the Deaf in South Africa. This matter has been discussed within the Deaf sector, their parents, Deaf Teachers and Deaf teacher's assistants.

The Literacy and numeracy rate of Deaf learners have historically been low. Schools of the Deaf often discourage Deaf learners to be part of a dynamic academic environment because they believe that students will achieve substandard results. DeafSA is concerned that in a system and processes for Deaf learners, a fair opportunity in the process to gauge their academic knowledge comparable with their peers, is inconsistent in South Africa. The implementation of Curriculum is subjective and dependent on what resources and skills are available for a Deaf child at the discretion of the school.

DeafSA believes that the provision of necessary and adequate support to Deaf learners to enable the learners to actively participate on an equal basis with their peers to be enhanced and to be consistent.

A grave concern for DeafSA is that currently in South Africa, we have fragmented educational structures in terms of Deaf Education and that there is no unity in Deaf Education.

In this document DeafSA make reference to International Policies, Domestic Legal and policy frameworks on Education of Deaf Learners to benchmark on the actual situation on Deaf Education in South Africa.

ICED

Educators and researchers in Deaf education have met regularly since their inaugural conference held in Paris in 1878 to discuss various issues in Deaf education. In the second International Conference on Education of the Deaf (ICED) conference in Milan in 1880, the congress passed a number of resolutions that have had a lasting and negative effect on the education and lives of millions of Deaf people across the world, in particular, by removing the use of sign language from educational programs promoting strict adherence to a oralist education.

In 2008, a rather historic campaign was launched to request a rejection of the resolution passed in 1880 and issued a demand for a formal apology from educators and researchers meeting in Vancouver in 2010. The campaign originally started in British Columbia, Canada and spread to the US and many parts of the world. These proposals led to negotiations with the ICED 2010 planning committee. The final declaration is a collaboration between a group of Deaf grassroots activists and the ICED2010 planning committee and it was presented at the ICED conference's opening meeting in Vancouver, British Columbia.

- Highlighting the linguistic human right aspect
- The declaration calls
 - upon all Nations to adhere to the principles of the United Nations emphasising especially those outlined in the Convention on the Rights of Persons with Disabilities (UNCRPD),
 - for the endorsement of the resolutions adopted by the WFD Madrid Congress in 2007.
- In addition, the declaration includes a call for a commitment by the Congress to devote itself for working in partnership with Deaf people in order to ensure the educational rights of Deaf globally.

World Federation of the Deaf - Education of Deaf learners

The Current Situation

Studies by the WFD reveal that the enrolment rate and literacy achievement of Deaf children is far below the average for the population at large. Illiteracy and semi-literacy are serious problems among Deaf people. Without appropriate education, advancement in society as an independent, employed, contributing citizen becomes problematic. Without a strong educational and language base, it is difficult to succeed in today's communities and marketplaces, and in the world of technology and information.

WFD takes the unequivocal position that there is no excuse for this deplorable situation, since Deaf children have the same innate intellectual, social and emotional capacities, as do all children.

Moreover, even in industrialised countries, the majority of current Deaf education programmes do not respect the linguistic human rights of Deaf children. Indeed, most Deaf education programmes fall into the language deprivation category described in theoretical models of education of linguistic minorities. "Language deprivation" for Deaf people means ignoring the use of sign language as a basic communication means, as a language of instruction and as a school subject. Following this, the linguistic human rights of Deaf children are grossly violated in educational programmes all over the world.

Current Research

There are several salient findings derived from research studies regarding educational development, language acquisition and Deaf children:

- Deaf students learn best through visual modalities and depend on sign language.
- The brain, without adequate stimulation during the critical learning years, ages 0-3, may atrophy as much as 30%. Due to insufficient family and community support during this critical time, Deaf children are needlessly stalled in language acquisition until they commence formal schooling.

- Deaf children of Deaf adults generally have a head start in language acquisition, communication development and educational prowess, and do well in later life as employees, citizens and leaders.
- Literacy and language does not equal speech and communication. Language development must precede everything else, speech development can occur later. Conversely, early speech development alone will not guarantee language and literacy skills.
- Sign language is a valid linguistic means of conveying thoughts, ideas and emotions. Hearing babies whose parents use sign language have a head start in communicating with their parents. Increasing numbers of hearing people study and utilise sign language annually.
- Programmes utilising bilingual or multilingual approaches, and employing qualified professionals, provide Deaf children with a strong language base, which equips them better for success in the broad range of educational subjects.
- Deaf children who are in school are often in programmes that do not meet their needs, educationally, socially or emotionally. These include oral programmes that exclude the Deaf learner's right to visual access to education, professionals fluent in the sign language used by the Deaf community, and supportive, enriching and appropriate environments. Such programmes fail to meet the Deaf child's needs and goals, and are detrimental to the Deaf child's educational development, self-esteem and overall well-being.
- Early educational intervention, bilingual/multilingual programmes and qualified professionals and role models enable Deaf learners to achieve full intellectual, social and emotional development, and enable them to reach their full potential as human beings, in all aspects of life.

Linguistic Human Rights

The UN supports the rights of students from minority cultures, specifically the right to education in their mother tongue. This includes the right of Deaf children to the sign language of their country. Previously mentioned new Convention emphasizes that without respecting linguistic rights of the deaf students, their human right cannot be fulfilled.

Linguistic human rights are an essential component of human rights, and central to language acquisition. Such language acquisition is required for full access to education.

WFD supports the right of Deaf children to acquire full mastery of their sign language as their 'mother tongue', as well as to learn the language(s) used by their family and community.

Deaf children must also have access to adult role models fluent in sign language.

The realisation of linguistic human rights is linked to the realisation of basic human rights to education, freedom of thought and expression, enjoyment of an adequate standard of living, protection from all forms of abuse, neglect and exploitation, and freedom from subjection to torture or other cruel, inhumane or degrading treatment or punishment. It is the mastery of language(s) that enables a child to express her/his needs and desires, and gives him/her the tool to protect and to assert him/herself as a human being.

Inclusive Education

Many policy-makers today strongly support full inclusion in education, which they interpret to mean full-scale mainstreaming of all disabled students with all students in regular schools near their homes.

While such a goal may be generally appropriate for many disabled learners who can hear and interact with their peers and teachers, WFD has serious differences regarding implementation of this concept for Deaf learners.

WFD holds that the least restrictive environment for a Deaf learner is whatever is the most enabling environment for that learner. Full inclusion for a Deaf learner means a totally supportive, signing and student-centred environment. This permits the learner to develop to his/her full educational, social and emotional potential. This is stated also in the Convention on the Rights of Persons with Disabilities.

Otherwise, inclusion as a simple placement in a regular school without meaningful interaction with classmates and professionals at all times is tantamount to exclusion of the Deaf learner from education and society. In such environments, the Deaf child is physically present but may be mentally and socially absent.

Statement of Rights and Recommendations

To ensure that the educational rights of Deaf learners are fulfilled, WFD therefore:

- Reaffirms its position that all Deaf people, including Deaf children, have the right to full access to quality education through visual modes, including indigenous sign languages. This position is supported by several international conventions of the UN.
- Supports early identification of Deaf infants and youth, followed promptly with sign language environments and educational intervention strategies and programmes, in partnerships between families, Deaf adults and professionals.

- Calls upon governments to ensure full and equal access to and educational success for Deaf learners based on regular education goals, standards and curricula.
- States, furthermore, that such curricula should provide the opportunity for students to learn in and study both their local/national sign language and the local (written) language as academic subjects.

UNCRPD - Article 24

1. 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 directed to:
 - a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
 - b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
 - c. Enabling persons with disabilities to participate effectively in a free society.
2. In realizing this right, States Parties shall ensure that:
 - a. Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
 - b. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
 - c. Reasonable accommodation of the individual's requirements is provided;
 - d. Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
 - e. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:
 - a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
 - b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
 - c. Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.
4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.
5. 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.

White Paper on the Rights of Persons with Disabilities

Approved by Cabinet in December and released in March, the 194-page White Paper is built upon nine pillars, namely:

- Removing barriers to access and participation;
- Protecting the rights of person at risk of compounded marginalisation;

- Supporting sustainable integrated community life;
- Promoting and supporting the empowerment of children, women, youth and person with disabilities;
- Reducing economic vulnerability and releasing human capital;
- Strengthening the representative voice of persons with disabilities;
- Building a disability equitable state machinery;
- Promoting international co-operation; and
- Monitoring and evaluation.

Life-long Education and Training

“The education system will play a greater role in building an inclusive society, providing equal opportunities and helping all South Africans to realize their full potential, in particular those previously disadvantaged by apartheid policies, namely black people, women and people with disabilities. It furthermore advocates the provision of inclusive education that enables everyone to participate effectively in a free society. Education provides knowledge and skills that people with disabilities can use to exercise a range of other human rights, such as the right to political participation, the right to work, the right to live independently and contribute to the community, the right to participate in cultural life, and the right to raise a family. Ensuring that all children with disabilities have access to quality education will help South Africa meet its employment equity goals in the long run” National Development Plan, Chapter 9

Persons with disabilities must have access to inclusive learning opportunities throughout their lives where they learn with peers without disabilities in barrier-free settings. Specific focus areas to realise this must include:

- Provision of reasonable accommodation of the individual's requirements;
- Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- Effective individualised support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion; and
- Enabling persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community.

Specific measures that must be taken include:

- Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills and facilitating peer support and mentoring;
- Facilitating the learning of South African Sign Language and the promotion of the linguistic identity of the Deaf community;
- Ensuring that the education of persons, and in particular children, who are blind, Deaf, non-speaking autistic or deaf-blind is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development;
- Employing teachers, including teachers with disabilities, who are qualified in South African Sign Language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities; and
- Ensuring 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 by, among others ensuring that reasonable accommodation is provided to persons with disabilities

Education rights for Deaf children

DeafSA promotes and safeguards the right of all Deaf learners to quality education, starting at birth and throughout life. As for all learners, Deaf children have the same right to education and full access to quality education.

Education is a basic necessity for all people. Education is recognised as a primary means for gaining independence, appropriate employment, economic and self-empowerment. DeafSA supports Education rights that are contained in section 29 of the South African Constitution. In terms of section 29 everyone has the right to a basic education, including adult basic

education; [1] and to further education, which the state, through reasonable measures, must make progressively available and accessible.

Like all children, Deaf children must have access to equal and quality education. Deaf children have the right to expect that their needs and human, linguistic and educational rights are respected and supported by educational authorities, in full compliance with international policy statements, national legislation and national curricula. Deaf children are born with the same basic capacities for learning and language as all children; they can and should reach their full potential with appropriate, visual, quality educational programmes and support.

DeafSA advocates, promotes and safeguards educational rights for all Deaf people of all ages. The term 'Deaf people' includes a wide spectrum of people with hearing differences from moderate to profound, from various backgrounds, races, ages, creeds, ethnicities, and philosophies and with different levels of linguistic variables.

Deaf children are part of diversity in South Africa and they are entitled to respect for their evolving capacities and respect for their right to preserve their identities. These principles shall include in all spheres of education of Deaf children: curricular, learning materials, teacher teaching, school subjects and school practices.

Regardless of the age of the learner, there are some common denominators that must be considered in planning and implementing successful educational programmes for and with Deaf students.

DeafSA supports the following statements issued by the World Federation of the Deaf (WFD)

Deaf learners should be in a system that is a barrier-free learning environment that would mean the provision of sign language learning environments. Several factors need to be taken simultaneously into account before an education system can be considered inclusive for Deaf students: accessibility, universal design, non-discriminatory practices, meeting students' needs, reasonable accommodation and individual support.

In order to ensure that a learning environment is linguistically and culturally accessible, the following aspects need to be covered:

- All communication is accessible

- The learning process and teaching are both culture and language-sensitive
- The curriculum includes elements of Deaf community, Deaf culture and sign language with aims to nurture the linguistic identity and development of the deaf community (Article 24.3(b)), as mentioned in the CRPD

Deaf education is designed specifically to meet the educational, linguistic, cultural, social and cognitive needs of the individual student.

Deaf and hard of hearing children have the right to a quality education, with the same content and to the same academic level as hearing children. Deaf education is the education of students with various hearing levels in a way that addresses the students' individual differences and needs.

Studies have shown that Deaf students who have higher levels of sign language proficiency also have better results in reading and writing tests (i.e. literacy), and perform better in cognitive tasks.

Language and communication are at the heart of everything we do as humans and without them any academic, cognitive, emotional or social development becomes difficult. DeafSA believes that SASL is central to a linguistically and culturally appropriate education for Deaf children, be it the national sign language of a country or a local sign language.

The goal of bilingual Deaf education is language proficiency in at SASL and a written/spoken language. Teachers must have the knowledge and skills necessary to teach literacy and all academic subjects, and fluency in SASL is a critical skill for teachers who work with Deaf and hard of hearing students. According to the World Federation of the Deaf National laws and educational policies in many countries do not yet promote the use of the national sign language in the education of Deaf and hard of hearing students. The International Congress on the Education of the Deaf (ICED) is perhaps the most recognized international conference for educators and researchers working with Deaf and hard of hearing students. In South Africa we are in a fortunate position that SASL are mentioned in Laws , policies and the recognition of SASL as a subject , but the implementation thereof are not assisting the Deaf Learners in Schools of the Deaf.

Deaf Schools in South Africa

Deaf education in South Africa is not designed specifically to meet the educational linguistic, cultural, social and cognitive needs of the individual student.

Deaf and hard of hearing learners do not enjoy the right to a quality education. The same content and same academic level are not the same as hearing children. The current situation does not address the students' individual differences and needs

DeafSA strives for a fully functional Deaf community with equality in society, empowered to utilise opportunities in order to create and sustain a high quality of life and to preserve, protect and promote the civil, human and linguistic rights of Deaf, Deafblind, Hard of hearing and deafened people in South Africa. DeafSA does this by investigating the living and accessibility conditions of Deaf people in South Africa and by protecting and promoting the human rights of all Deaf people in all spheres.

DeafSA visited a School of the Deaf in the Northern Cape 2015 and the following concerns was brought to the attention of the Department and no action was taken:

- no equipment at the school for implementation of SASL CAPS
- Lack of SASL CAPS subject advisor makes implementation very difficult as there is no expert to refer questions to.
- School shares a hostel with another school far from Retlameleng and there is very limited space.
- Long waiting list as the school is the only one catering for Deaf in a geographically large province and all those waiting require hostel placement too. At the time of the meeting there were 21 learners waiting for placement.
- subject choice is very limited and is further exacerbated by a lack of teachers in the province overall, let alone specialist teachers
- teacher burnout and frustration levels high as they are not trained to teach the deaf and have to teach both blind and deaf as the school has only one post for, for example, matric Maths Lit or English.

- Learners who stay near the school make use of public transport as the school combis are old and too expensive to repair. Some parents refuse to pay for public transport so learners are not coming to school. Classes are not full.
- Learners frequently don't do homework as parents do not enforce discipline or know how to sign to them to explain what to do.
- Although teachers have been on the SASL training offered by WITS Language School, many of the teachers still do not have the necessary SASL skills to teach advanced subject content.
- When there is training for teachers and assistants, the NW DoE frequently does not provide interpreters so teachers land up interpreting for their colleagues.

There needs to be an intervention at Retlameleng in order to motivate and upskill teachers to understand the learning needs of Deaf learners and to improve SASL skills

Early Childhood Development

Early identification and intervention has no improved outcomes for most children who are Deaf and hard of hearing. A 2014 Policy Statement on Early Childhood Programs by DeafSA, set forth recommendations for increasing inclusion of Deaf and Hard of hearing infants, toddlers and preschool children, birth to age 7, in high-quality early childhood programs.

The current situation is that Deaf Children are excluded from local programs provide language rich environments that are fully accessible to young children who are deaf or hard of hearing. There are no programs that are culturally appropriate for the diverse community of South African Sign Language (SASL) users

What we know that there are not:

- Family-centered early intervention results in better outcomes.
- Families need information and guidance from experts.
- Families need confidence to make informed decisions on behalf of their children and families.
- Families need to be included as collaborative partners.
- Interactions with families must be relevant to each family's expectations, values and needs.

Early childhood is a critical period for early learning, literacy and social-emotional development. Children's language development is reflective of their linguistic exposure and experience; children need early, direct and consistent access to language and communication. SASL must be delivered to SASL users directly by a teacher who is a competent SASL signer.

In order to address the concerns, DeafSA had 2 workshops (2012 and 2014) with the Department of Basic Education and Department Social Development to address the concerns because both departments has a dual responsibility to ECD. Deaf Children are excluded from any of the programmes from Government. DeafSA has submitted business plans to the Department of Social Development to address ECD of Deaf Children but all proposals were declined because DSD want to fund these programmes from their disability allocation and not the ECD allocation in terms of the budget.

Early Childhood Development also focuses on the critical stages of language acquisition for all children and highlights the importance of language input especially in the early years. Most hearing parents cannot communicate with their deaf children and this means that Deaf children are getting no form of language input until they start school. By this stage it is often too late for the deaf child to acquire the natural language foundation (SASL) needed for the acquisition of other languages (written English,Zulu, etc). It cannot be emphasised strongly enough how this seriously impedes the deaf child's chances of successful educational career. Deaf children need to identified early and the correct intervention must take place.

Drastic intervention is needed to address the ECD challenges Deaf Children are facing and none of the two departments monitor the smooth transition from ECD to formal schooling of Deaf children.

Language of learning and teaching

The Schools Act of 1996 states - sign language has the status of an official language for purposes of learning at a public school. Since 1996 DeafSA has engaged with the Department that teachers in Schools of Deaf should use SASL as a medium of instruction.

Despite many attempts by DeafSA to enlist the support of the Department of Education for formal training of educators in SASL, no such training has been implemented in schools for

Deaf learners yet. Some schools offer SASL training opportunities for both educators and parents, but there is no formal monitoring system or uniform training programmes.

Despite the fact that SASL is the only language that is accessible to Deaf learners, the language is not a requirement for trainee educators even at the two universities which offer it as a major on undergraduate level in the University of the Free State and the University of the Witwatersrand.

In February 2003 DeafSA organised a countrywide march with the assistance of Disabled People South Africa (DPSA). The main reason for this march was the unacceptably low standard of education in schools for Deaf learners, and the blatant disregard for the only language that is fully accessible to Deaf learners, by implication a perpetuation of the hegemony of spoken language at the cost of equal education. All of this despite the existence of protective legislation (such as the SA Constitution, 1996 and the SA Schools Act, 1996) and human rights-based policies (such as An Integrated National Disability Strategy 1997, Education White Paper 6, 2001 and the Revised National Curriculum Statement, 2002)

DeafSA raised at two meetings with Dr Simelane (22 March 2016 and 6 April 2017). Both meetings highlighted the need to research what was happening in the classrooms to understand what interventions are needed. We also requested full audit of Teaching and Learning environment i.e hostels, teacher morale, teacher training, SASL competency of support staff etc.

TEDI research report page 68 indicates the following:

Many learners and teachers identified a lack of teacher proficiency in SASL as a pivotal problem that not only affects their ability to teach, but also has an impact upon how teachers understand what it is to be Deaf.

Learners felt frustrated and disrespected by their teachers' lack of SASL knowledge and have the expectation that they should be taught proficiently in their preferred medium of instruction. Teachers' limited use of SASL is sometimes viewed as laziness because Deaf learners experience limitations in learning oral language that hearing people do not have in learning SASL.

The inability to use SASL fluently has a negative impact on the educational process and results in a slower pace in the classroom due to the extended time it takes to convey information to learners. All role players in Deaf education note that fluency in SASL is essential if education for Deaf learners is to be effective and accessible.

Development of SASL CAPS as a subject

The case of *K Springate v Minister of Basic Education and Others* ("the Springate Case"), lodged in 2009, in the Pietermaritzburg High Court, led to a settlement agreement between the parties, which included DeafSA. Following the Springate Case Minister Motshekga undertook to develop and implement the SASL CAPS in all schools for the Deaf.

A Ministerial Committee, also known as the Curriculum Management Team (CMT), was appointed by Minister Motshekga. The CMT was made up of various experts on SASL, the only Deaf member being one Mr L Magongwa who was one of DeafSA's nominees. The mandate of the CMT was to manage and oversee the development process of the SASL CAPS. A writing team was put together by the CMT and the writing processes began in August 2011.

A first draft of the SASL CAPS Curriculum was completed December 2012. This draft was discussed in December 2012 and the necessary DBE Committees and approved.

The work of the CMT resulted in a Report and Draft SASL Curriculum and Assessment Policy Statements for Grade R - 12, which were presented to the Minister on 6 August 2013. In this meeting the Minister requested that the CMT continue to support the implementation of the SASL CAPS until such time as it is embedded within the structures of the DBE. The Minister accepted the Report and its recommendations as well as the draft CAPS for SASL.

In addition, the Minister accepted the CMT's implementation plan for the roll-out of SASL Home Language CAPS for Grade R - 12. This plan is as follows:

- Between January 2014 and December 2014, the system would be prepared for a phased-in implementation starting in 2015. This would include training of Foundation Phase and Grade 9 teachers and Deaf teacher assistants; development of SASL materials; and development of a minimum resource pack for teachers and learners;

- In January 2015 the first implementation of the curriculum at Foundation Phase as well as the Grade 9 Bridging Programme (preparing learners for FET) would take place;
- In January 2016 the implementation of the SASL CAPS at Intermediate Phase, Grade 9 Bridging Programme and Grade 10 would take place;
- In January 2017 the implementation of SASL CAPS at Senior Phase and Grade 11 would take place;
- In January 2018 the implementation of the SASL CAPS at Grade 12 would take place; and
- In November 2018 the first SASL NSC Grade 12 examination would be written.

On 3 February 2014, a meeting was held at the offices of the DBE in Pretoria. In this meeting the development process and implementation for SASL CAPS were discussed. The recorded minutes includes discussion on various issues including the SASL CAPS rollout and training and appointment of teachers. It was stated in the meeting that the DBE still had much planning to do which included, planning around budgeting, appointing additional staff, training teachers and Deaf teaching assistants, purchasing SASL resources and materials and ensuring availability of resources. Almost 4 years later some of this still needs to be attended to.

This meeting cemented the collaborative relationship between the CMT and the DBE. However, despite these efforts by the CMT and the request by the Minister that the CMT continue to support the implementation of the SASL CAPS, on 8 August 2014, the Director of Inclusive Education, Dr Simelane informed the members that the CMT had now completed its mandate. While the CMT has played a critical role in the development of the SASL CAPS as well as putting together the plan for the implementation, it had been dissolved without any proper explanation from the DBE.

In the following section of the letter we proceed to show that while roll-out of the CMT implementation plan commenced in January 2014, various commitments have still not been met by the DBE, and as such, implementation of SASL CAPS has been insufficient and inadequate.

Insufficient and inadequate implementation of the SASL CAPS

As stated above, there has been some implementation of the SASL CAPS. The implementation, to date, has been insufficient and inadequate. To the best of DeafSA's knowledge, there have been 2 training sessions for Foundation Phase and Grade 9 teachers and Deaf teaching assistants. There has also been implementation of the SASL CAPS for Foundation Phase and Grade 9 Bridging Programme, but development of a catalogue for LTSM was completed late resulting in implementation of the subject with schools having no LTSM. This was not so in the Western Cape where they used materials that had been used for a pilot project. In addition, there has seemingly been progress in implementation of SASL at Intermediate Phase, Grade 9 Bridging Programme, Grade 10 as well as implementation of SASL CAPS at Senior Phase and Grade 11.

Though strides were made DeafSA is of the view that there are serious inadequacies with the implementation of SASL CAPS that must be addressed. In terms of the implementation plan certain commitments had to be met starting January 2014 in order for the implementation of the SASL CAPS to be effective. As set out below, some of these commitments have not been met.

Lack of continuous training of Deaf teacher assistants, Foundation Phase and Grade 9 teachers

The implementation plan required the continuous training of Deaf teacher assistants, Foundation Phase and Grade 9 teachers. While there was one more additional one week training session, reports were generally that the training insufficient and that there were inconsistencies in the training provided with some aspects of the training manual being incorrect.

No preparedness for 2018 Grade 12 examination assessment

We are concerned that the system will not be ready in 2018 for the Grade 12's to write the SASL CAPS NSC Examination in 2018.

Schools have not been provided with clear guidance on how the SASL Computer Lab should be set up (including what programmes to use). In addition, schools have not been given training on technical aspects of filing learner work electronically while preserving the integrity and privacy of learners' assessments. Many schools do not have the necessary equipment even at this point in time. This compromises both the current Grade 11 learners' future opportunities as well as degrades the language.

Lack of participation and oversight by members of the Deaf community

There is currently a lack of oversight by and involvement of the Deaf Community in the implementation process. This is similar to English speakers with limited isiZulu competency overseeing the process of implementing isiZulu Home Language as a new subject.

As mentioned above, in the Meeting of 6 August 2014, the Minister requested that the CMT continue their work as an oversight body, but their services were nevertheless terminated. Thereafter, there was only one meeting of an Advisory committee in June 2015. To date, there have been no further attempts to involve Deaf stakeholders.

Inadequate funding

Since the inception of this implementation process there was an undertaking from DBE to approach National Treasury for the necessary funding. However, it is not clear whether this has been done.

In the meeting between the DBE and the CMT on 3 February 2014 it was stated that the DBE would put plans in place, including proper budgeting plans. In addition, on 16 April 2014, the Acting Director, Mr Lesufi, undertook to approach National Treasury for funding for the implementation of the SASL CAPS. A copy of the letter is annexed hereto marked "Annexure 4". The continued reason given for delays in implementation of the SASL CAPS; for no Advisory Committee meetings; and for not having screening meetings for LTSM evaluation, is that the DBE has "no budget". It bears emphasis that the right to basic education as guaranteed in section 29(1)(a) of the Constitution, is an immediately realisable right, not subject to the available resources of the government.

Insufficient and unsuitable LTSM

The lack of commissioning and procurement of LTSM has resulted in a dire lack of suitable resources for the implementation of the subject. At recent training, FET SASL teachers were given DVDs with videos of poetry in ASL (American Sign Language) and BSL (British Sign Language). At FET level the learners should have common set work texts across the country yet the only texts they have been given are foreign. There has been no commissioning of LTSM from established producers within the country. While there was an audit done on existing materials, no funding has been set aside to obtain materials suitable for Home Language developed.

DeafSA's engagement with the DBE

As far back as early 2014 DeafSA unsuccessfully attempted to engage with the DBE to raise its concerns regarding the inadequate implementation of SASL CAPS. To date, some of the email correspondence and letters addressed to the DBE remain unanswered. This includes DeafSA's numerous requests to meet.

On 28 October 2014, the Legal Resources Centre (LRC), on behalf of DeafSA, wrote a letter to the Dr Simelane, informing that DeafSA has concerns about how the DBE plans to make the teaching of SASL as a subject a reality for Deaf and hard hearing learners. In particular, DeafSA had concerns about the training of teachers; posts for new teachers; and the actual implementation of teaching SASL. DeafSA sought clarity on various issues including, the starting date for teaching SASL, the availability of teachers to teach SASL, training of teachers, training of deaf teaching assistants, and the employment of deaf teaching assistants. DeafSA also sought information on whether language subject advisors have received adequate and sufficient knowledge and training about SASL.

On 14 April 2015, the National Director of DeafSA, Mr Bruno Druchen, again addressed a letter to Minister Motshekga, requesting an urgent meeting. The reason for this request was twofold. Mr Druchen enquired about the submission the CMT made to the Minister in April 2014, to which no response had been received. The CMT made numerous follow up with Dr Simelane, no response had been received. In addition, Mr Druchen enquired regarding the decision to end the mandate of the CMT, specifically, whether this instruction came from Minister Motshekga.

On 22 October 2015, DeafSA addressed an email to Mr Allan Subban of the DBE requesting the minutes of a meeting held in June 2015 and expressing disappointment with the DBE for not responding to their request to meet with the Minister.

On 23 October 2015, a response from Mr Allan Subban was received stating that he did not recall DeafSA's letter requesting a meeting with the Minister. Mr Subban undertook to check the records thereof and forward them as requested. Mr Subban requested that DeafSA re-sent the letter to him

On 27 October 2015, DeafSA re-sent the letter requesting a meeting with the Minister. In this email, DeafSA provided a brief summary of the situation in the schools for the Deaf. Noting that in certain schools hearing teachers were still confused and unsure of the linguistics of SASL despite the two weeks training provided to them. Again, DeafSA requested minutes of the meeting held in June 2015, which they had not yet received.

In 2016, DeafSA continued to engage with the DBE regarding the implementation of SASL CAPS. On 12 January 2016, DeafSA contacted Dr Simelane and enquired whether the necessary processes were in place for SASL to be recognised as a designated subject for bachelors pass at Grade 12 in 2018. Furthermore, whether the minimum policy requirements had been amended to include SASL as a recognised language and as a designated language subject. In response, Dr Simelane undertook to find out from the examination division on what needs to be done to enlist SASL as a designated subject and would revert back with an answer.

Since DeafSA received no response to the email dated 12 January 2016, on 10 February 2016 DeafSA sent a follow up email, to which Dr Simelane responded that he had not yet received a response from the Examination Division.

After DeafSA's unsuccessful attempts to receive a substantive response to its concerns, on 10 March 2017 a letter was addressed to Minister Motshegka. In this letter DeafSA requested an urgent meeting with Minister Motshegka and informed the Minister that all previous efforts to meet with the Minister and other relevant officials had failed.

On 6 April 2017, a meeting was held to discuss the need for research to be conducted and the bad results for the Grade 12's of 2016. The meeting was attended by Odette Swift from

DeafSA, Dr Simelane, the Director for Examinations, Ms Ogunbanjo and two of the senior examinations staff. At the meeting the issue of designated subjects were raised. This followed an email from Dr Simelane dated 21 March 2016, in which he mentioned that in a joint DBE and Department of Higher Education ("DHET") meeting, the issue of designated subjects were discussed. Dr Simelane informed it is for the DHET Ministers to review this. Dr Simelane undertook to provide a response by June / July 2017. However, to date, no response had been received. DeafSA's concerns pertaining to the inadequate implementation of SASL CAPS had not been discussed at this meeting.

DeafSA has raised its concerns with the Human Resource Development Council on the 10 November 2017. At the meeting a presentation was made to provide an overview of the history and development of South African Sign Language (SASL) and current challenges Deaf Learners are facing in terms of SASL CAPS and their Education in General, with a matric pass rate of 28%. It highlighted the current status of Deaf education and training in the country with a specific focus on schooling and post schooling.

The meeting agreed that that The Deaf Federation of South Africa (DeafSA) should meet with the Minister of Basic Education and out of that meeting, report back to the Human Resource Development Council in order to decide on how to best proceed with the challenges. The report should be provided at the next Council meeting. DeafSA wrote a letter to the Minister for such a meeting on the 22 January 2018, no response was received.

The Chairperson of the HRDC, now the President of South Africa stated - "We welcome the fact that the issue of South African sign language and deaf education is on the agenda. For too long, this has been any area of education and training that has been neglected, both in policy and in practice. Unless we attend to sign language and deaf education, a significant portion of our people will remain excluded from meaningful economic participation by virtue of disability."

DeafSA again wrote a letter requesting the Department for a meeting via EELC and a meeting was held on the 6-7 March 2018 – Minutes is attached in *Annexure A*. The minutes was sent to the department and with grave concerns none of the decisions taken was implemented.

Grade 12 results

In the 2015 Grade 12 NSC exams there were 13 schools for the Deaf who enrolled students to write the exams. A total of 84 students wrote the exams nationally and 42 passed the exams. This is a pass rate of exactly 50% - which is a staggering 20.7% below the national pass rate announced by the Minister of Basic Education in her speech on the 5th Jan 2016 at the Announcement of the 2015 NSC Examinations Results.

In the 2016 Grade 12 NSC exams, there were 12 schools for the Deaf which entered candidates. These 12 schools entered a total of 143 learners of which 41 passed. This is a shocking result of a 28.67% pass rate. These numbers include progressed learners and compared to the national pass rate of 72.5% (which included progressed learners) it shows that schools for the Deaf are achieving a pass rate of more than 40% less than the national average.

In the 2017 Grade 12 NSC exams there were only 10 schools for the Deaf who enrolled students to write the exams. A total of 56 students wrote the exams nationally and 35 passed the exams. This is a pass rate of 62.5% - which is a concerning 12.6% below the national pass rate announced by the Minister of Basic Education in her speech on the 4th Jan 2018. While the pass rate in the schools for the Deaf has increased (2015: 50% 2016: 28.67%), this may partially be attributed to the class of 2017 being the smallest cohort of Deaf students in the last 3 years. This leads us to consider that in order to ensure a favourable pass rate, schools are forcing underperforming learners to exit the academic programme, often into unaccredited skills programmes or programmes in which the learners have no interest or out of the school system completely. We have abundant anecdotal evidence to this effect.

South Africa has 43 schools of the Deaf and herewith a summary of schools of the Deaf that Grade 12:

- 2015 - 13
- 2016 - 12
- 2017 - 10

	Bachelor Pass	Bachelor %	Diploma Pass	Diploma %	Higher Cert Pass	Higher Cert %	Endorsed Pass	Endorsed %
2015	5	12%	23	55%	6	14%	8	19%
2016	4	9.80%	12	29.30%	7	17%	18	43.90%
2017	8	23%	14	40%	5	14%	8	23%

It is noted that in the past 3 years fewer schools offering Grade 12. In all three years we have conducted an independent report, Northern Cape, North West and Mpumalanga offer no access to Grade 12 for Deaf learners. Deaf learners are limited with subject choices and this has an implication on their career path and on their future.

DeafSA will circulate the 2018 report after the exam results in 2019.

The 3 reports for Grade 12 is attached under Annexure C

Residential Facilities

Most schools for Deaf learners are residential in nature due to their geographical location in relation to where Deaf people resided.

DeafSA has raised concerns to the DBE as early as 2003 that the residential atmosphere of schools for the Deaf is unlike that of other residential schools because it is at the residential school that the Deaf learner gets the most access to communication – from her peers and Deaf assistants / teachers where present. The Deaf residential school is the hubbub of SASL and Deaf Culture. Many Deaf people see inclusion as a threat to their language and culture because now they have to be dispersed into mainstream schools.

Residential schools for the Deaf underestimate their extra-curricular responsibility and there is a dire need of appropriate programmes to enhance the Deaf learner's education experience. Such programmes could be sports opportunities, leisure activities, field trips, captioned movies in the evenings, story-telling at bedtime. A Deaf person's education cannot be successful if the only education input, as inadequate as it is at present, happens during class hours.

There must be a holistic approach and other area in a Deaf person's life need to be nurtured due to the amount of time spent at a residential school.

At the meetings with Dr Simelane in 2016 and 2017 the need to audit hostel safety (especially after the tragedy at North West Secondary School of the Deaf) was highlighted as an essential element of the teaching and learning environment. This includes the ability of the hostel parents to sign adequately as well as the employment of suitable Deaf adults in hostels as cultural and language role models.

DeafSA and the Legal Resource Centre has worked together to address challenges in the Eastern Cape. Several Meetings was held to address matters of grave concerns with in residential facilities of Deaf Schools.

Hostels and safety and hygiene –Minister needs to develop norms and standards for special school hostels as there is no policy currently in place. LRC reported that the minister and the CEM meeting agreed on the need for such regulations. LRC has requested the minister's office to inform them of a time frame in which these regulations will be ready but no response received as yet. Their request was that they should receive a response by end June. 2018

Staff that cannot sign in schools for the Deaf – this was an issue that came up at all the schools during the visit to schools in the Eastern Cape. It was noticed in both hostels and classrooms and that this lack of communication results in neglect and abuse as corporal punishment is used when communication fails. DeafSA briefed the LRC on the background to previous requests to Dr Simelane originally for the DBE to undertake proper research into the signing ability of teachers by filming them and analyzing the footage to identify where the problem lies.

TEDI research project shows that Deaf learners still experience lack of care in hostels – house parents unable to sign at all in some schools (page 39 of the report)

Some hostel learners problematized the fact that carers had no South African Sign Language (SASL) *"The house mothers cannot help us if we have homework because they cannot communicate with us. "* They also described a lack of support from the carers when it came to completing school work: *"We need a study time that we can have a teacher ... to monitor us and make sure that we do our homework or assignments ... Sometimes we also need*

someone to tell us go and study,I like at home we would have parents who would tell us go read your books. "

The report from LRC is attached under Annexure B

Umalusi

The Quality Assurance of teaching and Assessment of South African Sign Language –Report

The initiative undertaken in this research and to ensure that the manner in which SASL is taught and assessed is well understood by all role players. This not only ensures that the subject offered is of good quality but also ensures that the linguistic rights and dignity of the Deaf community is upheld.

Concerns on the report that was launched on the 2 March 2018:

1. Front page, the fact that hearing persons were used are an insult and that Deaf People are not recognized from the onset of this report. The non-manual expression of the lady is incorrect if this was a conversation when this photo was taken.
2. Consultation with Schools of the Deaf in Gauteng are inadmissible due to the fact that Schools of the Deaf in rural areas have different factors that they are faced with. While the research focused on schools in Gauteng, we are aware that some schools still do not have the correct equipment or expertise but are said to be rolling out.
3. The information and historical background on the official status on SASL as an official language is outdated and incomplete. South African Schools Act of 1996 and various other laws were not quoted and the UN Convention on the Rights of Persons with Disabilities. This provides the foundation on what should be done. DeafSA lobbied for these laws to protect the rights of every Deaf individual and will not accept that our rights are high jacked by hearing people for personal gain.
4. DeafSA has from as early as 1994 engaged with the DBE on the importance of teachers to learn SASL and to train Deaf People as teachers. Drastic measures should be taken to ensure that teachers are fluent in SASL and their skills should be evaluated. Deaf learners are at the end of the chain in receiving quality education and SASL must be used as a medium of instruction in all subjects.

5. Parts of the document has been copied from American documentation on ASL and this reflects that this report was a copy and paste exercise.
6. The Workshops on SASL provided by the DBE and WITS must be evaluated and quality control should be done, because the outcome remains at an extremely low competency level.
7. The report states that DBE provides ongoing workshops and training for SASL teachers is factually incorrect. The workshops provides are given to teachers are not fluent in SASL and it is impossible to learn a language in two weeks.
8. In assessment mention is made that qualified Children of Deaf Adults (CODA) will be used , what makes a CODA qualified , Deaf people should be used.
9. The following expertise should be involved during test development or examination question paper setting: native signers (could be qualified Deaf academics or qualified CODAs) and qualified, hearing SASL professionals' DeafSA rejects this recommendation, it should be only Deaf People that are native signers and not CODA hearing SASL professionals.

DeafSA will be able to continue to highlight concerns and mistakes in the report but will focus on reasons in opposing the report. For too long hearing SASL professionals , might be CODA's , non-fluent users of SASL making recommendations on what should happen and making decisions for the Deaf Community and Deaf Learners without any consultation with Deaf People or consultation did happen but no recognition was given. DeafSA therefore rejects this report because no consultation with the Deaf Community or native SASL users were made.

Government drafted a policy on Self representation and soon to become law, please herewith the objectives of the policy

- Strengthening access and participation through self-representation;
- Official recognition of representative organizations of and for persons with disabilities (inclusive of parent organizations);
- Strengthening diversity and self-advocacy programmes for persons with disabilities (taking into consideration intersectionality issues);
- Self-representation in public life;
- Constitutional and legal imperatives towards an obligation to legislate the right to self-representation.

The matter of self-representation has been part of the New Government since 1994 and Umalusi failed to involve Deaf People as part of the research is unforgiving and not acceptable.

Take back Deaf education!

At the National Executive Committee meeting during May 2017, DeafSA noted the concerns of the Deaf community regarding the state of education of Deaf, more so in light of the low national pass rate of Grade 12 for the class of 2016, which was a mere 28.67%. After proactive and extensive sharing of current experiences among schools for the Deaf to get to the roots of the low pass rate, the same concerns regarding the dysfunctional state of all aspects of Deaf education were once again confirmed. As a result the Deaf Community demands to "Take back Deaf education."

The South African School Act no 84, 1996, makes room for South African Sign Language (SASL) to be used as the language of instruction for Deaf learners. SASL is thereby recognised as the key element of Deaf education. After a long process of lobbying and consultation, the Department of Education resolved in 2010 to implement SASL as a subject in the schools for the Deaf. However, DeafSA had identified the following concerns with respect to the planning and implementation of the SASL CAPS. These were communicated to the DBE (Department of Basic Education) during 2014 and again in April 2015:

- Inadequate materials available for implementation
- Lack of SASL linguistic expertise on the team that wrote the training manual
- Linguistic errors in the training manuals
- Evaluators of the curriculum materials not qualified to do the work because they are not SASL linguistic experts.
- Inadequate training of both hearing teachers and Deaf teaching assistants to teach the content of the subject.
- Absence of any oversight committee or subject specialists who are SASL linguists for teachers to contact when they are unsure.

The repeated requests by DeafSA since 2016 that the DBE conducts an in-depth study into the reasons for the consistently poor performance of Deaf learners over the last 23 years, was met with silence. The Department simply continued with the rollout of the SASL

implementation, without involvement of Deaf people in decision-making and advisory positions within the DBE. The rollout process was marred by the following:

- Despite having developed a list of required SASL texts as soon as the curriculum was approved, the development and national procurement of good quality SASL texts was not funded.
- Delays in screening meetings resulted in no LTSM having been approved in 2016 for implementation in 2017 (Grade 11).
- There has subsequently been a scramble to try and find LTSM which led to inferior and non-indigenous materials (British Sign Language and American Sign Language) downloaded from the internet and (desperately) snapped up by some schools. This will have a negative impact on SASL and will destroy SASL. The legacy that the DBE will leave behind is that of confusion and not a pure language that is or was used by many thousands of Deaf South Africans.
- While many teachers have been trained in general SASL use, with some basic understanding of the grammar of the language and improvement in vocabulary for communicative purposes, there is no systematic transfer of knowledge and skills to other teachers.
- Post-training evaluation of the effectiveness of the SASL training programme in the classrooms in order to assess whether the training indeed had the desired positive impact on teaching and learning did not take place at all.
- In many schools, neither the SASL teachers nor the Deaf teaching assistants feel adequately trained in the subject content (especially SASL literature) to be able to adequately teach the subject, and to use SASL as the language of learning and teaching (LoLT).
- Unequal or non-existent provisioning of the necessary personnel, equipment and posts for assistants and funding for additional LTSM
- Inconsistency of post structures for Deaf teaching assistants, such as permanent posts created for some SASL teaching assistants, and other Deaf teaching assistants employed as 'general workers' or 'household aids'.
- Funding sources of Deaf teaching assistants are not consistent across provinces, where in some provinces the SGBs (school governing bodies) are required to employ assistants themselves, which translates into unequal and inconsistent salaries, job descriptions and ultimately, teaching of SASL across the country.

- Insufficient LTSM for SASL, or not at all, especially in the FET (further education and training) phase, in some schools.
- The evaluation of the existing LTSM submitted does not provide for acknowledgement of dialect in SASL, hereby artificially enforcing standard sign vocabulary by non-SASL users among Deaf learners.

As a result of the nationally uncoordinated rollout process, we have the inevitable and most critical situation that there appears to be an awareness now at the DBE that the **system and learners may not be ready for the Grade 12 SASL exam in 2018**. If this subject is NOT offered, learners will obtain only an endorsed matric which immediately closes doors for tertiary education. This boils down to an infringement of the immediately realizable right of Deaf learners to quality and equal education.

Therefore, DeafSA, in collaboration with the broader Deaf community, will actively seek professional and efficient ways to "Take back Deaf education." The voice of the Deaf community in matters pertaining to our education, and therefore our future opportunities, will not be silenced. Let us work together to ensure that the rights of every Deaf baby, toddler, child, learner and student are acknowledged and upheld through the provision of equal, quality education for ALL.

Recommendations

In order to take Deaf Education back, DBE should recognize the vital role of Deaf people in the effective development of Deaf Education and therefore DBE and DeafSA should collaborate on an equal and fully consultative level. Therefore, we request that the portfolio committee supports the **Establishment of a National Task Team in consultation with DeafSA and funded by DBE**, which will address the following:

1. National Indaba on Deaf Education (this to be arranged by a preliminary task team if DBE and DeafSA representatives), with the following objectives:
 - Identify various facilities across the country involved in Deaf education, literacy material developments, etc and sign language development

- Whether the facilities are fragmentized and do not lead to a efficiently cohesive approach which will fully support DBE and DeafSA in a properly coordinated implementation of Deaf Education
 - Explore Inclusive Education options to open up more subject choices for Deaf learners in FET phase
 - Existing policies which guides DBE towards effective implementation of deaf education
 - Current state of deaf Education quality in various schools of the Deaf across the country
 - Selection of National Task Team (consisting of Deaf leaders, universities, selected school representatives and SASL schools)
2. Results of the Indaba will then assist the National Task Team to address the following
- Conducting a country-wide baseline SASL assessment of all teachers of the Deaf in the foundation and ECD phases
 - Funded research and surveys that includes Deaf people
 - Based on the findings of the research we can make informed recommendations in the following areas.
 - Developing subject-specific SASL vocab databases.
 - Funding of adequate and efficient in-service training on Deaf education (pedagogy, curriculum adaptation etc)
 - Ensure Deaf learners in vocational and occupational streams have access to equal and recognised qualifications – no “in house” skills programmes permitted in any schools!
3. Other long-term results of the National Indaba:
- Timeframes to achieve the various objectives listed
 - Policy amendments – teachers in special schools MUST have appropriate qualifications in specialist area before taking up a post, as well as to ensure that Schools of the Deaf must become a signing environment
 - Set up a bursary for Teaching assistants to obtain recognised qualifications – create a career pathway
 - Policy on residential facilities of Deaf Schools
 - Establishment of Deaf ECD centers and SASL training of parents

Conclusion

DeafSA recognizes that SASL is the backbone of South African Deaf culture. We value the acquisition, usage and preservation of SASL and is a recognized leader in promoting the acquisition, learning, teaching, and interpreting of SASL. DeafSA was established in part to promote and preserve SASL as a legitimate language and an optimal educational tool for deaf children and adults IN South Africa and will not accept that American Sign Language and British Sign Language is used as teaching materials in South Africa.

The inherent capability of children to acquire SASL should be recognized and used to enhance their cognitive, academic, social, and emotional development. Accordingly, DeafSA supports the bilingual approach for Deaf and hard of hearing children. Deaf and hard of hearing children must have the right to receive early and full exposure to SASL as a primary language, along with English as the written language. Studies have shown that when Deaf and hard of hearing children are exposed to sign Language at an early age, they are given the opportunity to reach their full potential.

In Deaf history, in defense of SASL (and modality) and human rights, the Deaf Community has been affected by and have been fighting against hearing-based colonialism, oppression, audism, linguicism, and within this hearing society that spans over the past thousands of years. SASL, culture, and history are deeply interweaved.

Deaf Education cannot work until Deaf People are an integral part of the system at all levels. We will "Take back Deaf Education"

Annexure A

**Minutes of Meeting between Deaf Federation of South Africa (DeafSA) and the
Department of Basic Education (DBE)
Pertaining to the Implementation of South African Sign Language (SASL)
held at Newlands, Cape Town on
6 and 7 March 2018**

Time: 14h00

Place: DeafSA Boardroom

Facilitator: Chandre Stuurman (Equal Education Law Centre)

Present:

DBE representatives:

1. Dr R. Poliah- Examinations
2. Ms A. Schroeder
3. Dr M. Simelane
4. Mr C. Thurston
5. Mr A Subban

DeafSA representatives:

1. Ms. O. Swift
2. Mr. F. Deysel
3. Mr. B. Druchen
4. Ms Hlungwane (Interpreter)

Equal Education Law Centre (EELC):

1. Chandre Stuurman (Facilitator)
2. Ziphokazi Sisilana (Scribe)

1. Adoption of agenda:

DeafSA proposed agenda for the 2 day meeting accepted. No additions made.

2. Structure of the meeting:

Duration of meeting 2 days.

Day 1 – 6 March 2018: 14h00 to 16h00 (discussing 3.1 as per agenda)

Day 2 – 7 March 2018: 09h00 to 13h00 (discussing 3.2 as per agenda)

DISCUSSIONS: DAY 1

3. Overall quality of Deaf education

DeafSA:

- Early Childhood Development (ECD) - DeafSA is of the view that ECD Centres are not being developed enough to ensure its inclusivity for all children, irrespective of disability.
- DeafSA received feedback from the ECD Centres whose teachers and parents informed that the teachers are not able to sign adequately to have proper conversations with the learners.
- Posts for pre-school teachers in schools of the Deaf are not paid for by the DBE and schools therefore have to find funds from already stretched budgets to pay these teachers – low pay usually does not attract the best people that are needed.
- Furthermore, there has been no pre and post training for the teachers.

DBE:

- Access to early childhood education is a collective responsibility between the Department of Social Development (DSD), DBE and Department of Health (DOH).
- DBE is only responsible for learners attending ECD once they reach the age of 4.
- DBE proposed that a workshop is held engaging all relevant stakeholders, including DeafSA to discuss the issues pertaining to ECD.

DeafSA:

- DeafSA is of the view that each of the Departments assumes that the other is doing its job when in fact that is not the reality.
- DeafSA accepts DBE's suggestion that the 3 different Departments (DSD, DBE, DOH) have to work together to ensure that learners have access to an inclusive ECE.

DBE:

- DBE propose that DeafSA facilitates a meeting with all 3 Departments. DBE undertook to support such a meeting.
- DBE / DSD / DOH to meet and discuss the way forward re ECD. DeafSA offered to lead the conversation between these Departments.

4. LoLT

DeafSA:

- DeafSA noted recent research indicates that learners are still reporting that they do not understand teachers and they do not use SASL proficiently for the purpose of learning and teaching. This despite millions having been spent on generic SASL courses for teachers.
- DeafSA raised concern that while SASL training has been provided, there was no pre- or post- training evaluation of teachers' signing proficiency and thus there is no evidence of any change at all in classroom practice.
- DeafSA proposed that DBE examines the quality and content of courses that are offered at University level for students that are training to be teachers. E.g, the DBE can approach the Universities and collaborate with DeafSA to evaluate programmes that train teachers in SASL.
- In addition to this, DeafSA request that there be a policy pertaining to teacher training, specifically a need to have specialist qualifications in order to teach in a school of the Deaf.

DBE:

- DBE notes the suggestions and requested DeafSA's guidance on this process, especially what qualifications such a teacher would require in the sector.
DBE acknowledged that good quality teachers could produce learners that could themselves become teachers .

DeafSA:

- DeafSA highlighted the difficulties with the overall environment at a school for the Deaf. Teachers at these schools do not make use of SASL on campus. As a result, some of the learners struggle to learn and do not feel at home in the hostels where hostel staff do not sign.
- DeafSA wants more Deaf teaching assistants to be empowered to qualify as teachers to teach at schools for the Deaf. DeafSA made the point that there are many Deaf people with vast knowledge and expertise but are prevented to apply for certain positions because they lack the formal qualifications and therefore do not “qualify” for these positions.

DBE:

- DBE expressed concern that they are constantly losing qualified teachers teaching at schools for the Deaf due to promotions being taken up. Teachers are trained but once better opportunities come up they leave. It was suggested that there should be some conditions to bursaries provided to teachers for training.
- DBE constantly have to retrain new incoming teachers.

DeafSA:

- DeafSA advised that short-term, subject-specific SASL interventions may be an immediate solution to address the gaps in certain subjects. In addition, training Deaf people to become teachers will result in less staff turnover.
- DeafSA further requested consideration of policy which prevents redeployment of staff in excess, or teachers being expected to “cross teach” across two (or more) disability groups.
- DeafSA also highlighted the interference of unions in the staff recruitment processes at schools of the Deaf, without the necessary skills or expertise to understand the needs of Deaf learners.
- DeafSA informed of an existing University Forum. DeafSA invited DBE to be involved in a University Forum where they meet with various Universities to discuss teacher training.
- DeafSA informed that there is an existing Principals Forum. DeafSA think that it would be beneficial for DBE to attend the April launch.

- DeafSA requested that DBE work with DeafSA to ensure that schools for the Deaf get the same quality of education for Grade 12 learners as mainstream schools.
- DBE to recognise that the use of ASL and BSL in SASL Curriculum is an insult to the South African Deaf community.
- DBE, in collaboration with DHET to improve teacher training. DeafSA to be allowed to provide input.
- DBE to request Governance department to remind schools of the Deaf that they are required to have a representative of an organisation of the Deaf on their SGB and request schools to ensure that Language Policies are in line with the rights of learners to access education in their first language.
- DBE to encourage the creation of a sign environment in schools of the Deaf, where all staff (teaching and non-teaching) use sign language on campus.
- Everyone to be equal.

5. Learner Dropout Rate:

DeafSA:

- DeafSA is concerned about the high dropout rate of Deaf learners.
- Many of the schools for the Deaf do not have accreditation for the skills programmes they offer (some are SETA accredited).
- There is a need to ensure that the 3 tier education system is also piloted in schools for the Deaf to test efficacy of the curricula within the Deaf education system with its associated constraints.

6. SASL Curriculum:

DeafSA:

- Only 4 schools offer Life Science, and none of the schools for the Deaf in SA offer Physical Sciences. The impact of this is that the Deaf learners are denied the opportunity to pursue careers in the science field. This is exclusionary and discriminatory.
- DeafSA sent a 2015/6 report to Dr Simelane's office and is yet to receive a response to the report.

DBE:

- There is a drive to increase learners to take up Maths and Science. The problem is finding teachers qualified to teach these subjects at schools for the Deaf.

7. Learner Safety:

DeafSA:

- DeafSA made reference to the SAHRC Report on the 2015 Fire at North West Secondary school for the Deaf.
- The fire came after DeafSA wrote a letter to the MEC regarding the lack of safety measures at schools for the Deaf. For example, there are intercoms in these schools, but the learners cannot hear the announcements, fire alarms use sirens etc.
- The MEC did not take responsibility for the Death of the learners.
- There must be a policy in place to ensure the safety of learners and that what happened at the school in NW never happens again.
- Residences are, in many schools, not in good condition. They are not good spaces conducive to learning and children sometimes have to live in unsuitable conditions. e.g on some visits DeafSA noticed bad odours in these hostels. In addition, the supervision is non-existent or of bad quality. e.g at Bosele School, an incident where a blind 3/4-year-old deaf learner was helping his blind peer to find his locker of clothes after the blind peer wet his pants during the day.
- DBE must identify and acknowledge these issues at school hostels.
- The DBE to go Gallaudet University. The school next to this University is what all schools for the Deaf should look like sometime in the future.
- DBE are invited to examine the Safety System designed by a company in collaboration with DeafSA.
- DBE must send out circulars to these schools pertaining to the implementation of SASL.
- DBE to urgently develop minimum norms and standards for special school hostels which take into account the specific disability of the learners resident there. This policy should include matters of adequate staff with requisite skills and qualifications, infrastructure and safety.

DBE:

- DBE requested to look at the safety system DeafSA has assisted to develop.

- DBE informed about a Vodacom and ICT programme that is currently in place, where learners can report abuse at schools immediately.
- This is implemented at 7 schools.
- DeafSA informed that they raised concerns with this programme but that DBE did not consider this and went ahead with piloting. E.g with Sizwile School in Soweto
 - DSD thought that smart boards are perfect, but DeafSA raised concerns with the project. Even with the concerns, DSD proceeded with the project. As a result of this, learners dropped out of school.

8. Language policy:

- The South African Schools Act requires there to be a Deaf representative on SGB's. This is not being implemented.

DBE:

- Recognises that they need to organise themselves better in their delivery. E.g, making sure that the language is regulated in the schools.
- Advisory Committee - The DBE propose that an Advisory Committee be established. This AC must focus on the implementation of SASL and must have all key stakeholders form part of it, including DeafSA.

DeafSA:

- DeafSA notes this proposal but request that the CMT be established once more. The CMT having a broader focus than the AC.

DBE:

- Noted the request of DeafSA and requested that DBE be allowed to respond to this request in day 2 of the meeting.

DISCUSSIONS: DAY 2

The meeting was started by DeafSA providing a short summary of Day 1 discussions.

9. Pool of experts:

- DBE stated that there is a limited pool of experts for linguistics.
- DeafSA proposes that the DBE work with DeafSA to find experts as DeafSA have access to people who have this expertise.
- In addition, DeafSA emphasised that the DBE should guard against defining a hearing person who signs as an expert. There should be more empowerment of the Deaf community who do have the knowledge and expertise.
- DBE expressed that they struggle to find Deaf Teachers. There are only 42 schools and many of the teachers did not take SASL. DBE find it difficult to get Deaf teachers so they have to sometimes take hearing teachers.
- DeafSA again expressed concern that DBE keeps using 'lack of formal qualifications' against the Deaf people. This is used against them as means to exclude them. They do have the knowledge and expertise but lack formal qualifications because the very same system that is supposed to be for them is failing them. DeafSA noted that they understand the DBE's constraints and reason why they sometimes have to employ hearing teachers but requested that they reach some sort of compromise and that there are negotiations. To what extent can DBE do away with the minimum formal requirements that is now preventing Deaf people from entering the space?
- DBE expressed that the DBE is open to receiving the Deaf community to assist as experts.
- DeafSA raised the point that even during the drafting of CAPS, DeafSA pointed out the issues of teacher competency, training, LTSM development and limited budget.
- DeafSA wants to ensure that the Grade 12's this year get a good quality exam and have an excellent matric pass rate and requested that DBE make this happen.
- DeafSA specifically requested that the Higher Diploma in Education (HDE) which was used as a tool for un- and under-qualified teachers to obtain recognised teaching qualifications, be re-opened only for Deaf teaching assistants who meet the minimum requirements to access the qualification. Although the qualification is now phased out, Deaf assistants were not advised of the possibility to study this programme until it was too late to register. This would be a way of empowering Deaf people to become qualified teachers.

10.Training: (SASL CAPS: the two-week training of teachers and Deaf teacher assistants)

DeafSA:

- The training of teachers involves orientation of the CAPS and some knowledge e.g linguistics
- Insufficient training: DeafSA received feedback that there is still a lot of confusion amongst the teachers and Deaf teaching assistants. The teachers feel that they are not competent in what they are doing. E.g There is a huge coverage of literature that is not covered in the two-week training, the focus is on linguistics during the training.
- Inequity of funding in provinces: There are provinces that have engaged the services of training organisations such as SLED and where they have purchased their materials. They have asked SLED to come to the teachers to explain the material and give them a better understanding of how to use the materials. But there are other provinces that do not have the funding to do this, and in these provinces the teachers do not engage with the teaching materials and place the burden on the Deaf teaching assistants to teach the learners.

DBE:

- The CMT decided on a team-teaching model. Teachers would be trained in teams (teacher plus Deaf teacher assistant). This approach was suggested as means to remedy the lack of SASL competency of hearing teachers.
- The teachers and Deaf teaching assistants were trained side-by-side because they needed to go back and work together in the classroom.
- SASL CAPS training were two weeks because there was a lot of backlog. Other subjects generally require one week of training.
- DBE recognises that they need to address the confusion/ incompetency of the teachers. Deaf teaching assistants must be treated as equals in the classroom.
- DBE explained the training programme:
- 2014 Programme: (Foundation Phase and Grade 9):
- 283 teachers were trained for 2 weeks that previously did not know how to sign: they were orientated, and DBE wanted to empower them with the basics in order to be able to teach.
- First week of training: involved an explanation of the background and making sure that there is a balance of equality between the teachers and Deaf teaching assistants, bilingualism and introduction of the CAPS.
- Second session (weeks two): the focus was on grammar. The teachers were given the basics of SASL so that they would be able to teach linguistics and not in-depth knowledge because the foundation phase does not have literature.

- 2015 Programme was focused on the intermediate phase and bridging grade 10: (grade 9 teachers were included because they had not been given sufficient training in 2014):
- Week 1 was orientation and background of the knowledge.
- The rest of the training was on extended knowledge for grade 10s.
- 2016 Programme: (senior phase and grade 11):
- First week included only teachers that were new to the training.
- Second week included the other teachers that had previously attended the training.
- There were University experts that came to train in the poetry session.
- 2017: training for Grade 12 teachers and Deaf teaching assistants:
- Focus was on literature.
- Second week of the training included information which the teachers had issues with based on evaluation forms from previous training.
- There was a refresher class in September.
- On representation of the Deaf community in the training team: DBE expressed that they always have Deaf people, but sometimes DBE struggles to get people because they have their own jobs and are unable to commit to the training of teachers. Training Manual was developed by the Western Cape because they had a pilot project in place and there was a programme in place.

DeafSA in the gaps of the training:

- DeafSA's issue is not with the SASL curriculum but rather with its implementation. In particular, the lack of quality, trained teachers.
- For example, with the hearing teachers, they have not received the necessary foundation that would enable them to adequately teach the SASL CAPS. Whereas other teachers doing orientation to CAPS for their subject, they are already subject-knowledge experts and merely need to adjust their teaching to match the CAPS, whereas for SASL the teachers and Deaf teaching assistants are not subject-knowledge experts (even if they are fluent signers) thus even 2 weeks of training is grossly insufficient.
- DeafSA has raised these concerns and had requested a meeting with the DBE on various occasions as they have been receiving information on the ground regarding the inadequate implementation of SASL and wanted to discuss these issues with the DBE in order to decide on a constructive way forward.
- Despite, DeafSA's request, they were unable to secure a meeting with DBE until now.

- DeafSA restated its position that Deaf people must be empowered.
- Concerns were raised by the Deaf community. The Western Cape community expressed that they hated the curriculum. The wide-spread belief is that Ms Steyn came to the WC to introduce new signs and the signs that were used in the Western Cape were disregarded. Hearing teachers led the conversations because they told Deaf people what to sign and that they need to stop using the SASL that they know. The church community also became involved, but the DBE did not question the information they were given by DeafSA.
- Lucas Magongwa reported to the NEC that he does not agree with the training manual for the SASL CAPS initial training.
- DeafSA has formed its own SASL Interpreter training programme that was endorsed by the University of North West. Principals were invited to the training and DeafSA realised that the schools did not know anything about SASL.
- SASL CAPS Trainers approached DeafSA and expressed that they are being oppressed and not being listened to. That is why the DBE has been struggling to find experts to train teachers.
- Deaf teaching assistants are being asked to do the work of teachers while they relax. This has left them feeling disempowered due to huge salary and benefits differences.
- The fact that hearing people are leading the training has also left the Deaf community feeling disempowered. DeafSA wants the Deaf community to be involved in appointing positions of the people that lead them.
- When reports are compiled by DBE, DeafSA hopes that the lives of Deaf people will be empowered
- The DBE seems to believe that deaf people do not qualify for the jobs that they hire the hearing people to do.

DBE:

- The DBE apologised for the unresponsiveness to DeafSA's request to meet and stated its commitment to the implementation of SASL.
- How does DBE strengthen SASL to the empowerment of Deaf people?
- DBE is of the view that it is perhaps time to look beyond only the Deaf learners, but that the focus should also be on the communities and parents. This will improve the use of SASL in the home environment as well. Some learners dread leaving school because when they do leave they return home and must live in silence until they return to school. Reaching out to parents might change this.

- Plans of how the DBE will empower the Deaf community:
 - o Remain committed to empower Deaf children.
 - o Remain committed to provide resources, as far as they can, to ensure that Deaf learners are not prejudiced.
- Example of how DBE has tried to attend to issues in the Deaf community:

8- 11 March 2011: DBE organised a workshop for Deaf children and the visually impaired because there were challenges that faced the children.
- The DBE explained that the reason Ms Steyn was involved in the process of training was because she was already in the Department and involved with sign language. She serves as the Project Manager and was identified because she had expertise in the field. Her appointment was not made by the DBE. But by the Free State and Western Cape.

DBE's response to the participation of DeafSA as an organisation:

- DeafSA was included in the process of appointing a CMT when an invitation was published in the Government Gazette to nominate people who served on the CMT.
- DeafSA also participated by giving comments after the DBE circulated the draft curriculum for learners from grade R to 12 for comments.
- Developing the curriculum; DBE has a framework for developing a CAPS framework for each subject. The CMT assembled the curriculum writers and they considered international perspectives so that the Deaf community have opportunities globally.
- DeafSA stated that it is not challenging the curriculum, but the implementation thereof. DeafSA wants:
 - o To be involved in the discussion on training and give input.
 - o To be the link with the DBE and the Deaf community.
 - o To be able to comment on the implementation of DBE training.
 - o For the minimum requirements for appoints to be altered so that Deaf people can apply for positions.

DBE on marginalisation of trainers and Deaf teaching assistants:

- DBE says it should have been raised because they have no knowledge of the marginalisation.
- DBE was not aware of the ill-treatment. DBE will share the job description of the assistants with DeafSA so that there is a clear understanding of what is required from the assistants.

11.LTSM

DeafSA requested information on:-

- The screening team and the process of the screening submitted materials;
- DeafSA raised concerns about the lack of quality control of materials used.
- DeafSA submits materials, but they never receive feedback.
- There needs to be a separation of quality control and text selection.
- DeafSA enquired whether there are Deaf people involved in the screening process and provisioning of materials, and not necessarily linguistics.
- DeafSA has major concerns about the Grade 12 set work; there is 75% foreign content. DeafSA raised this issue as far back at 2013.
- Commissioning of materials:
 - o There aren't any resources due to commissioning not having happened early on in the process. This was anticipated by DeafSA in their 2013 CAPS submission but was ignored..
 - o Is the Department paying people money for commissioning?
 - o Is everyone from all the different provinces involved in development to ensure representation of all the SASL dialects?
- DeafSA enquired regarding the composition of the screening team? Whether the team contained all the relevant experts / is the Deaf community adequately represented?

DBE:

- The provision of a national catalogue is a supply chain process.
- Submissions are made to the Auditor General for an approved list. All the provinces are required to follow the catalogue when ordering materials.
- On the screening process DBE informed as follows:-
 - It is both a screening process and quality control process.
 - Quality screening: some materials are selected bases on merit. Others are partially approved, and in such cases, the DBE sent the materials back with comments and request that it be reworked and resubmitted for approval.
 - The DBE informed that they cannot divulge the names of those involved in the screening process.

- There is sometimes a deviation in the process where DBE calls for submissions and not enough submissions are received. In these instances DBE have to commission identified with the necessary expertise to write and submit materials.
- DBE on the Screening team:
- DBE sent reports for each service provider that submitted materials.
- DBE applies strict criteria for screening of materials based on CAPS.
- At times the DBE receives materials that are irrelevant to development of learners.
- DBE contacted universities in an attempt to obtain materials.
- Many proposals came and there was a selection team that met 3 times this year before taking a decision on which materials would be submitted.
- Deaf poets did submit materials, but there are amendments that needed to be made and the poets could not make the amendments in time for the printing of the catalogue.

DeafSA:

- Lack of adequate budget and foresight despite being advised of the need to begin development of materials well before rollout began is the cause of the shortage of materials now facing the DBE
- Is of the view that DBE needs to have the necessary budget in place to make provision for the selection process. There were unacceptable delays with the publishing catalogue.
- DeafSA gave the example of SLED as one of the service providers for DBE.

DBE:

- DBE agreed with this view and informed that the reason for the delay in publishing the catalogue was because the service providers were late in submitting materials.

12.Exams:

DeafSA:

- An advert went out in December for examiners.
- DeafSA is getting information that the examplars will not be ready in time for the exams.
- Concern is also that the grade 12 do not understand the BSL and ASL because the learners are not familiar with the signs.

- DeafSA wants to know how far in the process DBE is to ensure that the system is ready for Grade 12's to write a good quality exam at the end of the year.
- Has the DBE put measures in place to ensure that learners do not face difficulties when wanting to access university?

DBE:

- DBE advertised 5 different position for examiners in May 2017. DBE had to advertise the positions again in January 2018 because they did not receive applications.
- DBE wants the Deaf community to be involved in the process as examiners and sent the post to DeafSA for that reason.
- Markers will be appointed at the end of the year.
- Two teachers from the schools of Deaf learners to mark the papers.
- DeafSA cannot be involved in the process as it is highly confidential.
- Regarding the readiness of the system: DBE has sent a questionnaire to schools with FET sections to establish what challenges they are currently experiencing.
- They are also thinking of having a winter school to redress the difficulties that are being experienced by teachers. The matter is yet to be finalised.

[DISCUSSIONS CONCLUDED]

The way forward:

- ❖ ECD meeting and workshop: DeafSA will lead the coordination. DBE has accepted the call to provide support for this meeting.
- ❖ Dr Simelane to make submission for an Advisory Committee to be established. This AC will be established to drive the implementation of SASL and will be made up of various key stakeholders, including DeafSA. It will contain various streams including – Grade 12 exams, input on language policy, appointments / recruitment of experts etc.
 - Dr Simelane to make a submission to the Director General
 - DeafSA to write motivation letter
 - EELC to circulate meeting minutes which must be attached to submission'

- DeafSA to assist Dr Simelane with recommendation regarding which other stakeholders should form part of the AC
 - Dr Simelane to report back on submission to DG within 30 days from the date of the meeting – being by 7 April 2018.
-
- ❖ Evacuation / Safety system: DeafSA to provide DBE access to a sample of the system.
 - ❖ University and principal forums: DBE expressed interest in attending these forums.
 - ❖ DBE cannot divulge about the interview panel of the examiners due to confidentiality, but undertook to ensure inclusivity and that the Deaf community are adequately represented.
-

Annexure B

Grahamstown Office

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PBO No. 930003292
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LRC

Legal Resources Centre

23 February 2018

Kumbulani Mshiywa
DEAFSA
Mdantsane
Per email: butana33@gmail.com

Dear Khumbulani and DeafSA,

RE: LRC INVESTIGATIONS AT SCHOOL HOSTELS CATERING FOR CHILDREN WITH BARRIERS TO LEARNING

I INTRODUCTION

In December 2017 the LRC met with DeafSA in East London to discuss a proposed advocacy/litigation strategy in order to get the Minister of Education to promulgate regulations for hostels for special schools.

At the meeting it was agreed that the LRC would visit the four deaf schools in the Eastern Cape (together with members of DeafSA) in order to complete a questionnaire regarding the various schools' views on the need for regulations.

Between 22 and 30 January 2018 the LRC and DeafSA visited the four schools namely, St Thomas in Stutterheim, Reuben Birin School in Port Elizabeth, Efata School in Mthatha, and Sive School near Matatiele. What follows is a brief synopsis of the findings of the interviews which took place followed by a recommendation to DeafSA regarding possible strategic interventions at the various schools in order to improve the education and well-being of deaf learners in the Eastern Cape. The summary regarding the interviews will not be comprehensive but copies of the interview sheets can be provided upon request.

II THE NEED FOR REGULATIONS

The interviews were conducted with the intention of using the information in litigation against the Department should the Minister refuse to promulgate regulations for hostels catering for children with special needs. Prior to the interviews taking place, the Minister's legal team wrote to the LRC confirming that the Minister was indeed interested in promulgating regulations and was currently investigating the possibility of doing this. It now appears that litigation will not be necessary, but the interviews with the four schools could

National Office:
Cape Town:
Durban:
Grahamstown:
Johannesburg:
Constitutional Litigation Unit:

J Love (National Director), T Wegerif (Deputy National Director), K Reinecke (Director: Finance), EJ Broster
S Dass (Director), A Andrews, S Kahanovitz, WR Kerfoot, C Mathiso, M Mudarikwa, EL Roos, HJ Smith
S Samuel (Director), TC Mhense, A Turpin
C McConnachie (Director), LK Jolobe, S Sephton
N Fakir (Director), AF Ashton, LJD Limacher, APN Mehlo, SP Mkhize
SG Magardie (Director), MJ Bishop, G Bizos SC, C du Toit, NMR Kekana, LK Siyo, ER Webber, WC Wicomb

nevertheless form a useful basis for DeafSA or individual schools to make comment on the draft regulations prior to their promulgation.

The responses to the questions posed during the interviews at all four schools made it clear that there is a strong need and desire for regulations to be promulgated. In general the schools feel that there is presently an absence of guidance in respect of which policies the schools need in order to function effectively, and what those policies should contain. The groups being interviewed unanimously felt that the regulations would assist the school in developing clarity in relation to a range of issues including, *inter alia*:

- a) guidelines regarding discipline in hostels;
- b) the rights and responsibilities of learners and employees in hostels ;
- c) the formulation of complaints procedures or grievance mechanisms;
- d) best practices when interviewing prospective employees who will work in hostels;
- e) possible minimum requirements for employees;
- f) necessary training which employees should undergo;
- g) independent quality assurance assessments to be undertaken at schools;
- h) recreation programs;
- i) health care and safety regulations;
- j) infrastructure at special needs schools.

The information gathered during the interviews will be extremely useful when making submissions regarding what the regulations should contain in relation to the above items and for giving examples of why the regulations are necessary. We will keep DeafSa informed about this process. We have given the Minister a deadline of 16 March 2018 to respond to our demand for regulations and to set out the timelines they will use to draft the regulations. The letter in this regard is attached.

III SPECIFIC ISSUES NOT LINKED TO REGULATIONS

A number of issues came up during the meetings/interviews which are not linked to the promulgation of the regulations. Different strategies and interventions could be considered to address them. Four of the issues will be discussed below:

3.1 - Not enough teaching and non-teaching staff can sign

A problem common at all four of the schools was the shortage of hostel staff and teachers that can effectively use sign language. At St Thomas School in Stutterheim none of the twelve teachers are able to use sign language. Learners are unable to understand what teachers are teaching which obviously places the learners at a huge disadvantage. The school has had a 0% matric

pass rate for the last two years. At Sive School, even though the Principal and Deputy Principals were able to use sign language, the majority of the teachers could not.

The problem is at least in part created by the process of redeployment where teachers in excess are redeployed to vacancies at deaf schools, even if they are unable to sign. Many schools complained that they were forced to employ teachers who had no experience with sign language and no experience with teaching in a school with children with barriers to learning. Whilst all of the schools did have teaching assistants provided to classrooms in order to assist the teachers in communicating with learners, all of the schools believe that the system was inadequate. All of the groups interviewed felt it was necessary to have more teachers in schools that could use sign language. The LRC recommends that as a first step the schools should provide a table setting out the names (or subjects) of teachers at each of the schools together with information regarding how many of those teachers are able to use sign language and how well. The table could look something like this:

Name of School	Ability to Sign			
	Fluent	Proficient	Some ability	No ability
Name of teacher and length of time at a deaf school				

We recommend that DeafSA engage with a person at each of the four schools in order to complete this table. Once the table is completed and the information collated, we would recommend writing to the Department. We can point out the problem of a lack of experience in sign language and the impact it has on the level of education at deaf schools. We could also address the fact that the current practice of sending teachers to Wits in order to complete a short program in sign language is insufficient. DeafSa could demand a more effective intervention and put the department on terms to take steps to address the problem. DeafSA could then make recommendations regarding what steps need to be taken in order to ensure that the number of teachers at deaf schools using sign language increases. Some of these strategies might include, for example:

- 1) improved hiring processes where the Department of Education is not allowed to redeploy teachers to the schools if they have no sign language experience.
- 2) SGB's are given greater autonomy in ensuring that they hire appropriate teachers.

- 3) Improved and ongoing training for teachers in sign language at more institutions than just Wits.
- 4) Entering into agreements with universities in the Eastern Cape to add sign language as a subject which can be taken by teachers completing their Bachelor of Education degrees and/or post graduate certificates in Education.

Presumably DeafSA will have more suggestions.

3.2 – Union interference in hostel staff appointments

Another strategic intervention DeafSA could consider would be addressing the problem of excessive union and departmental interference in the appointment of employees in hostels when this is a power which the SGB holds. Children with special needs require professional and empathetic assistance from their house mothers and fathers and other people assisting with their care. These children already face tremendous barriers to learning as well as barriers in life. The employment of people ill-suited to cater for their needs can result in extreme unhappiness and a threat to the learners' ability to enjoy all of their constitutional rights, particularly their right to dignity and their right to equality.

The LRC could again write to the ECDOE on behalf of DeafSA and set out the problems which occur when unions interfere in the selection process resulting in people being employed who are not suitable to work at hostels or schools catering for children with special needs. Specific examples of where the interference by the department or union has resulted in an inappropriate appointment could be powerful when making submissions to the department. You could point out that while this could be dealt with by the regulations, DeafSA believes that the Eastern Cape Department of Education should immediately take steps to ensure that there is limited intervention by unions and that the decision of who to appoint is left to the SGBs. The LRC would have to do some research into this issue to advise on the best legal approach.

3.3 – Problems at Efata

There are particular problems at the Efata School for the deaf and blind which we believe DeafSA are well placed to try and address. We believe you could push for legal interventions which would result in an improvement in the circumstances which the children at the school face.

There is a major disparity between the conditions at the hostel for the blind children when compared with those for the deaf children. The hostel for the deaf children is in a very bleak and advanced state of disrepair. When speaking with the acting deputy principal of the school (Mrs Mtwana) it was revealed that a number of problems exist which have resulted in the disparate conditions.

3.3.1 the blind school received assistance through a donation from a benefactor who himself is partially blind. This resulted in the blind hostel being painted;

3.3.2 the school's maintenance budget is extremely small and this needs to be taken up with the department to ensure that a reasonable budget is provided to the school for maintenance and refurbishment needs.

3.3.3 Thirdly, the school is on private property and we need to see the rental contract between the land owner and the Department of Education to ascertain what the obligations are of the landlord in relation to the upkeep and maintenance of the buildings. Once we have seen this contract we would be able to determine whether legal action should lie against the land owner or the department. We recommend writing to the department of education requesting a copy of the contract.

3.3.4 the principal advises that the school's Eskom bill is calculated at a higher rate as it is categorized as "industrial". The School has written to the Department and to Eskom requesting that this be changed, but to date there has been no response. We recommend that the LRC on behalf of DeafSA writes to both Eskom and the Department of Education requesting clarification on why the school's electricity supply is not re-categorized as domestic or educational.

All of these actions we believe should be taken with the view to improving the cash flow at the schools so that they are able to make the necessary repairs and improvements at Efata school. We could request an undertaking from the school's management that any extra school funds brought in through these processes be used to improve the conditions of the hostel for the deaf children. We would require the school's co-operation in order to access a number of documents (school budgets, bank statements, invoices, and a list of expenses) in order to assist.

3.4 Corporal punishment at St Thomas

The use of corporal punishment at St Thomas school in order to "discipline" children is of great concern. Again the LRC believes we could write a letter to the school and the ECDOE on behalf of DeafSA setting out what has been revealed during the interviews and contrast this with the rights of learners and the need for the school to ensure that children are not subjected to corporal punishment. We could make some proactive or constructive suggestions regarding alternative punishments and discipline skills. We could also link this to the request that they ensure that there are more interpreters or people available who can sign in order to assist communication between the caregivers/hostel

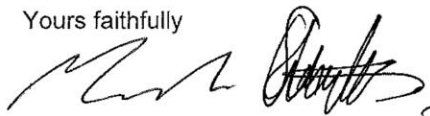
parents and the learners. The inability to communicate appears to exacerbate tension and result in unnecessary punishment.

CONCLUSION

We look forward to engaging with you further and hearing your views on what are the most pressing problems at the schools and those that you think are strategically the most important to address and in what order.

Thank you for all of your assistance in making the visits to the schools so productive. We are impressed with the work of DeafSA and hope that we can assist you in moving forward with your mission.

Yours faithfully

Two handwritten signatures in black ink. The first signature is on the left, and the second is on the right, slightly overlapping the first.

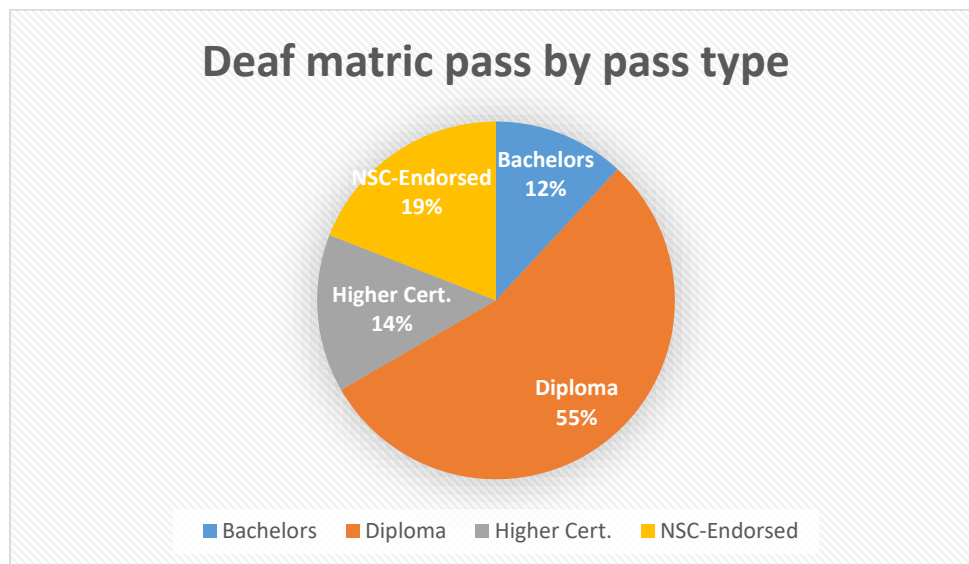
LEGAL RESOURCES CENTRE
Per: CAMERON MCCONNACHIE
CECILE VAN SCHALKWYK

Annexure C

Report on performance of Deaf learners in schools for the Deaf in South Africa in 2015.

The following report has been compiled from information publically available through newspapers and the Department of Education website, as well as by verifying such information directly with the schools.

In the 2015 Grade 12 NSC exams there were 13 schools for the Deaf who enrolled students to write the exams. A total of 84 students wrote the exams nationally and 42 passed the exams. This is a pass rate of exactly 50% - which is a staggering 20.7% below the national pass rate announced by the Minister of Basic Education in her speech on the 5th Jan 2016 at the Announcement of the 2015 NSC Examinations Results. This is a huge cause for concern. While there were 5 schools which achieved a 100% rate (one of which offers only 5 subject endorsed matric) there were also 3 schools that achieved a 0% pass rate and one further school that achieved 5% pass rate. There were a total of 28 learners in the schools that obtained a 100% pass rate (5 with endorsed matric) while there were 15 at the schools with 0% pass rate (12 in one school) and a further 20 at the school that obtained only 5% pass. Of the learners who passed the following classes of pass were achieved:



This indicates the great need for access to TVET and Higher Certificate as well as Diploma studies for Deaf school leavers who have achieved a Grade 12. Further, the fact that 50% of the Grade 12s were not successful in their final exams would indicate further need for access to TVET studies which would enable the school leavers to obtain a vocational or technical qualification which is equivalent to Grade 12. This is a vital component of reducing the massive unemployment rate among Deaf adults.

At a provincial level it is interesting to note that neither the Northern Cape, North West nor Mpumalanga offer Grade 12. It is understood that the only school for the Deaf in the Northern Cape did not have any Grade 12 learners in 2015 as they all dropped out of school before Grade 12 or transferred to other provinces for various reasons.

Number of learners who passed in each province where learners wrote Grade 12 is indicated in table 1.

Province	Learners who passed	Percentage who passed	Number of schools offering Grade 12 (2015)
Gauteng	3/5	60%	2
Limpopo	1/20	5%	1
Free State	5/7	71%	2
KZN	24/30	80%	5
Eastern Cape	0/12	0%	1
Western Cape	9/10	90%	2

It can be seen that KZN has the greatest number of schools offering Grade 12 and also the greatest number of passes. KZN also produced 3 of the 5 bachelor's passes and none of the schools in KZN offered the endorsed matric in 2015.

Concluding recommendations:

Firstly, there is an urgent need to address the level of academic education at schools for the Deaf in South Africa. There is a worrying shortage of learners at the Grade 12 level (there are 25 schools that offer high school education to Deaf learners) and a *very* worrying failure rate. Identified issues include teachers inability to use SASL fluently in the classroom, mixed classes of blind and Deaf learners where teachers teach orally only, teachers lack of subject specific sign vocabulary and general perception that academia is beyond the realm of a few brilliant

Deaf individuals. This perception is denying the majority of Deaf learners from accessing excellent education.

Secondly, there needs to be far greater emphasis on access to TVET colleges and TVET education for Deaf school leavers who have not achieved Grade 12 or who have achieved only an endorsed matric. The lack of access results in serious unfair discrimination towards Deaf youth who wish to obtain relevant, useful skills and knowledge that will enable them to become contributing members of society. Denying access to TVET education is serious infringement on their right to access further education and training opportunities.

Finally, it is recommended that a national Deaf education task team be established to conduct research and gain further insight into the specific challenges facing Deaf learners and school leavers. This will ensure regular up to date information as well as perform a monitoring and evaluation function to monitor effectiveness of programmes implemented to turn around the current situation.

Report on performance of Deaf learners in schools for the Deaf in South Africa in 2016.

The following report has been compiled from information publically available through newspapers and the Department of Basic Education website, as well as by verifying such information directly with the schools.

Pass rate and class of pass

In the 2016 Grade 12 NSC exams, there were 12 schools for the Deaf which entered candidates. These 12 schools entered a total of 143 learners of which 41 passed. This is a shocking result of a 28.67% pass rate. These numbers include progressed learners and compared to the national pass rate of 72.5% (which included progressed learners) it shows that schools for the Deaf are achieving a pass rate of more than 40% less than the national average.

The results are somewhat skewed by the very poor results obtained at one school (X). This school had a 100% failure rate with 63 Deaf learners sitting for the exams. This in itself is evidence of a crisis! The average marks obtained for all subjects at that school were in the failure range (below 30%) except for Life Orientation which had an average of 30.16%. As a result, analysis was done both including and excluding the results of this school. There is very serious cause for concern, however, that so many young Deaf people have failed Grade 12 and have no access to Second Chance Matric programmes or TVET studies.

The results excluding the above school indicate a pass rate of 51.25% (41/80) which is a marginally better pass rate than 2015 (50%). However, the **quality of passes has declined** which results in severely limited post-school study options for these learners. Table 1 below shows the split of results in 2015 and 2016.

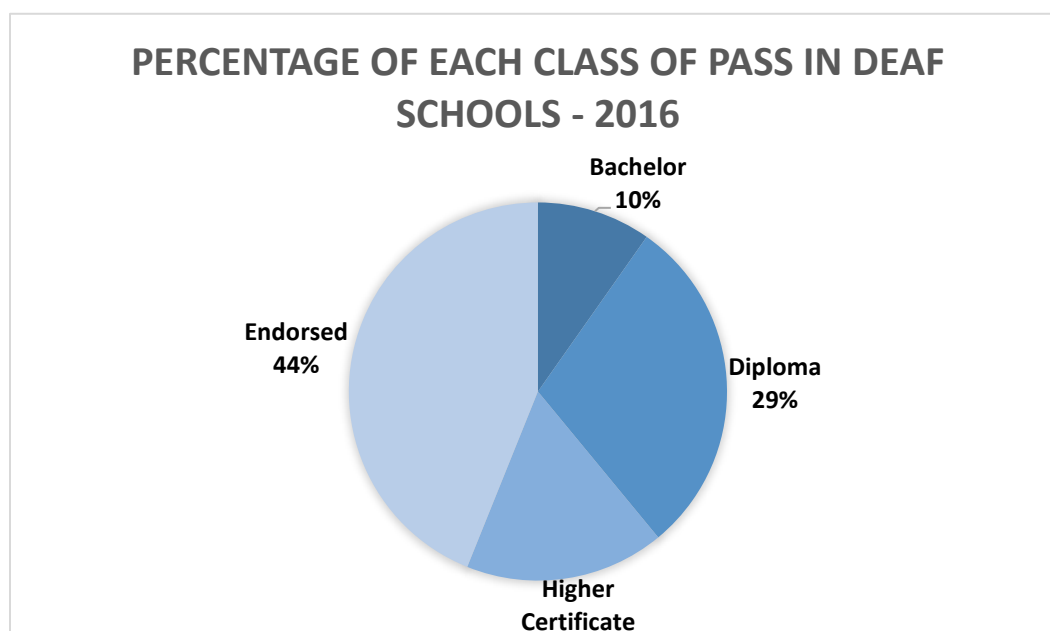
Type of pass	2015	2016
Bachelor	5	4
Diploma	23	12
Higher Certificate	6	7

Endorsed	8	18
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Table 1: Number of each class of pass in 2015 and 2016

It can be seen that the number of diploma passes reduced significantly while the number of endorsed matric passes increased. The endorsed matric certificate is essentially a waste of 3 years in the FET phase in school however, as currently the only study opportunity for these learners is an NCV course at a TVET college. Although credit is received for the compulsory subjects, the two additional subjects that they studied for 3 years will not be credited to their studies. They thus need to spend three years doing a reduced work load in order to achieve a qualification which may allow them to access higher studies. In addition, there are only 3 TVET colleges nationally that have interpreters and two of them only have interpreters in one course. The **endorsed matric is therefore itself creating barriers for Deaf school leavers.**

The pie chart below indicates the percentage of each class of pass:



Considering the severely limited access to further learning after completion of an endorsed matric, this class of matric pass could be considered disabling for future study and career prospects of Deaf school leavers. The increase in the percentage of endorsed passes from 2015 (19%) to 2016 (44%) is therefore of great concern.

It is clear from the information regarding the pass rate and the types of pass that are being achieved that there is continuing and even growing evidence of the need to ensure access to TVET colleges for Deaf students. The status quo is a violation of the Deaf school leavers' rights to equal access to further education and training. For the class of 2016 a total of 120 Grade

12 learners ONLY have the option of TVET study. In 2015 this number was 50. Thus in 2 years, considering only the Grade 12 learners who registered to write their exams, there are 170 Deaf school leavers requiring access to TVET colleges. This does not include the (estimated) hundreds of other Deaf learners who leave school after Grade 9 and in subsequent years before reaching Grade 12. This situation needs to be addressed urgently by the Department of Higher Education and Training.

Provincial analysis

Since most of the authority in terms of implementation of inclusive education policies and monitoring of special schools lies with the Provincial Education Departments, it is useful to analyse the performance of each province in the Grade 12 exams. Of course the averages represented here do not indicate the individual successes and failures of specific schools (except perhaps where only one school in the province offered matric in 2016) but they provide a national picture of where additional support is needed.

	Numb er who wrote	Numb er who passe d	Provinci al pass rate	No of school s offeri ng matric	Bachel or Passes	Diplo ma passes	Higher Certifica te passes	Endorse d certifica te
Weste rn Cape	16	13	81.25%	1	1	3	2	7
Easter n Cape	14	2	14.29%	1	0	0	0	2
Free State	5	4	80.00%	2				4
Gaute ng	21	10	47.62%	3	2	2	1	5
KZN	24	12	50.00%	4	1	7	4	0
Limpo po	63	0	0%	1				
	143	41		12				

It is worrying to note that the North West Province and Mpumalanga still have no schools which offer Grade 12. The Northern Cape is offering learners a modularised Grade 12 this year (only recently opening Gr. 12 to Deaf learners) and these learners will only complete exams in June 2017. The lack of schools offering Grade 12 in some provinces results in unfair stress on schools in neighbouring provinces as can be seen in the case of Limpopo. In that province there is only one high school for Deaf learners which accepts Deaf learners from 4 primary schools within the province as well as learners from neighbouring Mpumalanga and North West. This is not only unfair on the fiscus of the hosting province and the school (very high student numbers) but is also detrimental to the family structure since learners are often very far from home. In addition, it raises safety concerns considering the very long distances learners travel to and from home and the early closure of schools and late start of school terms due to the logistics of ensuring learners go home during the holidays and return once schools open.

It should also be noted that while the Western Cape and Free State have high pass rates, they also have the highest number of endorsed matric passes. This is an “easy” pass to obtain as the learners are only required to do 5 subjects. The reservations about this matric certificate were detailed above and it is recommended that provincial departments of education encourage all schools to register Grade 12 learners for the full 7 subject matric. Even if learners fail a single subject they may still obtain a higher certificate pass and have an access pathway to occupationally-directed higher qualifications and even diploma and possibly degree study in the future. Some schools have mistakenly argued that they are required to offer the endorsed matric because the learners do not take 2 languages. This is an incorrect assumption as 3 of the 4 learners who obtained bachelor passes did only 1 language as per the concessions available for Deaf learners. In addition, these learners are accepted for degree and diploma study with only one language.

Subject analysis

Information was graciously received from 11 of the 12 schools (representing 136 of the 143 learners who wrote) regarding individual student performance in each subject written in the 2016 exams. Some schools gave me only the symbol of the pass (A, B, C etc) and in these cases calculations were done using the middle score (e.g.: C = 65; E = 45 etc). The table below paints a bleak picture.

Subject Summary	National Average (%)	No of learners who wrote	No of schools offering the subject	National Average (%) excl. school X
English FAL	31.23	121	11	41.60
Math Lit	22.59	112	9	36.10
LO	44.99	136	12	58.17
Business Studies	13.17	63	5	18.97
CAT	40.24	49	9	
Dramatic Arts	65.75	12	3	
Hospitality	41.15	26	3	
Mathematics	35.09	11	4	
Consumer Studies	30.93	92	6	36.25
Visual Arts	62.13	23	5	
Economics	26	5	2	
Afrikaans FAL	44.65	17	2	
Design	51.67	3	1	
EGD	56.50	18	4	
English SAL	46.29	7	2	
Tourism	30.87	90	4	41.96
Geography	12.33	18	1	0
Life Science	35	6	2	
* Fail				

The very **urgent need for teacher training and intervention in the lower grades** in schools for the Deaf is evident from these results. Of great concern is the English FAL, Maths Literacy and Business Studies results as these are taken by many learners. Computer Applications Technology and Consumer Studies are also cause for concern. Although support materials for these subjects are available for example, online on YouTube, **none of the videos are subtitled or have included an interpreter** and are therefore of little assistance to Deaf learners.

There is thus an urgent need for the DBE and their partners to **ensure that materials available to hearing students are made fully accessible for Deaf learners** who may wish to access the same support. In addition, any new materials which are developed –

specifically videos where there is explanation of subject content – must be developed to be **universally accessible** for ALL grade 12 learners.

Furthermore, there needs to be **urgent discussions and research into teaching methodologies** that work in these subjects and **opportunities for subject specialists in schools for the Deaf to meet and network and hold workshops to develop their own pedagogy** for these subjects. Anecdotally it is known that there are a great number of **FET phase subject teachers who have no background in Deaf Education** at all and are therefore completely unable to teach Deaf learners adequately. Add to this a similar inability to use South African Sign Language for teaching and learning among teachers from ECD to Grade 9 and the resultant **lack of establishment of a strong conceptual foundation among young Deaf learners**, it is easy to understand why the Grade 12 results for Deaf learners continue to be so dismal.

Conclusion

The 2016 Grade 12 results in schools for the Deaf continue to raise high levels of concern. While there **needs to be urgent research done** by the Department of Basic Education into why there has been little change in the dismal results of schools for the Deaf over the years, there needs to be a simultaneous urgent intervention in the **DHET to ensure access to post-school studies at TVET colleges**. There clearly needs to be targeted interventions to turn around the results in schools for the Deaf but it is unthinkable that more generations of Deaf school leavers should be sent back home with no hope for their future because of lack of access to education opportunities post-school. The human rights and dignity of Deaf learners and school-leavers can no longer be ignored.

Report on performance of Deaf learners in schools for the Deaf in South Africa in 2017.

The following report has been compiled from information publically available through newspapers and the Department of Education website, as well as by verifying such information directly with the schools.

In the 2017 Grade 12 NSC exams there were only 10 schools for the Deaf who enrolled students to write the exams. A total of 56 students wrote the exams nationally and 35 passed the exams. This is a pass rate of 62.5% - which is a concerning 12.6% below the national pass rate announced by the Minister of Basic Education in her speech on the 4th Jan 2018. While the pass rate in the schools for the Deaf has increased (2015: 50% 2016: 28.67%), this may partially be attributed to the class of 2017 being the smallest cohort of Deaf students in the last 3 years. This leads us to consider that in order to ensure a favourable pass rate, schools are forcing underperforming learners to exit the academic programme, often into unaccredited skills programmes or programmes in which the learners have no interest or out of the school system completely. We have abundant anecdotal evidence to this effect.

This notion is further exacerbated by the fact that 7 out of the 10 schools that offered Grade 12 in 2017 achieved a 100% pass rate. While it is pleasing that the learners at these schools are achieving their NSC, it is unusual to have so many schools achieving 100% pass rates when compared to the national results.

Of the learners who passed, the following classes of pass were achieved:

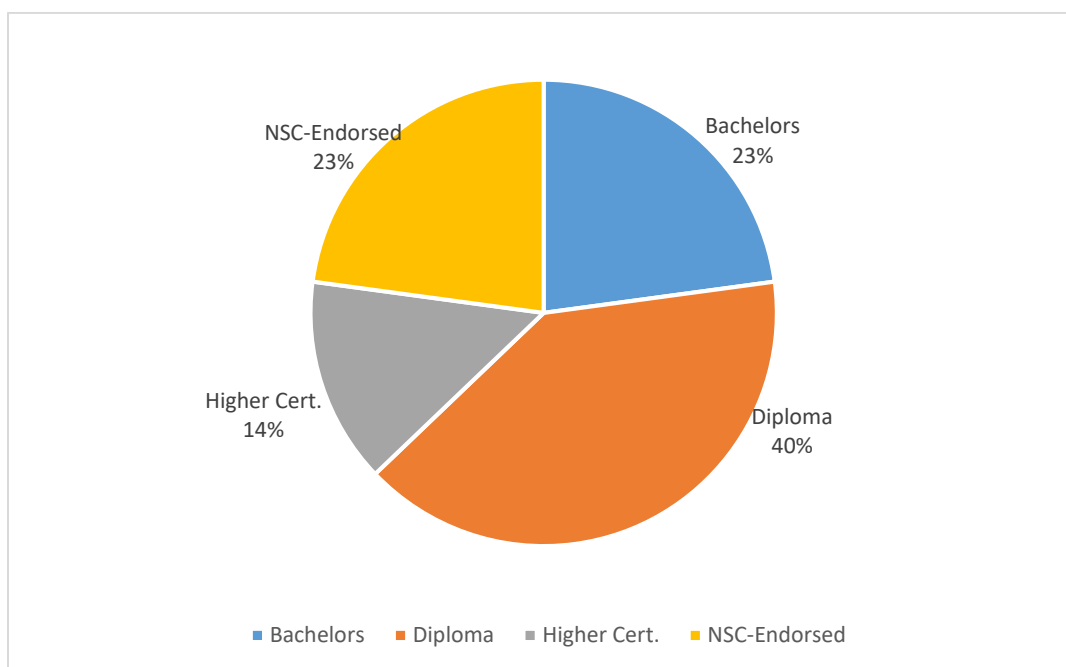


Figure 1: Class of NSC pass – Class of 2017

In Table 1 below, a comparison of the classes of pass achieved by Deaf learners over the last three years shows that there is great variance from year to year. Thus while the 2017 results are pleasing on the somewhat superficial level of the class of pass (as it is known that some of the Bachelor passes do not obtain adequate points to access university studies) further research would be useful to ascertain to what extent these results open doors to further education. In addition, continued recording of the Grade 12 results in schools for the Deaf in coming years would be necessary to identify any patterns or evidence of consistent improvement.

	Bachelor Pass	Bachelor %	Diploma Pass	Diploma %	Higher Cert Pass	Higher Cert %	Endorsed Pass	Endorsed %
2015	5	12%	23	55%	6	14%	8	19%
2016	4	9.8%	12	29.3%	7	17%	18	43.9%
2017	8	23%	14	40%	5	14%	8	23%

Table 1: Comparison of class of pass 2015 - 2017

When the results in Table 1 (especially the endorsed passes) are considered with the number of Grade 12 learners who did not pass between 2015 and 2017 in Figure 2 below, we are reminded that the need for access to TVET colleges remains high among Deaf school leavers. There is currently an effort underway to collect data on school leavers from all schools for the Deaf since 2015 to obtain a more accurate picture of the number of school leavers requiring access to TVET colleges.

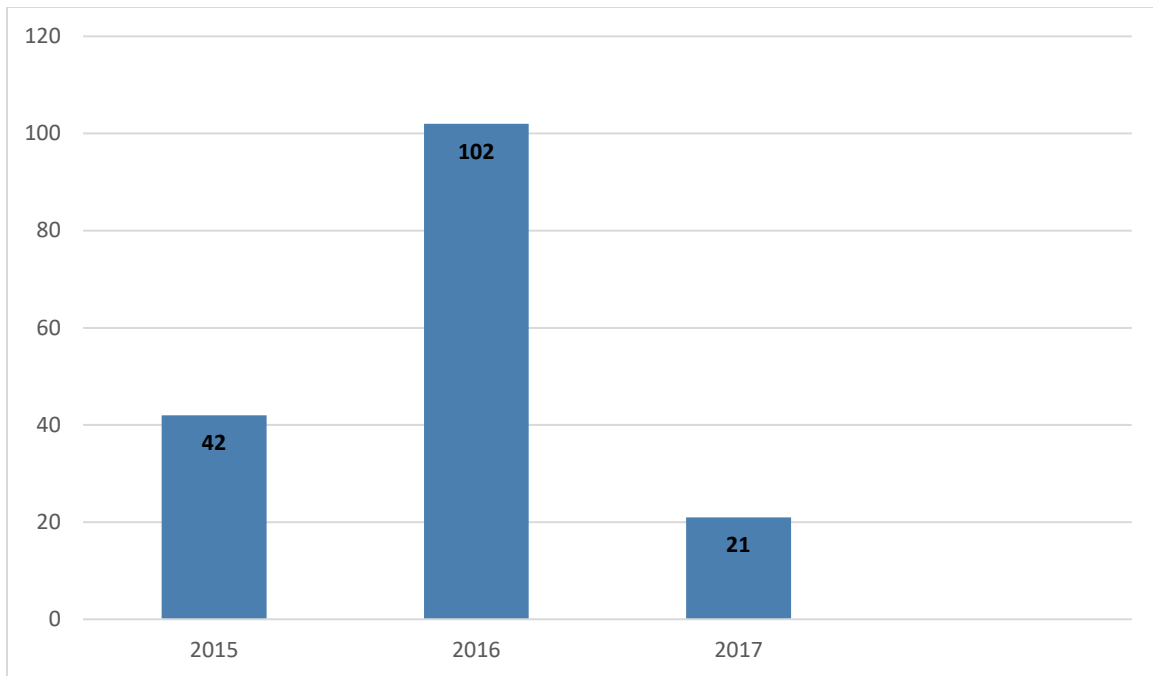


Figure 2: Number of Grade 12 learners who did not pass final exams (2015-2017)

At a provincial level it is concerning to note that in 2017 neither the Northern Cape, North West, Limpopo nor Mpumalanga offered Grade 12. In addition, Gauteng, a province which has 7 schools for the Deaf, had only 2 students writing matric in 2017. It is known that some provinces and some schools offer matric over two years but it can be assumed therefore that if no Grade 12s write in any given year that two years prior to that there were no Grade 11 learners – which seems unlikely in a province with so many learners. The breakdown of provincial results for 2017 are presented in Table 2 below.

Province	Learners who passed	Percentage who passed	Number of schools offering Grade 12 (2015)
Gauteng	2/2	100%	1
Free State	9/9	100%	2
KZN	16/32	50%	5
Eastern Cape	3/8	37.5%	1
Western Cape	5/5	100%	1

Table 2: Provincial breakdown of number of schools and learners who wrote Grade 12 in 2017

It can be seen that KZN has by far the greatest number of schools offering Grade 12. This has been a consistent feature of the reports over the last 3 years. It is worrying that only 5 out of 9 provinces offered Deaf learners Grade 12 in 2017 and half of the schools that offered Grade 12 are in 1 province (KZN).

Concluding recommendations:

While the pass rate reflects an improvement, the fall in the number of candidates writing Grade 12 exams and the number of schools for the Deaf with students sitting for Grade 12 are of concern. Considering that there are 27 schools that offer high school education to Deaf learners – only 9 of which offer an academic programme up to Grade 9 – we should see learners from 18 schools writing Grade 12. Research undertaken recently¹ indicates that learners still feel that teachers are impatient and do not sign adequately for them to understand the work. They also raised the issue that hostel staff are unable to sign and unable to assist them with their homework. These are issues that have been raised over many years and have a significant negative impact on the academic performance of Deaf learners nationally.

The ongoing evidence from the analysis of the 2017 Grade 12 results in schools for the Deaf continues to point to the need for far greater access to TVET colleges. The enduring lack of access results in serious unfair discrimination towards Deaf youth who wish to obtain relevant, useful skills and knowledge that will enable them to become contributing members of society. Denying access to TVET education is a serious infringement of their right to access lifelong learning opportunities.

¹