Foundation provision – a social   justice perspective

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Abstract

This article uses data gathered during monitoring and evaluation work at two higher education institutions (HEIs), policy documents, published articles, correspondence with key role-players at South African HEIs and other documents in the public domain in order to present a critique of the existing foundation provision and policy. The authors argue that foundation provision focuses on a narrow band of students, over a limited time period, and that it separates the educational thinking and planning for foundation students from mainstream students. This is to the detriment of either group of students and lecturers. The authors suggest questions for further investigation regarding foundation provision, based on the throughput trends across the country and institutional reports, which would shed light on the effectiveness of the present approach. They share two approaches which they believe offer productive alternative ways of thinking about the curriculum and arrangements for learning, for the benefit of all students and lecturers, namely, the Universal Design for Learning (UDL) and the Capabilities Approach (CA).

Keywords: foundation provision, social justice, Universal Design for Learning, Capabilities Approach

Introduction

Foundation provision, or extended curriculum programmes (ECPs) in South Africa, have been funded by the Department of Higher Education and Training (DHET – previously the Department of Education (DoE)) since 2004. These programmes have been employed as a lever to execute an important objective set out in *Education White Paper 3* (DoE 1997), namely, to 'increase equity in access and outcomes'. The funds given to higher education institutions (HEIs) for ECPs were expected to 'improve success and graduation rates particularly amongst disadvantaged students' (DoE 2006). As earmarked funding, the amount allocated to ECPs represents a considerable input. In 2009, for example, R146 million was allocated to ECPs. This provision has risen on a yearly basis and the funding allocated for 2013/14 was R204. 705 million (Van Staden 2013). However, foundation provision in one form or another existed long before funds were earmarked for it, as conference proceedings for the Academic Support Programmes Conferences as far back as the 1980s can attest. At that time the attention was coming from mainly white English speaking universities, principally the University of Cape Town (UCT) and the University of the Witwatersrand (Wits). By the 1990s a major education 'industry' dedicated to providing support for especially first-year students deemed 'disadvantaged' was

flourishing. The earmarked funding gave consistency to the shape of this provision and consolidated the phenomenon, such that by 2012 most, if not all, South African HEIs had taken advantage of this funding opportunity. This phenomenon of transition from an institution-led movement to one that is regulated by national policy and administration is not unique to South Africa, as a similar trend pertaining to 'widening participation' has been described in the United Kingdom (UK) (Burke 2012).

Given the attention to this provision and the considerable financial and human resources that have been invested in it in South Africa, as well as other countries, a series of critical questions may be asked. Firstly: What educational or social theories have been employed to give shape to the strategies and curricular programmes supported by these funds? Whilst no educational or social theories have been overtly acknowledged by the authors of the state policies, there has been a longstanding engagement with educational theory by higher educators. This has been primarily at the level of academic discourse and epistemology, in the disciplines, especially maths and the sciences, the vocational and professional fields or with teaching delivery formats, such as collaborative learning, mentoring and e-learning. Examples of these, particularly those involving action research work at the foundation provision level, can be found in the proceedings of the South African Association of Academic Development (SAAAD) Conferences of the 1990s; the *Academic Development* journal, which appeared from 1994–1998; many issues of the *South African Journal of Higher Education*; Hutchings and Garraway (2010); and Garraway (2008, 2012). Limited examples of further publications exist, notable examples being the contribution of Morrow (2007) on the subject of 'epistemological access' and that of Rollnick (2010) about access to maths and science. An interesting tendency in the 2000–2012 period was a strong focus on teaching delivery (clickers, e-learning, tutorial programmes, collaborative learning), critical approaches to the various forms of literacy and numeracy, thus approaches to knowledge and how to foster their acquisition, and rather less on macro or systemic issues. The most recent publication that directly and critically addresses issues of access to university education in South Africa is a volume edited by Dhunpath and Vithal (2012) in which both students and universities are described as 'underprepared'. The authors caution that the attention to the problem of access to higher education is becoming increasingly urgent and that more systematic and holistic attempts to address this are required.

There have been few explicitly critical published works about academic support, except for the seminal piece by Ndebele (1995) that it is the institutions rather than the individuals who need fixing; the comment that academic development has focused on the student rather than the system (Volbrecht and Boughey 2004); that foundation provision does not occur within a system-wide transformation approach (Akoojee and Nkomo 2007); and a contribution by Kioko (2010, 92), which argues that foundation provision needs to focus on educational structures more broadly, and not only on inducting the student to 'the dominant cultural capital'. In the late 1980s, these criticisms of academic support were already being made at conferences by, for example, Nzimande (1988) and Vilakazi (1986). Boughey (2008), in her analysis of the 2006 round of proposals to the DoE for foundation provision funds, maintains that there has been a rich literature informed by critical social theory, but that the 2006 proposals did not draw upon these.

Why have higher educators in South Africa participating in this vast educational industry neglected to build on the debates about equity emanating from the 1980s and 1990s? It is to this rather scarce and underexposed body of literature on the purpose of foundation provision in South Africa and the social as well as educational

theory informing it, based on a social justice approach, that we wish to contribute. In the next section of the article we discuss the current state of policy, funding and documented evidence of the ECPs, in order to highlight strengths and shortcomings, before going on to propose a normative and systemic approach concentrating on the Capabilities Approach (CA) and the Universal Design for Learning (UDL), which we suggest could be used to re-examine ECPs. We argue that approaches such as the CA and UDL, which are located within the social justice perspectives dealing with difference (Bozalek 2013), allow for a more systematic, strategic and values-based foundation on which to consider how best to enhance equity of access and outcomes in higher education in South Africa.

Foundation provision – problem with the 'design'

In this section we use four sources of data. The first source is policy informing foundation provision and ECPs. The second is literature on the outcomes of practice, ranging from unpublished conference proceedings, to formal scholarly published writing on this topic. It is necessary to include conference proceedings and ad hoc accounts of practice, since in this field many lecturers and advisors do not enjoy permanent academic status and tend to participate in conferences and workshops at a far greater rate in relation to published works, than in other fields. For the third source we conducted a review of how South African HEIs described their access policies and requirements for access. Finally, we refer to our experience at our own institutions, correspondence with key roleplayers at other HEIs as well as our observations at the institutions we have visited or where we have participated in external evaluation and audit processes. We refer to policy and practice almost interchangeably as these tend to influence each other, with practice on foundation provision appearing before policy (from the 1980s). Policy appeared indirectly with the *Education White Paper 3* (DoE 1997) and more directly with the circulars on earmarked funding from 2004 onwards. Furthermore, as is well known in policy studies, policy is always influenced by the 'implementation staircase' (Reynolds and Saunders, in Trowler 2002, 3ff) such that the outcome of policy texts dictate is always influenced by practice.

In the article, it is our contention that foundation provision as it is currently practised and conceptualised in policy, is problematic on two accounts, as we will proceed to show in the arguments that follow. Firstly, we show that the direct focus of ECPs on specific segments of society has a number of anticipated and unanticipated negative effects. Secondly, the atomisation limits the ways in which learning, institutions and society can be engaged.

As noted in the introduction to the article, foundation provision is intended to 'improve success and graduation rates particularly among disadvantaged students' (DoE 2006). Given how the word 'disadvantaged' features in DoE documentation, it can be assumed that the tacit definition of 'disadvantaged' is 'black, including African, Indian and coloured' although the department has not forced universities to maintain an exclusive focus on black students only. How 'disadvantaged' is further defined depends on each university and in some cases may vary from faculty to faculty at a university, and from university to university (Dhunpath and Vithal, 2012) but it applies to a section of first-year entrants. The target group is currently those who obtain university exemption, but who do not meet the requirements for a specific programme. For example, a student wishing to enter a general Arts and Social Sciences programme at a university with low entrance requirements might need an average of 55 per cent for matric. However, a student wishing to enter a Health Sciences

programme at a different university might need 75 per cent to enter the ECP. Their status is thus relative to the programme and university they wish to enter, and is not unvarying. We contend that the approach of funding a series of programmes for what are described as disadvantaged students only, is an anachronism in a society where only a small minority of students, mostly white and Indian, but small nonetheless, has relatively easy access to higher education and a reasonable throughput rate (Scott, Yeld and Hendry 2007). So, in this sense we are concentrating on a narrow band of students in the ECPs, and not attending to the needs of a larger group – who are either in the mainstream, or not granted access at all.

This criticism may be countered with the argument that it is only by concentrating on this disadvantaged group and giving them 'extra' support, in smaller classes and where their need for support is not diluted by lesser needs from what are often more vocal and privileged groups of students, that they might achieve success. However there are numerous problems with this 'divide-and-support' approach, which, we argue, outweigh the value of this approach.

The first of these problems is that the group of students catered for in the ECPs is considered 'other', and thus for most institutions, not the mainstream. It might mean that the students are more expensive to look after, and/or are seen as of lesser importance or status. Scott (2012) makes the point that despite the existence of some sought after ECPs, these are often stigmatised or marginalised. This leads to the employment of a cohort of teachers to administer to them, who tend to be part-time, non-permanent, or even if on contract, do not enjoy full service conditions such as sabbatical and research leave. This may mean that these teachers may not be in a good position to gain access to disciplinary and institutional social practices, which Boughey (2012) regards as essential for students to gain epistemological access. (Again, this marginal status of lecturers on these programmes is a trend noticeable in the UK as well – see Burke 2012). The DHET has attempted to respond to this challenge by earmarking funds for the professional development of these lecturers, but this is not a full solution.

A second problem has to do with the fact that the funding for ECPs is targeted at the first year of study, which is generally accepted to be a point of great transition and stress for students in South Africa and internationally (Green, Cashmore, Scott and Narayanan 2009; Scott 2009), and to set the tone for the rest of the undergraduate learning experience (Pitkethly and Prosser 2001). However, support for students is required at all transitional moments, for example: beginning a research assignment for the first time; beginning post-graduate studies; or when moving from one university to another (Leibowitz 2010; McKenna 2012). If students are 'disadvantaged' not only by prior schooling, but by current conditions such as the HEIs they attend, the living conditions they experience, the educational levels of those they associate with outside of study time, then it should be true that they would need ongoing support throughout their study time. Student comment collected at the University of the Western Cape (UWC) in Bellville, South Africa, as part of ongoing monitoring and evaluation indicated that there are students who feel supported in the years in which they are accommodated in the ECPs. However, once they leave these more supportive environments and enter the mainstream, they feel that they flounder.

A third problem is that foundation provision isolates the educational conversation about the kind of graduate attributes to which the students should aspire; and the kind of knowledge with which they should engage, from a broader conversation about these

same issues both nationally and at individual institutions. By way of illustration, we have listened to countless examples at workshops and conferences of exciting courses designed for foundation provision students. It is maintained that these initiatives provide students with a rich educational experience, enhancing their criticality, awareness of ethics and social justice, their access to current teaching methods such as clickers, or their access to community engagement. In many instances, these rich educational experiences are not extended to the mainstream students, who follow the traditional educational route. So on the one hand the foundation provision is frequently the site of experimentation and creativity. However, on the other hand, from the 15 academic development conferences one of the authors of the article has attended, it has been observed that this provision can at times be patronising, or a source of unnecessary gate-keeping. Rollnick (2010) refers to the international literature on access to higher education, which highlights this separation and suggests that there is a greater degree of success for students when the ECPs have had an influence on the mainstream programmes.

Related to this is the larger philosophical question: What does epistemological access mean? As Crain Soudien pointed out in his keynote address at the Annual HELTASA Conference in 2012, access requires universities to have a more inclusive and open approach to knowledge, and openness

> that is prepared to engage with the whole spectrum of knowledges and understandings that live on the South African social and cultural landscape, those that are described as Western, African, modern, traditional, 'powerful', 'useful' and so on, and, fundamentally, the whole spectrum of people that are the living bearers of these knowledges.

We argue that openness, support, and in fact any notion that relates to social inclusion – if it is tied to a narrow field such as foundation provision – becomes impoverished and ineffective, and impoverishes those whom it does not reach by virtue of its absence.

Our description of these problems as being a case of 'divide-and-support' is somewhat tongue in cheek. There is indeed a deeper problem, namely, that despite a general progressive and pro-equity stance, the approach to foundational provision as articulated primarily via circulars to HEIs tends to be vague in crucial areas. For example, the funding letters state that the funding is intended for 'educationally disadvantaged' students, without explicitly defining what this means. At the same time, whilst the approach may be based on clearly thought through ethical, socio- political or educational principles, these principles are not communicated overtly to the target audience. This makes it difficult to maintain a dialogue about what appropriate activities, design principles or innovations are. Moreover, these documents can be interpreted in different ways by differently placed HEIs in South Africa. On what basis are decisions about whom to include in ECPs to be made? How do we then measure the success of these programmes when we are not clear what we are aiming for? On what basis can we critique each other's programmes and offer helpful suggestions to improve them? Before elaborating on some of the ideas on which such a set of social and educational principles may be based, we suggest some fruitful lines of enquiry for empirical research, which we believe will enrich deliberations about social justice in higher education.

One line of enquiry concerns the lecturers teaching foundation programmes, their conditions of service, and their qualifications and training. A second line of enquiry concerns the pass rates for students taking foundation provision modules versus similar students doing mainstream modules. It would also be important to know what the pass rates of foundation programme students are, versus their success in academic

years two and three. The DHET collects this information from each university annually. It would be useful to have this information at an aggregated level, that is, for all universities, as well as in comparisons, for example, according to university type. Dhunpath and Vithal (2012) cite DHET 2011 statistics that foundation students are passing 70 per cent of foundation courses and 60 per cent of mainstream courses, and suggest tentatively that although success is defined in various ways, the ECP funds are being put to good use. A cohort study conducted at the University of Stellenbosch, South Africa, by De Klerk, Van Deventer and Van Schalkwyk (2006) showed that to compare the throughput rate of ECP students versus non-ECP students is extremely difficult. It showed, however, that there is significant attrition of ECP students, and the throughput rate seems to be at best on a par with the non-ECP students. The most positive findings were that there were some students who appreciated these programmes, and that there were definitely some students from educationally disadvantaged backgrounds who graduated thanks to these programmes, who would not have been admitted to university, had they not been in existence. A cohort study undertaken at the same university by Young, Loots, Louw and Wagener (2011) showed similar results. Evaluation and monitoring undertaken at UWC thus far also suggests that there are definitely some students who appreciate this route, particularly those who are successful in the programme. This problem is aggravated by the tendency to describe the outcomes of foundation programme interventions in positive terms and by the lack of systematic national performance data (Dhunpath and Vithal 2012).

A third line of enquiry would be the extent to which the foundation provision modules, and the students who are admitted to these, change the social profile of the undergraduate student body at a university or across the higher education system. For example, in a cohort study undertaken at the University of Stellenbosch, a previously advantaged and still mainly white institution, it was found that the existence of the ECPs has not contributed to the diversification of the student body to any significant degree (Young et al. 2011).

These are questions requiring empirical and quantitative lines of enquiry, which are difficult to conduct across institutions given the degree of variation between the programmes and universities, and given the varying definitions of students attending these programmes. How much more difficult would it be, to ascertain questions of outcome that are non-quantitative in nature, such as: What are the graduate attributes of students who have entered university through ECPs? Does this route have an influence on their student identity, social mobility and sense of agency? What is the impact of the foundation provision at varied university types on the culture and teaching approach at those institutions? Is there any catalytic impact? We have heard stories of universities where the success of the foundation provision work has had an influence on the mainstream work in faculties, for example work at the College of Science at Wits (private correspondence) or the Economic and Management Science Faculty at UCT (private correspondence). Despite its success the College of Science at Wits was dismantled. Might it be argued, however, that a fully mature model would be one where the very success of these examples and their influence leads to an abandonment of the current concept of foundation provision, and to an overarching approach to equity and inclusion?

An alternative based on views on Social Justice

Universal Design for Learning (UD)

In order to address problematic issues we have raised about ECPs in the previous section from a social justice point of view, we propose the use of two approaches which we see as similar in many ways – one is the Universal Design for Learning (UDL) and the other is the Capabilities Approach (CA). We are offering these approaches as significant contributions to a fully-fledged philosophy on which to base a framework on access in higher education. There are other important components that should be considered, for example the ethics of care as articulated by Tronto (2010) and the trivalent approach of recognition, distribution and representation, as articulated by Fraser (2009). We discuss the value of these approaches for teaching and learning in Bozalek and Leibowitz (2012). In this section of the article, we describe what these approaches entail and look at the similarities in their outlook, with a consideration of how university teaching and learning can benefit from these approaches. We present some concrete examples of how we might move forward in a more inclusive way in higher education. Universal Design (UD) was originally applied in architecture and the built environment to address diversity and make environments welcoming and user friendly, so that all people can fully benefit (Burgstahler 2010). As Fineman (2005, xiv) remarks:

> Universal Design "mainstreams" differences, normalizing them by not only making them visible, but central to the task at hand. There is no condescending notion that tackling differences might be a nice thing to do for persons with disabilities. Rather, inclusive design sets out a system that mandates accommodations because it recognizes that every individual has unique and special needs.

These UD ideas have been applied to learning environments since the 1980s and an approach called the UDL has been developed in school and higher education contexts. The approach is premised on the view that problems should not be regarded as residing with the individual, but within the learning environment which could be potentially inaccessible and problematic for learners' needs. Thus, the UDL would necessitate changes in curricula so that learners would not have to adjust to inflexible and difficult learning environments (Meyer and Rose 2010; Rose et al. 2010).

UD is often located in the field of disability studies, as it addresses diverse needs. The idea of disability is also seen as being on a continuum – people are all differently abled at different times of the day (e.g., they are less able to concentrate when driving or when they are tired); at different times of their lives; and in different ways (Burgstahler 2010; O'Brien 2005). Thus, the simplistic distinction between ability and disability is a matter of degree rather than a categorisation which belongs only to certain individuals. From a UDL perspective, disabilities are imposed more by the inaccessible design of learning environments and materials than problems existing in the individual; thus, the responsibility lies with the higher education sector or the institution to address these designs (Burgstahler 2010). This is quite a radical idea as it means that institutions, teachers and the higher education sector as a whole would have to engage seriously with accessible learning environments in order to anticipate and address the needs of a diverse student community as a whole, rather than single out a specific group of students for extended curriculum provision.

Rather than focusing on the 'average student', the UDL attempts to remove the

barriers to learning and in so doing, focuses on a spectrum of learning needs (O'Brien 2005). With reference to foundation provision in South Africa, average or typical students are assumed to be young, white, middle class, coming from schools which have enculturated them into university study, are unencumbered by financial or caring responsibilities, and with courses at HEIs generally being designed with these students as a reference point (Burgstahler 2010; Burgstahler and Cory 2010). Those who are regarded as falling outside of this norm are referred to special supportive programmes such as the ECP. This may be problematic as it has the effect of singling certain students out, viewing them in some way as defective or as 'needing help'. This may result in these students being regarded as 'less than', as being stigmatised or as Fraser (2009) would put it, being misrecognised. There is some consideration now of extending the foundation provision to more students and allowing some to be fast-tracked through the system (Scott 2013). Our response is that this would not be using UDL principles as it would still be locating the problems or abilities in certain students and accommodating their needs rather than creating a general flexible environment for all students' needs. From a UDL perspective, the idea would be to create responsive and flexible programmes for students – all of whom are assumed to be diverse – rather than provide special courses for those who are seen as falling outside the norm (Burgstahler and Cory 2010). From this perspective, there is no average student or user (O'Brien 2005). The UDL would provide an environment which is welcoming and usable for everybody.

In our view, the UDL constitutes a promising approach for teaching and learning in South Africa, as it takes into account student *differences* to develop a curriculum is responsive to their needs (Rose and Meyer 2010). The UDL aims to achieve this 'by providing multiple and flexible ways of *presenting*, for *expressing and apprenticeship* and multiple and flexible options for *engagement*' (Meyer and Rose 2010, viii). The UDL is informed by the work of Vygotsky (1978) focusing on 'three guiding principles for developing curricula that eliminate barriers to learning, build on student strengths, and allow different ways to succeed' (Coyne et al. 2010, 3). UDL teaching is learner-centred and interactive where learning is mediated to move students from their present position to their potential – what Vygotsky (1978) has referred to as the 'zone of proximal development' (ZPD).

The following principles are used to inform all aspects of teaching and learning: the methods, outcomes, assessment practices and materials that are used:

- To support diverse recognition networks, the UDL provides multiple and flexible means of *representation* – this would involve teachers presenting materials in various ways – online, with various multimedia, in texts, podcasts, personal learning environments and networks (Moore 2013). Students are provided with choices regarding which resources best suit their learning needs, rather than having to use particular materials. Those who can best benefit from digital or online resources are given the opportunity to use this medium if it is seen to be conducive for their learning.
- To support diverse strategic networks, the UDL provides multiple and flexible means of *action and expression* – this would involve providing students with choices of multiple ways for best expressing their knowledge and values in the assessment tasks – for example, in blogs, in written, oral or multimedia presentations, and so on. Giving students more latitude in how they present their knowledge encourages active learning and incentivises producing expert products, for example by expanding the audience through online conferences, blogs, wikis

- To support diverse affective networks, the UDL provides multiple means of *engagement* – in order to engage students. Students will not learn unless they are interested and motivated to learn. Lecturers need to be clear about the goals that they have for the students. They should encourage students to share resources with each other and support each other's learning. When students are motivated to engage with learning they tend to put more effort into their learning (Coyne et al. 2010).

Current technology trends enable users to source information from the internet, rather than transmit it. These trends also allow for *personalisation* and *participation* – for students to disseminate and share their knowledge – which all assist students with differing abilities to achieve their learning goals (Moore 2013). Thus, current technology may be a very helpful tool for the UDL, which purports that it is necessary to offer students choices in the curriculum regarding materials and assignment, as this accommodates a broader group of students and promotes more affective engagement.

In using these principles, the UDL is thus also proactive – anticipating the needs of students rather than reactive, or responding to the needs once identified – and sees the provision of a welcoming and accessible learning environment as the responsibility of the institution (Burgstahler 2010).

Capabilities Approach

The CA is similar to the UDL in that it is premised upon the notion that human beings require differential resources in order to develop capabilities and transform them into functionings. These resources are also known as conversion factors (see Bozalek and Leibowitz (2012) for more information on conversion factors to achieve capabilities in South African higher education). The two main theorists in the CA are Amartya Sen (1984, 1992, 1995, 1999), the Nobel prize-winning economist, and Martha Nussbaum (2006, 2010, 2011), an eminent philosopher and social justice theorist. Sen provides a less specific view of capabilities or freedoms than Nussbaum does, and is more concerned with measurement while Nussbaum is more interested in narrative, qualitative approaches to understand what human beings need to flourish. Nussbaum (2010) identifies a defined list of central capabilities, which all humans need to attain in order to flourish. Furthermore, she holds governments responsible for creating social arrangements would make it possible for people to achieve these capabilities. The CA does not support individual preferences for making decisions about people's needs and the social arrangements, which should be available to meet these needs, because as (Nussbaum 2000, 114) notes, 'habit, fear, low expectations, and unjust background conditions deform people's choices and even their wishes for the own lives'. Both the CA and UDL then rather concentrate on outcomes, graduate attributes and capabilities (see Bozalek (2013) for a comparison between graduate attributes and capabilities), than on what students' learning preferences may be. As we have noted in the previous section on the UDL, this approach provides challenges and supports in the curriculum, which allow differently positioned students to achieve the same outcomes, graduate attributes or valuable functionings. Thus, both the CA and UDL approaches have definite *ends* in mind and both are interested in the sorts of *resources* and *opportunities* that would be necessary to achieve these. Furthermore, both approaches provide the student with the substantial freedoms (Sen 1999) or

opportunities of choice and action, taking into account the particular positioning of an individual in the socio-political and economic environment. The complexity of students' circumstances, rather than a narrow focus on one aspect of the students and what should be done to address their learning needs, are focused on in both the CA and UDL.

While the UDL is an approach that can be used in a very practical way to make teaching and learning more inclusive in higher education, the CA tends to be normative and evaluative, which is useful for making judgements about people's needs and what would be required for them to achieve valuable outcomes in education. However, as we intimated earlier, there are a number of similarities in the approaches. Like the UDL, the CA focuses on the valuable things people (students in this event) are able to be and to do (these are called functionings in the CA) and the resources they would require to achieve these functionings. Capabilities are seen as opportunities or freedoms to choose, develop and accomplish various combinations of functionings (Sen 1992, 1999). Nussbaum (2011, 24) writes that a 'functioning is an active realization of one or more capabilities'. Capabilities are what would constitute the 'good life' for human flourishing and are related to the goals of higher education (Carpenter 2009; Nussbaum 2011).

The UDL also places a great deal of emphasis on the necessity of providing choices for students in relation to their learning needs so that they can achieve the goals of higher education – which could be the graduate attributes or the learning outcomes of particular disciplines. Both of these approaches are different from a utilitarian approach, which merely looks at people's preferences (choices), without looking at what is valuable for them to be and to do. This is why the CA prefers to talk about 'freedoms' than 'choices' (Sen 1992, 1999), and the UDL prefers to talk about flexible and multiple modes of learning. As far as we are aware, ECP students are given very few options – firstly, as to whether they are comfortable with studying for an additional year and being separated from other mainstream students; and secondly, whether the actual learning materials are flexible enough for their needs, whether there are multiple and flexible means of expression of their learning achievements and of ways of engaging with the curriculum. These needs for multiple ways of presentation, expression and engagement apply as much to students who are particularly advanced in their knowledge of a field, as to those who know little about a field. Thus, a good curriculum would provide for a range of students' abilities and needs in order to achieve valuable beings and doings. The CA and UDL are approaches that could provide such a creative curriculum, which would address all of these needs.

Another problem which the CA highlights as problematic is the practice of providing resources without due consideration of the particular needs of the students. As the CA shows convincingly, resources in themselves are not meaningful, rather it is the functionings people are able to achieve with these resources that are important (Sen 1984, 1992, 1995, 1999). For example, students at different HEIs have differing needs, but each HEI is given similar resources from the DHET. Historically disadvantaged institutions (HDIs) would probably require far more resources than historically advantaged institutions (HAIs) to meet the needs of their students as the institutions have different access to resources in terms of their histories and geographical placement. The students who enter these institutions are also very differently placed with regard to their learning needs and their prior preparation for higher education (Le Roux and Breier 2012). The CA alerts us to the fact that the purpose of resources is their conversion into functionings (Robyns 2011) and this would patently differ

from one institution to the next, as the learning needs differ.

The UDL would have similar requirements of providing differential resources in order to move students through the ZPD (Vygotsky 1978) – from moving students from where they are to their potential in terms of graduate attributes. In other words, the DHET would have to spend differential amounts of funding in order to put those from different schooling backgrounds in a similar position with respect to educational outcomes or graduate attributes. Additionally, the DHET would probably have to spend more on HEIs where those students who have had a poor quality education end up studying. The reason for this extra income being required would be the unjust conditions of the past (see Bozalek and Boughey 2012; Leibowitz 2012).

In the same way that the UDL recognises the importance of changing institutional or environmental arrangements to address the learning needs of all students, the CA focuses on barriers which result from structural inequalities which need to be changed to achieve capabilities. Social inequities arising from social markers such as 'race', ethnicity, gender, disability, create barriers for achieving capabilities. Thus, both the UDL and CA provide creative ways of imagining how to deal with equity and diversity in higher education.

Finally, both the UDL and CA stress the importance of student agency in their participatory and democratic approaches to achieving the valued goals of education. In both these approaches, students are actively exercising their agency when they take the best possible choices to achieve their academic goals, or their valuable beings and doings (Unterhalter 2009).

Conclusion

Both the UDL and CA provide a more expansive vision of equity in higher education as they embrace differences which they regard as the norm rather than the exception (O'Brien 2005). Both approaches refer to the acknowledgment of differences, which are used to creatively develop an inclusive curriculum, providing differential opportunities based on students' learning needs. Furthermore both approaches place a great deal of emphasis on looking at the sorts of social and curriculum arrangements to optimally enhance and expand capabilities and learning potential. Because the focus is on curriculum renewal and change, differences are not regarded as part of one's identity, but as indicators to develop a more inclusive approach to learning.

Thus, both these approaches provide a useful language to talk about higher education in terms of the possibilities and opportunities in relation to valuable attributes or beings and doings, whilst at the same time paying attention to the required social arrangements to achieve these goals. Both approaches make it explicit that students need to have the freedom to choose how best to meet their learning needs and that there is always an outcome or goal towards which they are working. The conversion factors in the CA are similar to the material resources in the UDL, which students need in order to achieve valuable beings and doings. Both approaches are holistic as they encourage respect for the difference, complexity and uniqueness of students in terms of their learning needs.

In sum, we propose that a social justice approach that incorporates difference and flexibility, as we have discussed in relation to the UDL and CA, would provide a useful basis for dialogue among policy makers and educationists involved with access to higher education. We would all like to see higher education achieve the goals set out in the

National Plan for Higher Education (2001) – for all students, rather than a select group. What we need is a common language and set of principles to guide our thinking towards this end.

References

Akoojee, S. and M. Nkomo. 2007. Access and quality in South African higher education: The twin challenges of transformation. *South African Journal of Higher Education* 21(3): 385–399.

Boughey, C. 2008. Constructing foundation work: A critical discourse analysis of the 2006 submissions for funding. In *Conversations about Foundation and Extended Curriculum Provision. Conference proceedings*, ed. J. Garraway. Cape Town: Cape Peninsula University of Technology.

Boughey, C. 2012. The significance of structure, culture and agency in supporting and developing student learning at South African universities. In *Alternative access to higher education: Underprepared students or underprepared education?*, ed. R. Dhunpath and R. Vithal, 61–87. Cape Town: Pearson.

Bozalek, V. 2013. Equity and graduate attributes. In *Universities and human development. A sustainable imaginary for the XXI century*, ed. A. Boni and M. Walker, 69–81. Abingdon: Routledge.

Bozalek, V. and C. Boughey. 2012. (Mis)framing higher education in South Africa. *Social Policy and Administration* 46(6): 688–703.

Bozalek, V. and B. Leibowitz. 2012. An evaluative framework for a socially just institution. In *Higher education for the public good: Views from the South*, ed. B. Leibowitz, 59–72. London and Stellenbosch: Trentham Books and SUN Media.

Burgstahler, S. E. 2010. Universal design in higher education. In *Universal design in higher education: From principles to practice*, ed. S. E. Burgstahler and R. C. Cory, 3–20. Cambridge, MA: Harvard Education Press.

Burgstahler, S. E. and R. C. Cory. 2010. Indicators of institutional change. In *Universal design in higher education: From principles to practice,* ed. S. E. Burgstahler and R. C. Cory Cambridge, 247–253. Cambridge, MA: Harvard Education Press.

Burke, P. 2012. *The right to higher education: Beyond widening participation.* Abingdon: Routledge.

Carpenter, M. 2009. The capabilities approach and critical social policy: Lessons from the majority world? *Critical Social Policy* 29: 351–373.

Coyne, P., P. Ganley, T. Hall, G. Meo, E. Murray and D. Gordon. 2010. Applying universal design for learning in the classroom. In *A practical reader in universal design for learning*, ed. D. H. Rose and A. Meyer, 1–13. Cambridge, MA: Harvard Education Press.

De Klerk, E., I. van Deventer and S. van Schalkwyk. 2006. Small victories over time: The impact of an academic development intervention at Stellenbosch University. *Education as Change* 10(2): 149–169.

Department of Education. 1997. *Education White Paper 3: A programme for the transformation of higher education*. Pretoria: DoE.

Department of Education. 2006. *Funding for foundational provision in formally approved programmes. Letter to all higher education institutions in South Africa*. Pretoria: DoE.

Dhunpath, R. and R. Vithal. 2012. Alternative access to university: Past, present and future. In *Alternative access to higher education: Underprepared students or underprepared education?*, ed. R. Dhunpath and R. Vithal, 1–24. Cape Town: Pearson

Fineman, M. 2005. Foreword: Averaging at the edges. In *Bodies in revolt: Gender, disability and a workplace ethic of care*, ed. R. O'Brien, xiii–xviii. New York: Routledge.

Fraser, N. 2009. *Scales of justice. Reimagining political space in a globalizing world*. New York: Columbia University Press.

Garraway, J., ed. 2008. *Conversations about foundation and extended curriculum provision. Conference Proceedings, Granger Bay, 1–2 October 2008*. Cape Town: Cape Peninsula University of Technology.

Garraway, J., ed. 2012. *Mont Fleur Papers 2010: Foundation/ECP Writing Workshop Proceedings*.

Green, P., A. Cashmore, J. Scott and G. Narayanan. 2009. Making sense of first-year student life: Transitions as ethnographic process. In *Focus on first-year success: Perspectives emerging from South Africa and beyond*, ed. B. Leibowitz, A. van der Merwe and S. van Schalkwyk, 47–56. Stellenbosch: SUN Press.

Hutchings, C. and J. Garraway, eds. 2010. *Beyond the university gates: Provision of extended curriculum programmes in South Africa. Proceedings of the January 2009 Rhodes University Foundation Seminar*.

Kioko, J. 2010. Foundation provision in South African higher education: A social justice perspective. In *Beyond the university gates: Provision of extended curriculum programmes in South Africa. Proceedings of the January 2009 Rhodes University Foundation Seminar*, ed. C. Hutchings and J. Garraway, 76–96.

Le Roux, P. and M. Breier. 2012. *Steering from a distance: Improving access to higher education in South Africa via the funding formula*. Sandton: Friedrich Ebert Stigtung.

Leibowitz, B. 2010. *The significance of academic literacy in higher education*. Saarbrucken: Lambert Academic.

Leibowitz, B. 2012. Understanding the challenges of the South African higher education landscape. In *Community, self and identity: Educating South African university students for citizenship*, ed. B. Leibowitz, L. Swartz, V. Bozalek, R. Carolissen, L. Nichols and P. Rohleder, 3–18. Cape Town: HSRC Press.

Meyer, A. and D. H. Rose. 2010. Preface. In *A practical reader in universal design for learning*, ed. D. H. Rose and A. Meyer, vii–xi. Cambridge, MA: Harvard Education Press.

McKenna, S. 2012. The context of access and foundation provisioning in South Africa. In *Alternative access to higher education: Underprepared students or underprepared education?*, ed. R. Dhunpath and R. Vithal, 50–60. Cape Town: Pearson.

Moore, D. 2013. Personal learning environments and networks. Presentation at the Student Access and Success Conference: Re-visioning the Student Success Eco-System in South African Higher Education, University of Pretoria, 22–24 January.

Morrow, W. 2007. *Bounds of democracy: Learning to teach in South Africa*. Cape Town: HSRC Press.

Ndebele, N. 1995. Maintaining domination through language. *Academic Development* 1(1): 3–5.

Nussbaum, M. C. 2000. *Women and human development: The capabilities approach*. Cambridge: Cambridge University Press.

Nussbaum, M. C. 2006. *Frontiers of justice: Disability, nationality, species membership*. Cambridge, MA and London: Belknap Press.

Nussbaum. M. C. 2010. *Not for profit: Why democracies need humanities*. Princeton, NJ and Oxford: Princeton University Press.

Nussbaum, M. C. 2011. *Creating capabilities*: *The human development approach*. Cambridge, MA: Belknap Press.

Nzimande, B. 1988. From disadvantage to deinstitutionalisation: Disaggregating liberal universities and some implications for academic support programmes. Paper presented at the ASP Conference, University of Cape Town, December.

O'Brien, R. 2005. *Bodies in revolt: Gender, disability and a workplace ethic of care*. New York and London: Routledge.

Pitkethly, A. and M. Prosser. 2001. The first-year university experience project: A model for university-wide change. *Higher Education Research and Development* 20(2): 185–198.

Robeyns, I. 2011. The capability approach. *Stanford Encyclopedia of Philosophy*. http://plato.stanford.edu/entries/capability-approach (accessed 26 June 2013).

Rollnick, M., 2010. Issues in access programmes. In I*dentifying potential for equitable access to tertiary level science: Digging for gold,* ed. M. Rollnick, 9–37. Dordrecht: Springer.

Rose, D. H. and A. Meyer, eds. 2010. *A practical reader in universal design for learning*. Cambridge, MA: Harvard Education Press.

Rose, D. H., W. S. Harbour, C. S. Johnston., S. G. Daley and L. Abarbanell. 2010. Universal design for

learning in postsecondary education: Reflections on principles and their application. In *Universal design in higher education: From principles to practice*, ed. S. E. Burgstahler and R. C. Cory, 45–59. Cambridge, MA: Harvard Education Press.

Scott, I. 2009. First-year experience as terrain of failure or platform for development? Critical choices for higher education. In *Focus on first-year success: Perspectives emerging from South Africa and beyond*, ed. B. Leibowitz, A. van der Merwe and S. van Schalkwyk, 17–36. Stellenbosch: SUN Press.

Scott, I. 2012. Access, success and curriculum: Aspects of their organic relationship. In *Alternative access to higher education: Underprepared students or underprepared education?*, ed. R. Dhunpath and R. Vithal, 25–49. Cape Town: Pearson.

Scott, I. 2013. Curricular leadership to support student success. Presentation at the Student Access and Success Conference: Re-visioning the Student Success Eco-System in South African Higher Education. University of Pretoria, 22–24 January.

Scott, I., N. Yeld and J. Hendry. 2007. A case for improving teaching and learning in South African higher education. *Higher Education Monitor* No. 6. Pretoria: Council on Higher Education. http://www.che.ac.za/documents/d000155/index.php (accessed 3 November 2008).

Sen, A. K. 1984. *Resources, values and development*. Oxford: Blackwell.

Sen, A. K. 1992. *Inequality re-examined*. Oxford: Clarendon Press.

Sen, A. K. 1995. Gender inequality and theories of justice. In *Women, culture and development. A study of human capabilities*, ed. M. C. Nussbaum and J. Glover, 259–273. Oxford: Clarendon Press.

Sen, A. K. 1999. *Development as freedom*. Oxford: Oxford University Press.

Soudien, C. 2012. Inclusion, innovation and excellence: Higher education in South Africa and its role in social development. Keynote Address at the Annual HELTASA Conference, Stellenbosch University, 27–29 November.

Tronto, J. 2010. Creating caring institutions: Politics, plurality, and purpose. *Ethics and Social Welfare* 4(2): 158–171.

Trowler, P. 2002. Introduction: Higher education policy, institutional change. In *Higher education policy and institutional change: Intentions and outcomes in turbulent environments*, ed. P. Trowler, 1–23. Buckingham: SRHE/OUP.

Unterhalter, E. 2009. Education. In *An introduction to the human development and capability approach. Freedom and agency*, ed. S. Deneulin with L. Shahani, 217–227. London: Earthscan.

Van Staden, E. 2013. Access with success. Presentation at the Student Access and Success Conference: Re-visioning the Student Success Eco-System in South African Higher Education. University of Pretoria, 22–24 January.

Vilakazi, H. 1986. The need for a revolution in education. A*SPects 7: Proceedings of the 1986 ASP Conference*, University of Natal, Pietermaritzburg, 3–5 December.

Volbrecht, T. and C. Boughey. 2004. Curriculum responsiveness from the margins? A reappraisal of academic development in South Africa. In *Curriculum responsiveness: Case studies in higher education*, ed. H. Griesel, 39–56. Pretoria: SAUVCA.

Vygotsky, L. S. 1978. *Mind in society: The development of higher psychological processes*. Trans. V. John-Steiner, M. Cole, S. Scribner and E. Souberman. Cambridge, MA: Harvard University Press.

Young, G., A. Loots, A. Louw and W. Wagener. 2011. A formative investigation of the EDP at SU: 2004–2009. Unpublished report, Stellenbosch University.