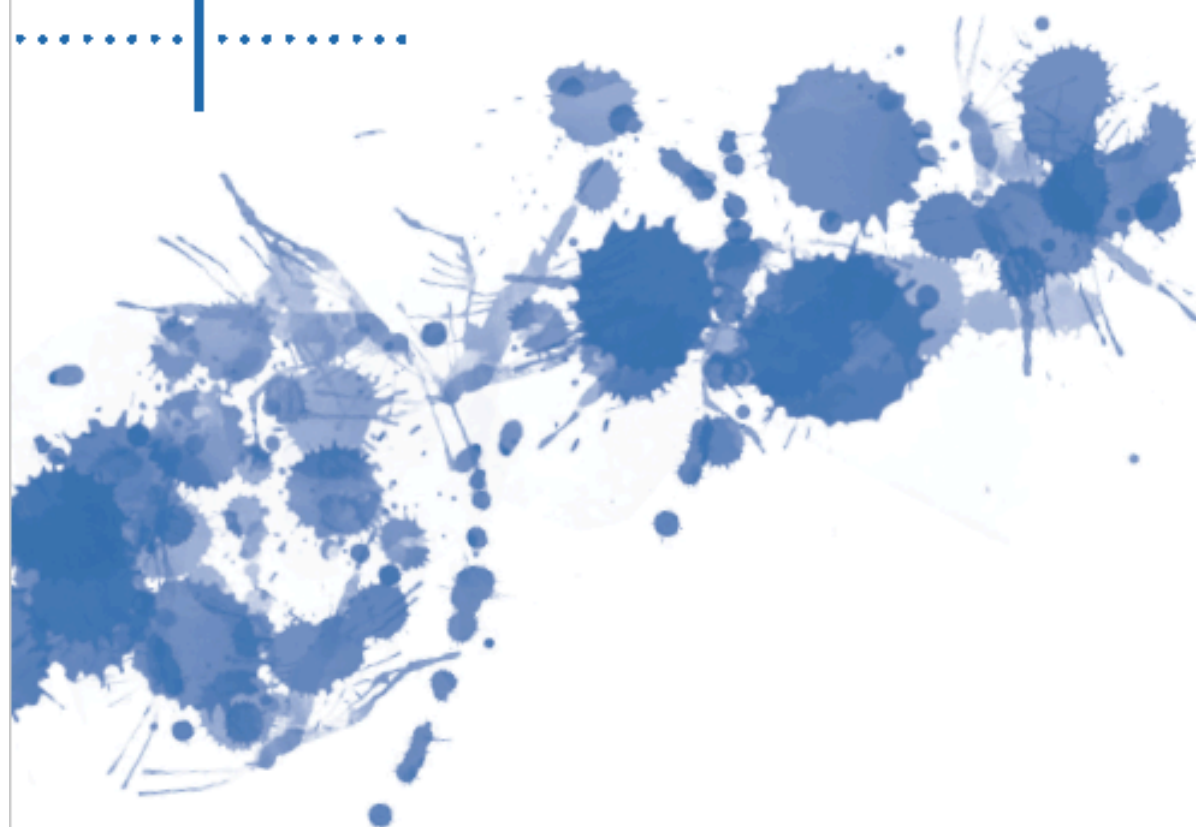# InDeEP University

Un progetto di ricerca partecipata per una Università inclusiva

a cura di Marina Santi, Diego Di Masi

Educating the person: a capability-focused provision for university students with disabilities. In M. Santi, D. Di Masi (Eds.) (2017)
InDeEP University: Un Progetto di ricerca partecipata per una universita' inclusiae.
Paadova: University of Padova Press.

Dr Cristina Devecchi, Associate Professor in Education, Faculty of Education and Humanities, University of Northampton

Conceiving an inclusive university requires taking into account not only enabling access to groups which have until now being excluded, but also thinking of how to develop pedagogical practice and support provision which would ensure that students can achieve both their *functionings*, that is valuable outcomes, and develop their future *capability* set, that is to devise their life plan.

ABSTRACT
This chapter adds to the questions of if and how the capability approach can be an innovative and useful way to assess, evaluate and develop the provision university students with disabilities and special educational needs receive. It argues that present, and possibly future practices of determining provision are problematic because they result from the still unresolved tension between within-the-person difficulties and external social and cultural barriers, giving rise and perpetuating a dilemma of difference. By applying the notion of capabilities, that is the substantive freedom people have to be and do what they have reason to value, the capability approach offers the advantage of broadening the informational basis onto which sound and effective provision can be assessed and develop, thus ensuring both quality and equality of education.

Keywords: capabilities, disability, university, provision

From invisible students to visible customers: University reforms in England

Although research on how students with disabilities cope at university is still scant, there is an increasing need to take their needs, aspirations and future employment opportunities into account. This approach requires a shift from providing access to ensuring outcomes as well. A number of international and EU laws stress the issue of equality of opportunities and regard the inclusion of learners with disabilities as a human right. Art. 24 of the UN Convention for the Rights of Persons with Disabilities (UN, 2006), for example, stresses the right to access to education and the obligation to ensure participation through reasonable accommodation. Likewise, EU policies require the member states to ensure equal opportunities and removal of discrimination for people with disabilities in all spheres of life. It is however disappointing that the EU legislation is more vague in regard to ensuring that children, and more so students at university, can access education, participate in it, and, above all, benefit from it throughout their lives (Arsenejeva, 2016).

In the English context where this essay is located, legislation is, in theory, supportive of the inclusion of people with disabilities although recent political development are a cause of great concern while also of great expectations, especially for young people at university. As Priestley (2017) aptly summarises, the 2016 referendum's decision to leave the EU has fuelled further the resolution of some to abandon a number of human rights legislations. Additionally, the austerity measures enacted since 2010, including the restructuring of social care support have left people with disabilities without the financial resources they need while, at the same time, being unable to find employment despite the government's ideological strategy in this respect. With regard to education, major reforms of primary and secondary levels (DfE, 2011; DfE, 2012) and the ever-present competitive accountability system are having a negative impact on schools' abilities and willingness to include children with disabilities.

A more positive outlook is offered by recent reforms of the Higher Education sector. At least in theory, the focus on student satisfaction, experience and future employment is serving as a catalyst to ensure universities develop provision to meet the needs of a growing and increasingly varied student cohort. Cast within a market-driven and consumer-led vision of universities as pivotal players in ensuring and sustaining economic growth (BIS, 2010; 2011; 2016), The Higher Education Research Act (HERA) 2017 (UK Parliament, 2017) positions students at the centre of universities' strategic priorities through the creation of the Office for Students, a new regulatory body responsible for regulating, monitoring and assessing universities' compliance with and proof of being 'good value for money'.

Four policy priorities are of particular interest. The first is the realisation that the quality of the student experience is closely related to the quality of the teaching the students receive. The recent Teaching Excellence Framework assessment round (HEFCE, 2017a) used a number of metrics resulting in a league table of universities being awarded Gold, Silver or Bronze status. A pilot to assess subject specific teaching quality is currently underway. While the TEF has been welcome by some and criticised by others, it offers a way to position the quality of the learning environment as key in how universities care for all their students, and are rewarded financially as a consequence. The second and third initiatives, closely linked to how universities are assessed, are related to the retention of students and their employability in graduate jobs respectively. The final initiative stems from data showing an increase in the number of students reporting mental health problems (Smith, 2016)

Paradoxically, while the government is set to abandon human rights legislation, market economics are set to provide fertile ground for supporting access, retention, participation and economically viable outcomes for all university students, including those with disabilities. Yet, the very same marketised measures imposed a narrow definition of value as the simplistic cost-effectiveness and value for money principles. Rather, there is a need to broaden our understanding of what is that is of value, thus taking into account both tangible and intangible factors and indicators. The widening of our understanding of what students value would enable universities to plan and implement provision which supports the education of the person in its totally by taking into account both the limitations put on them by their disability and the aspirations and strengths that each person has an entitlement to.

Beyond needs: a capability approach view of quality of and equality in education

This chapter proposes to frame the provision that universities can put in place to support their students with disabilities within a broader consideration of the complexity of determining, and assessing, what is that students have reason to value as the learning experience they expect. In using the capability approach this chapter adds to the questions of if and how the capability approach can be an innovative and useful way to evaluate and develop the educational offer students with receive and, in turn, to help lecturers and support staff to develop effective measures. Given the extensive, contested and from a capability approach mainly unexplored area of study, this chapter addresses only questions related to the process of identification and assessment of 'needs', and the nature of the provision that follows. It argues that present, and possibly future practices of determining provision are problematic because they result from the still unresolved tension between within-the-person difficulties, whether in terms of capacity or performance (Morris, 2009) and external social and cultural barriers, giving rise and perpetuating a dilemma of difference (Minow, 1990; Norwich, 2008a, 2008b; Terzi, 2005). The core argument of this chapter posits that a needs-based approach is neither representative of students' experiences, expectation and aspirations, nor conducive any longer to supporting the education, development and flourishing of all students irrespective of their ability or disability.

The view taken in this chapter is that we are witnessing a paradigmatic shift in the way in which long held assumptions and certainties about inclusion, welfare and wellbeing; about the relationship between the state, private businesses and voluntary institutions; and about lecturers' knowledge, expertise and professional identity are challenged and re-defined. There is a need to open up to the challenge and the risk of seeking new conceptual and evaluative avenues to ensure that all learners have equal and fair chances to succeed in life through quality education.

The fundamental premise onto which this chapter is based is that questions about quality, far from being a simple technical matter of measuring the fulfilment of pre-determined and measureable learning outcomes, learning gains, amenable to external inspection, cannot be disentangled from questions about equality of opportunities and equity in the way in which resources are determined, distributed, used and enabled to be converted within the system and by the person for whom they were set up. Indeed, as Sen (1979) asked, we need to face the question of 'equality of what'?

The proposition put forward in this chapter is two fold. First, it acknowledges that some changes to Higher Education sector were due, but that there is a danger that presently planned changes would take us back to a deterministic model of within-the-person disability and would leave many students without the entitlement to the support and provision they need and deserve. Second, it proposes that quality education is good education for all students, but that to achieve it demands a re-elaboration of what support and provisions are for. With regard to the identification and assessment of needs, quality education acknowledges that the process is necessary, but argues that it is not sufficient. Thus, ensuring that all students receive what they deserve to access, participate and progress in

their education requires broadening, as the capability approach (CA) suggests, the informational basis onto which such a process is based.

Thus, it is suggested that the CA would enable us to frame questions about quality and equality in a new light by locating the focus of the evaluation of social arrangements, such as provision, 'in the space of capability, that is, in the space of the real freedoms people have to promote and achieve their own wellbeing' (Terzi, 2005, p. 445). Second, a CA based assessment and evaluation of provision would recognise human diversity as 'no secondary complication (to be ignored, or to be introduced ''later on'')' (Sen, 1992, p. xi) but as a fundamental aspect of humanity. Third, it will recognise that the primary consideration for a just society and an effective education is one centred on the notions of human dignity and respect (Nussbaum, 2006). As Sen (1992) adds, human beings are different in respect to their own personal characteristics, to the social and environmental circumstances in which they live, and in relation to the means by which they can convert resources. Human beings are also different in relation to their life aspirations, values, beliefs and goals. This reformulation implies to think of disability not as the only unique trait of a child, but of the child as sharing commonalities of needs and aspirations as persons (Isaacs, 1996) whose life is worth of dignity and respect (Nussbaum, 2010; 2009). Dignity and respect also imply, as Devecchi, Rose and Shevlin (2014) and Ballett, Biggeri and Comim (2011) and Biggeri and Santi (2012) argue, to treat students, but particularly those with disabilities, as capable agents, whose autonomy and active participation deserve to be acknowledged, allowed and enabled. Since the CA redefines wellbeing in terms of positive freedoms to choose amongst viable alternatives, the setting up and evaluation of resources would start by asking what students want to be and become, and what the consider of value for their wellbeing. In positioning the students' aspirations and values as the overarching central focus of evaluation and provision, it also challenges both compensatory and distributive approaches to justice, arguing instead for a developmental and realisation-focused comparisons form of justice (Sen, 2009).

Inclusive aspirations and practical challenges

According to the latest statistical data from the Higher Education Funding Council for England (HEFCE), the number of students with disabilities enrolled at universities in England is 44,250 in 2015-16, an increase of 56% since 2010-11 (HEFCE, 2017b). Part of the widening participation agenda, the increased number of students with disabilities is a sign that access policies regulated by the previous OFFA (Office for Fair Access) gave tangible and positive results. Yet, there are still wide variations in regard to completion, retention and outcome between students with and without disabilities but in receipt of a Disability Students' Allowance (DSA) and students in receipt of DSA and students who do not disclose their disabilities, the latter fairing the worst.

For those with a disclosed disability, being at university offers both opportunities and challenges (Shevlin, McGuckin, Bell and Devecchi, 2017). In England universities are required to publish a 'disability statement' document communicating the provision made available which can include the following:

- Accommodation for note taking and exams;
- Professional care staff
- Access to disability advisors and learning support coordinators
- Accessible buildings and other facilities
- Differentiation of curricular material and teaching methods.

Although there have been major improvements, barriers still exist. Government funding reduction to the Disability Student Allowance has impacted the way universities can acquire and use support resources despite a £40 million HEFCE funding for disabled students. HEFCE's 2014-15 review (2017c) found that the largest number of disabled students are those with dyslexia, and that those least likely to seek and receive support are those with mental health disabilities. Consequently, universities find the following challenging:

- 'increasing demand for services
- proposed changes to the way in which funding is delivered to support disabled students
- moving to a social model of support
- working with external agencies
- increased pressure on resources. '

Despite the challenges, a social model of disability has been accepted as good teaching practice although the quality of teaching for students with disabilities is not included as an indicator in the Teaching Excellence Framework (HERA, 2017).

 The pace for and of reform of Higher Education towards a free market system has emphasised the importance of the student experience together albeit by casting it within a consumeristic, performative and capitalist logic (Münch, 2014). In this sense, experience is easily equated with satisfaction without due considerations of the complex interlay of factors which concur into construing either an experience or a true measure of satisfaction. It is telling therefore that the recent survey conducted on behalf of Universities UK (UUK, 2017), the body representing UK universities, found that while just below half of students saw themselves as consumers, just over half did not. The overall majority saw value for money as a complex set of varied experiences, which can be summarised as follows:

- 'Good facilities available for studying
- Future career prospects
- High-quality lecturers and tutors
- High-quality course content
- Academically challenging' (UUK, 2017:13)

There remains a dearth of knowledge and understanding about how students with disabilities view their experience and how they value it. The lack of knowledge compounded with a set of competing demands and dwindling funds begs the question of how best universities can provide for the needs, aspirations and expectations of students with disabilities without falling prey of a medicalised paradigm.

Towards an enabling provision: education as broadening capabilities

As previously mentioned, one of the major tenets of the capability approach is that equality does not depend on income, the fulfilment of subjective preferences and satisfaction measures, or, the amount of resources held by each individual. Rather, it stresses the importance of broadening the information basis so as to determine how and whether the resources individual has or can dispose of are used to 'lead lives they have reason to value and to enhance the substantive choices they have' (Sen, 1997 cited in Biggeri and Santi, 2012, p. 374). It follows that equality is not about ensuring that all have the 'same' resources to start with, or that they achieve the 'same' goals. Rather, it means that the resources are distributed in such a manner that equalises the individual opportunities to freedom, here understood as the freedom to broaden one's capabilities so as to achieve those functionings, or achieved beings and doings' that are instrumental to individual development and flourishing (Robeyns, 2005).

The capability approach, and the related Human Development paradigm, is, as Nussbaum (2011, p. 18) explains, 'an approach to comparative quality-of-life assessment', which, as she continues, 'takes *each person as an end*, asking not just about the total average well-being but about the opportunities available to each person' (emphasis in original). Education is considered a fundamental capability by Sen (1999, 2009), Nussbaum (2011) and Robeyns (2006) because it is instrumental to the development of future capabilities since 'it expands the possibilities for what people value and for various pathways they might take' (Wood and Deprez, 2012, p. 471).

The capability approach is a relatively new approach to the evaluation of social arrangements. In brief its main tenets are:
- Equality and justice should be considered at the level of capabilities
- A capability is 'what people are effectively able to do and to be'
- It focuses on the freedom people have to choose opportunities (capabilities) and functionings (realised opportunities) that they have reason to value
- It rejects an evaluation of wellbeing based on purely subjective accounts of happiness (such as utilities), or income or consumption
- It broadens the informational basis necessary to make judgments on equality and justice
- It posits questions about justice as 'realization-focused comparisons'
- It locates positive freedoms at the centre of the evaluative process
- It takes into consideration freedom as both an end of and a means to development as both the *opportunity* and *process aspects of* freedom

Central to the approach is the notion of human development, which posits the person as the end of development rather than simply a means to economic growth. In this sense, the capability approach challenges the resurgence of a human capital approach to education which views individuals as means, stresses performance, and posits success not as individual achievement, but as the gain of competitive gain in a free market. While not rejecting the instrumental value of education in relation to gaining future personal advantage,

the capability approach also takes into account both the intrinsic value the extrinsic values of education in relation to realising the person as a future citizen.

If, as Sen (2009, p. 227) suggests, 'in assessing our lives, we have reasons to be interested not only in the kind of lives we manage to lead, but also in the freedom that we actually have to choose between different styles and ways of living', then not only education, but above all the quality of education children can access to and participation in through the provision made available matter as well. In this sense, the CA stresses the importance of defining, broadening and refining the informational bases required to make decisions on the nature of the social arrangements needed. This last point has implications for the process of the identification and assessment of what the individual children might need, want and required.

The realisation of a person's capabilities: implication for developing the capabilities of students with disabilities in Higher Education

This chapter has so far argued that provision for students with disabilities should be evaluated with regard as to whether it broadens the students' capabilities, thus enhancing the opportunities they are afforded through education to choose specific pathways. This section will provide an overview of recent developments both in the field of capability and disability and students' capabilities and examine how they can be applied to devising provision, which would fulfil both theirs and society's aspirations.

As Sen (2009) argues, in matters related to justice it is more productive to focus on 'real' injustices rather than develop theories of perfect institutional justice although Nussbaum (2011; 2009; 2006) pursues a more institutional approach. In the case of students with disabilities and SEN, injustices specific to education have traditionally been evaluated in relation to marginalisation, that is deprivation in terms of fair access and participation in education. However, the capability approach would add to these a further situation of disadvantage, namely the deprivation of capabilities. The distinction is subtle, but significant.

Present procedures for the allocation of resources focus on the notion of need defined as the shortfall between what the student is expected to achieve – or has achieved- in relation to pre-determined learning gains and learning outcome indicators, some of which imposed on course programme by professional bodies. The system of identification is such for which it continuously reifies itself in as much as such indicators are the only ones deemed sufficient and necessary for the allocation, type and evaluation of the quality of the resources which make up the provision. A different approach, is person-centred planning (see Florian, Dee and Devecchi, 2008 for an examination of both, but also O'Brien et al., 1997; Robertson et al., 2007). A further development of the person-centred planning approach is the 'mosaic strategy' developed by Biggeri, Bellanca, Tanzj and Bonfanti (2010) and Biggeri et al (2011). The 'mosaic strategy' is based on the notion of dis-capability (Bellanca, Biggeri and Marchetti, 2011) which emphasises the agency aspect of the person with disabilities in deciding a life project, and the responsibility of others in ensuring its realisation.

Thus, an ineffective provision would be one which disadvantaged the student with respect not just to gaining access to resources, but, more fundamentally, to the conversion of such resources into valuable beings and doings. Viewed in this light, disability can be seen as being deprivations in relation to functionings, what students can actually be and do; opportunities, what they can be and become; and the fulfilment of their individual potential, be it cognitive and academic, social, emotional and as future active citizens and employees.

In determining which outcomes are valuable and to be pursued, the broadening of the informational basis would include a synergetic approach combining appropriate medical assessment where this is deemed useful and necessary; externally determined learning outcomes as measurable attainment, but also outcomes of learning as broader reflection of the complexity of learning (Dee, Devecchi and Florian, 2006), together with individual values and aspirations. Namely, the process of personal planning should take into account and aspire to develop through focused provision three sets of specific and interrelated outcomes as capabilities. They are:

- *Combined capabilities* – the totality of capabilities, as Nussbaum (2011) claims, that a person can effectively choose from;
- *Internal capabilities* – the characteristics of a person which are 'developed in most cases in interaction with the social, economic, familial and political environment' (Nussbaum, 2011: 21); and,
- *External capabilities* – those capabilities which permit to achieve additional functionings through the interaction with others (Basu and Foster, 1998; Foster and Hardy, 2008 cited in Biggeri and Santi, 2012), be teachers, professionals, family or peers.

Ballet et al (2011) and Biggeri and Santi (2012) have developed a set of specific capabilities which are more pertinent to children, but which can be extended to learners of all ages. Taking into consideration that students are simultaneously knowledgeable agents and yet not fully knowledgeable of the future impact of their learning, Ballet et al (2011) put forward the notion of 'evolving capabilities', namely the process by which through acquired functionings, that is achieved states of being and doing, learners can develop further functionings but also develop ideas about different and valuable types of lives they want to lead and aspire to. 'Evolving capabilities' comprise three sets of capabilities, namely,

> 'A-capabilities' (capabilities as abilities), the complexity of innate talents and of acquired competencies (skills); 'O-capabilities' (capabilities as opportunities), the set of actual, accessible or available chances for improving well-being; and 'P-capabilities' (capabilities as potentialities), the set of imagined prospects or conceivable chances for improving well-being or alternatives that can be considered admissible' (Biggeri and Santi, 2012, p. 387).

The list of possible outcomes as capabilities is open, as Sen would suggest, because it will be determined by consideration about the specificity of the situation and of the individual. However, Biggeri et al (2011) offer a list of generic valuable outcomes and considerably close to Nussbaum's (2010) list of ten central capabilities. They are:

- life and physical health;
- emotions:
- love and care;
- social relations and participation;
- control over one's environment: agency, autonomy and respect, shelter and environment;
- education and knowledge;
- practical reasons 1: paid work and other projects;
- practical reasons 2: mobility;
- personal expression and recreational activities: "sense, imagination and thought", spiritual/religion, sport and recreational activities.

Educating the student with disabilities as a person would aim to provide spaces for the achievement of functionings in relation to the capabilities listed above, which in turn would enable the student to develop further personal life pathways. The allocation of resources, encompassing the amount and characteristics of the resources needed, will be variable and changing over time as individuals achieve goals and functioning and develop further views about their progression toward their beings and doings. This implies a personalised approach to resource allocation. The personalisation should also take into account the environmental affordability, or the way in which the resources allocated to the individual can be converted by the individual and by the system in which the resources are to be used. Conversion factors are pivotal in determining the success of the provision and, sadly, an aspect, which is many times over-shadowed by other means of accountability such as measurement of attainment and performance. Conversion factors can vary and are context dependent. They range from the knowledge, competence and expertise of the professionals which make up the team; the school organisation and management; the community in which the student lives; the family and significant others.

In evaluating the provision, the dynamic and developing process should consistently afford the student a space for choice and control, in relation to his or her abilities and development. This means that one of the purposes of education would be also to develop and support self-determination, agency and meaningful participation in the process of decision making for children and adults alike (Devecchi and Rouse, 2010).

Final reflections
The idea of applying the capability approach to the process of identification and assessment in order to set and monitor provision for university students with disabilities might be perceived by some as either far-fetched, not fundamentally new, not brave enough, or difficult to operationalise. Yet, it strikes a chord with Norwich's (2009, p. 211) call for a 'plural values framework' which 'will assume common or shared general requirements or needs for all children and young people', but which 'will also imply different requirements or needs relevant to the individuality of all children and young people, respecting each person's unique history and their balance of dispositions'. By taking into account combined, internal and external capabilities, within the dynamic framework of 'evolving capabilities' the process of

assessment and identification would address the students' needs by establishing firmer grounds for the assessment of valuable life outcomes.

Furthermore, the capability approach offers a language for the evaluation of provision in the space of the substantive freedoms and opportunities students with disabilities have to choose amongst different and valuable pathways. In doing so, the application of the capability approach would focus not only the amount of resources allocated, but, most importantly, on how students – and professional working for them- are allowed and enabled to convert the individual, social and environmental resources in functionings and capabilities.

Despite its vowed interdisciplinarity (Bussi and Dehman, 2012), the capability approach has not been systematically applied to education and specifically to the education of students with disabilities at University level. Since the establishment of the Human Development and Capability Association (HDCA) in 2004, the approach has been applied mainly to economics, the evaluation or poverty, and in education to issues related to gender and more general higher education issues. Only recently more attempts have been made to apply it to vocational education and the transition to employment, or to combine the capability approach with theories of learning such as ecological models, and socio-cultural theory. Walker (2008, p. 154), for example, argues that a welcome development would be the application of 'theorisations of power and participation in educational settings' by combining, for example, emancipatory perspective such as disabilities studies, feminism or critical pedagogy (Wood and Deprez, 2012) as suggested by Dean (2009). More collaboration between different theoretical avenues is welcomed and will no doubt follow, as there is a need to ground the theory to empirical evidence.

Given the present government's interest in the economic outcomes of a university degree and of the 'value for money' of the students' experience, the capability approach can provide a helpful and multifaceted critique and innovative outlook on wellbeing and development. In the final analysis the model of provision outlined in this paper goes some way to address Nussbaum's (2011, p. 150) assertion that,

> 'the task of fully including people with disabilities and supporting their human capabilities requires a new account of social cooperation and the human motives for it'.

References

Arsenjeva, J. (2016) *Annotated review of European Union law and policy with reference to disability*. Brussels: Academic Network of European Disability experts (ANED)

Ballet, J., Biggeri, M. & Comim, F. (2011) 'Children's agency and the capability approach: A conceptual framework,.' In M. Biggeri, J. Ballet & F. Comim (eds), *Children and the Capability Approach.* New York: Macmillan, pp. 22-45

Bellanca, N., Biggeri, M. & Marchetta, F. (2011) 'An extension of the capability approach:

Towards a theory of dis-capability.' *ALTER - European Journal of Disability Research / Revue Européenne de Recherche sur le Handicap,* 5(3)**,** pp. 158-176.

Biggeri, M. & Santi, M. (2012) 'The missing dimension of children's wellbeing and well becoming in education systems: Capabilities and the philosophy for children.' *Journal of Human Development and Capabilities,* 13(3)**,** pp. 373-395.

Biggeri, M., Ballet, J. & Comim, F. (eds) (2011) *Children and the Capability Approach.* New York: Palgrave Macmillan.

Biggeri, M., Bellanca, N., Tanzj, L. & Bonfanti, S. (2010) 'Sulle politiche per le persone con disabilitá: Il progetto di vita e la strategia a mosaico.' In M. Biggeri & N. Bellanca (eds) *Dalla Relazione di Cura alla Relazione di Prossimitá: L'Approcccio della Capability alle Persone con Disabilita'.* Napoli: Liguori, pp. 165-188

(Department for) Business, Innovation and Skills (2010) *Securing a Sustainable Future for Higher Education Funding and Student Finance*. The Browne Report. London: (Department for) Business, Innovation and Skills

(Department for) Business, Innovation and Skills (2011) *Students at the Heart of the System*. White Paper. London: (Department for) Business, Innovation and Skills

(Department for) Business, Innovation and Skills (2016) *Higher Education: Success as a Knowledge Economy*. London: (Department for) Business, Innovation and Skills

Bussi, M. & Dahmen, S. (2012) 'When ideas circulate. A walk across disciplines and different uses of the "Capability approach". *Transfer: European Review of Labour and Research,* 18(1)**,** pp. 91-95.

Dean, H. (2009) 'Critiquing capabilities: The distractions of a beguiling concept.' *Critical Social Policy,* 29(2)**,** pp. 261-278.

Dee, L., Devecchi, C. & Florian, L. (2006) *Being, Having and Doing. Theories of Learning and Adults with Learning Difficulties.* London: Learning and Skills Network (LSN).

Department for Education (DfE) (2012) *Support and Aspiration: A New Approach to Special Educational Needs and Disability: Progress and Next Steps.* London: DfE.

Department for Education (DfE) (2011) *Support and Aspiration: A New Approach to Special Educational Needs and Disability: a Consultation.* London: The Stationery Office.

Devecchi, M. C., Rose, R. and Shevlin, M. (2014) Education and the Capabilities of Children with Special Needs. In Hart, C., Biggeri, M. and Babic, M. (Eds.) *Agency and participation in Childhood and Youth: International applications of the capability approach in schools and beyond*. London: Bloomsbury

Devecchi, C. & Rouse, M. (2010) 'An exploration of the features of effective collaboration between teachers and teaching assistants in secondary schools.' *Support for Learning,* 25(2)**,** pp. 91-99.

Florian, L., Dee, L. & Devecchi, C. (2008) 'How can the capability approach contribute to understanding provision for people with learning difficulties?' *Prospero,* 14(1)**,** pp. 24-33.

Higher Education Funding Council for England (HEFCE) (2017a) The Teaching Excellence Framework. (available at: http://www.hefce.ac.uk/lt/tef/ accessed 2 August 2017)

Higher Education Funding Council for England (HEFCE) (2017b) Student characteristics (Available at:

http://www.hefce.ac.uk/analysis/HEinEngland/students/disability/, accessed 2 August 2017)

Higher Education Funding Council for England (HEFCE) (2017c) Supporting Disabled Students. (Available at: http://www.hefce.ac.uk/sas/disabled/, accessed 2 August 2017)

Isaacs, P. (1996) 'Disability and the education of persons.' In C. Christensen & F. Rizvi (eds) *Disability and the Dilemmas of Education and Justice.* Buckingham: Open University Press, pp. 27-45

Minow, M. (1990) *Making all the Difference: Inclusion, Exclusion and the American Law.* Ithaca, NY: Cornell University Press.

Morris, C. (2009) 'Measuring participation in childhood disability: How does the capability approach improve our understanding?' *Developmental Medicine & Child Neurology,* 51, pp. 92-94.

Münch, R. (2014) *Academic Capitalism. Universities in the Global Struggle for Excellence.* London: Routledge

Norwich, B. (2009) 'Chapter 4. Second proposer -special educational needs has outlived its usefulness: A debate.' *JORSEN,* 9(3)**,** pp. 208-211.

Norwich, B. (2008a) 'Dilemmas of difference, inclusion and disability: International perspectives on placement.' *European Journal of Special Needs Education,* 23(4)**,** pp. 287-304.

Norwich, B. (2008b) 'Perspectives and purposes of disability classification systems: Implications for teachers and curriculum and pedagogy.' In: L. Florian & C. McLaughlin (eds) *Classification in Education: Issues and Perspectives.* Thousand Oaks, CA: Corwin Press, 131-149.

Nussbaum, M. (2011) *Creating Capabilities: The Human Development Approach*. Cambridge, MA: Belknap.

Nussbaum, M. C. (2009) 'The capabilities of people with cognitive disabilities.' *Metaphilosophy,* 40(3-4)**,** pp. 331-351.

Nussbaum, M. (2006) *Frontiers of Justice: Disability, Nationality, Species Membership.* Harvard: Harvard University Press).

O'Brien, J., O'Brien, C. L. & Mount, B. (1997) 'Person-centred planning has arrived or has it?' *Mental Retardation,* 35(6)**,** pp. 480–484.

Priestley, M. (2017) *European Semester 2016/2017 country fiche on disability: United Kingdom*. Brussels: Academic Network of European Disability experts (ANED)

Robertson, J., Emerson, E., Hatton, C., Elliott, J., McIntosh, B., Swift, P. (2007) 'Person-centred planning: Factors associated with successful outcomes for people with intellectual disabilities.' *Journal of Intellectual Disability Research,* 51(3)**,** pp. 232-243.

Robeyns, I. (2006) 'Three models of education: Rights, capabilities and human capital.' *Theory and Research in Education,* 4(1)**,** pp. 69-84.

Robeyns, I. (2005) 'The capability approach: A theoretical survey.' *Journal of Human Development,* 6(1)**,** pp. 93-114.

Sen, A. (2009) *The Idea of Justice.* Cambridge: MA, Belknap.

Sen, A. (1999) *Development as Freedom.* Oxford: Oxford University Press.

Sen, A. (1992) *Inequality Reexamined.* Oxford: Clarendon Press.

Sen, A. (1979) Equality of what?, *The Tanner Lecture on Human Value*, May 22, 1979.

Smith, M. (2016) One in four students suffer from mental health problems. YouGov (available: https://yougov.co.uk/news/2016/08/09/quarter-britains-students-are-afflicted-mental-hea/, accessed 2 August 2017)

Shevlin, M., McGuckin, C., Bell, S. and Devecchi, C. (2017) Moving to higher Education: Opportunities and barriers experienced by people with disabilities. In Fleming, T., Loxley, A. and Finnegan, F. (Eds.) *Access and Participation in Irish Higher Education*. London: Palgrave Macmillan

Terzi, L. (2005) 'Beyond the dilemma of difference: The capability approach to disability and special educational needs.' *Journal of Philosophy of Education,* 39(3)**,** pp. 443-459.

UK Parliament (2017) *Higher Education Research Act 2017*. London: UK Parliament

United Nations (2006) *UN Convention for the Rights of Persons with Disabilities*. New York: United Nations

Universities UK (2017) *Education, Consumer Rights and Maintaining Trust. What Students Want from their University*. London: UUK

Wood, D. & Deprez, L. S. (2012) 'Teaching for human well-being: Curricular implications for the capability approach.; *Journal of Human Development and Capabilities,* 13(3)**,** pp. 471-494.