



Inclusive higher education for people with intellectual disability: obligations for higher education institutions under the United Nations Convention on the Rights of Persons with Disabilities

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Abstract

Article 24 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), ratified by 185 of the 193 UN Member States, provides an explicit right to “inclusive education” for people with disabilities in higher education, including those with intellectual disability (ID). However, inclusive higher education for people with ID remains under researched. This paper analyses how inclusive education is conceptualised in the UNCRPD and the obligations created for higher education institutions in relation to people with ID. It does this by drawing on a General Comment, Concluding Observations and views adopted by the UN Committee on the Rights of Persons with Disabilities under Article 5 of the Optional Protocol to the UNCRPD in response to a complaint brought by a person with ID who faced barriers to accessing tertiary education in Mexico (United Nations, 2023). The paper also explores what inclusive higher education provision for students with ID, built around UNCRPD rights-based principles, looks like in practice. This is illustrated by description of a rights-based model of inclusive higher education, informed by principles of inclusive education as articulated in the UNCRPD which is offered to people with ID in an Irish university, thereby offering a European perspective. Empirical research from University College Cork (UCC) presented in this paper indicates that introducing inclusive higher education can benefit all students and not just those with ID.

Keywords Higher education · Inclusive education · Intellectual disability · UNCRPD · Co-learning

Introduction

Article 24 of the United Nations Convention on the Rights of Persons with Disabilities, hereinafter referred to as “the UNCRPD” (UN, 2006), provides an explicit right to “inclusive education” for people with disabilities in the tertiary or higher education sector. It

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lists progressive actions for States Parties, including the provision of reasonable accommodation, to facilitate implementation of this right. The need to research the impact of the UNCRPD on education systems has been voiced by several commentators, and Article 24 has spurred discussion on strategies for inclusive education for people with disabilities in primary and secondary education (Bell & Jacobs, 2023; Buchner et al., 2021; Byrne, 2022; Shevlin & Banks, 2021; Tiernan, 2022). However, the topic of inclusive education for people with disabilities, and intellectual disabilities specifically, in higher education remains largely under researched (Adams & Brown, 2006; Gibson, 2015; Griful-Freixenet et al., 2017). A search by the authors of this paper in this journal (Higher Education), with no search limits applied, indicates only three articles which reference the “United Nations Convention on the Rights of Persons with Disabilities” (Clouder et al., 2020; Pais et al., 2024; Rußmann et al., 2024). This is significant as 185 countries have ratified the UNCRPD (Committee on the Rights of Persons with Disabilities | OHCHR) creating “a raft of rights relevant to universities, which are motivated by widespread normative acceptance of the disability human rights paradigm” (Harpur & Szucs, 2023, p. 145). Furthermore, the UN Committee on the Rights of Persons with Disabilities (“the Committee”) has identified “limited access to tertiary education” as an “issue of concern” in 17% of its Concluding Observations issued between 2011 and 2018 (Byrne, 2022, p. 308). In addition, legal cases are emerging from the USA and Canada (Bell & Jacobs, 2023; Jacobs, 2023), as well as Europe (*Çam v. Turkey*, 2016; *Enver Şahin v. Turkey*, 2018), which focus on the rights of students with disabilities in higher education, particularly in respect of admissions and reasonable accommodation. As such, there is a compelling case for more understanding of the UNCRPD and its implications for the rights of people with disabilities in the context of higher education.

This paper focuses specifically on the right to inclusive education under the UNCRPD for one cohort of students with disabilities, namely those with intellectual disability (ID).¹ The Committee has recognised that people with ID face challenges in exercising their rights and identified them as being “at risk of exclusion from education” (UN, 2016, p. 2). In recent Concluding Observations for Switzerland, the Committee specifically expressed concern about the “barriers in gaining access to vocational training and higher education faced by students with disabilities, particularly those with intellectual or psychosocial disabilities” (UN, 2022, p. 11). This is important for all States Parties to consider as the Committee is proactively addressing the rights of people with ID to inclusive higher education.

The right to inclusive education for people with ID in higher education has not been realised in any systematic way in the international context (O’Donovan, 2021); however, pockets of educational provision are emerging in some countries, predominantly in the Global North. In Canada, inclusive education programmes have been available for students with ID since the 1980s (Uditsky et al., 1987), while in the USA, where the UNCRPD has not been ratified, the Higher Education Opportunity Act 2008 provided impetus for developing higher education programmes for students with ID (Gilson et al., 2020; Grigal et al., 2019). Inclusive education programmes for students with ID in higher education settings have also been developed in Australia and parts of Europe (Rillotta et al., 2020). Ireland, despite being the last country in Europe to ratify the UNCRPD in March 2018, has emerged within Europe as a leader in the provision of inclusive education for students with

¹ We use the term intellectual disability (ID) as this is the term commonly used in Ireland, including by Inclusion Ireland (2021), the key civil society organisation representing people with intellectual disabilities and their families in Ireland (see About Us | Inclusion Ireland).

ID in higher education with a small number of universities offering programmes consistently since the mid-1990s (O'Donovan, 2021; Aston et al., 2021; Bonar, 2018).²

The dearth of research about the import of the UNCRPD on higher education, coupled with the limited and ad hoc development of inclusive education for people with ID in higher education internationally, raises questions as to what the right to inclusive education entails for students with ID under the UNCRPD and what obligations it creates for higher education institutions. This paper explores two core questions. First, how is inclusive education conceptualised in the UNCRPD and what obligations are created for higher education institutions in relation to people with ID? Second, what does a co-learning model of inclusive higher education for students with ID, which is built around UNCRPD rights-based principles, look like and how is it experienced by students with ID and the students without ID with whom they co-learn? The next section details the legal framework for inclusive higher education under the UNCRPD and sets out obligations for higher education institutions. Thereafter, this paper articulates a model of inclusive co-learning in higher education for students with ID developed as part of the id+ futures project at UCC, Ireland, and details the implementation of the right to inclusive education in practice through reasonable accommodation and other measures. A snapshot of the views of students with ID and students without ID regarding their experience of co-learning as part of the inclusive education model at UCC is also presented, and challenges and potential remedies to ensure that higher education is inclusive for students with ID are discussed.

Conceptualisation of inclusive education in the UNCRPD and obligations of higher education providers in relation to people with intellectual disabilities

The right to and features of inclusive education

In 1994, the Salamanca Statement urged governments to “adopt as a matter of law or policy the principle of inclusive education” (UNESCO, 1994, p. 4), and in 2006, the UNCRPD provided for the right to inclusive education in international human rights law. Article 24 of the UNCRPD provides that States “shall ensure an inclusive education system at all levels and lifelong learning” (UN, 2006). While no precise definition of inclusive education is offered in the text of the UNCRPD, the right to inclusive education has been expanded upon in several legal instruments, including a General Comment (UN, 2016). The Committee states that “the right to inclusive education entails a transformation in culture, policy and practice”, and that inclusion “involves a process of systemic reform embodying changes and modifications in content, teaching methods, approaches, structures and strategies in education” (UN, 2016, pp. 2–3). Nine core features of inclusive education are identified by the Committee:

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1. Whole systems' approach
 2. Whole educational environment
 3. Whole person approach
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² In a landmark initiative, the Irish Government in February 2024 funded 10 Higher Education Institutions to develop and deliver inclusive education for students with Intellectual Disability.

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4. Supported teachers
 5. Respect for and value for diversity
 6. Learning-friendly environment
 7. Effective transitions
 8. Recognition of partnerships
 9. Monitoring
-

Core features of inclusive education (UN, (2016), pp. 3–5)

Article 24(5) of the UNCRPD makes specific reference to higher education and requires States to “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”. This subsection was further expanded upon in two Resolutions of the United Nations General Assembly Human Rights Council (2014). The first, “Work and Employment of Persons with Disabilities”, called on States to ensure “that persons with disabilities have equal access to education and vocational training that is non-discriminatory, accessible to and inclusive of persons with disabilities, including by providing reasonable accommodation, and by promoting continuous learning” (UN, 2013, p. 3). The second resolution, “The Right to Education of Persons with Disabilities”, further underlined the actions which States must take in providing inclusive education, including to “[a]dopt positive and other measures to include persons with disabilities in general tertiary education, vocational training, general adult education and continuing education programmes and funding opportunities, particularly for those who have been excluded from primary and secondary education, without discrimination and on an equal basis with others” (UN, 2014, p. 4).

The obligation to provide reasonable accommodation

Implementation of the right to inclusive education requires States to ensure that “reasonable accommodation is provided to persons with disabilities” (Article 24(5)). Article 2 of the UNCRPD, defines reasonable accommodation as “necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms”. de Beco comments that “explicit reference to the duty to provide reasonable accommodation” in Article 24(5) “probably aims to avoid higher education falling through the net, and to stress that inclusive education does not stop after traditional schooling” (2019a, p. 91). In two recent cases concerning further and higher education (*Çam v. Turkey*, 2016; *Enver Şahin v. Turkey*, 2018), the European Court of Human Rights, drawing on the UNCRPD, underlined the fundamental importance of providing reasonable accommodation. Describing *Cam v Turkey*, Broderick (2019, p. 440) explains that “the Court considered that the notion of discrimination on the ground of disability extends to the refusal to provide a reasonable accommodation to facilitate access for a disabled person to education, in line with the CRPD.”

The Committee has also leveraged its monitoring mechanisms, namely its Concluding Observations, to underline the obligations of State Parties and higher education institutions in providing reasonable accommodation. In its Concluding Observations for Switzerland (UN, 2022, p. 11) for example, the Committee stated that there is an obligation to ensure that “persons with disabilities are able to participate in accessible and inclusive higher

education, including through the provision of reasonable accommodation, and that they have access to inclusive programmes for certified basic vocational and professional training.” Higher education institutions’ obligations to provide reasonable accommodation were also addressed by the Committee in response to an individual complaint brought under Article 5 of the Optional Protocol to the UNCRPD (UN, 2023). The individual complaints mechanism enables individuals to bring complaints about a higher education institution directly to the Committee. The Optional Protocol facilitating this has been adopted by 100 of the 185 UN Member States who have ratified the Convention for the Protection on the Rights of Persons with Disabilities, which means that higher education institutions in many jurisdictions could potentially be subject to a complaint. The response of the Committee to such a complaint made against the Morelense Centre for the Arts in Mexico provides important insights for higher education providers regarding the right to inclusive higher education for people with ID (UN, 2023).

A woman with an intellectual disability who was refused a place on the Bachelor of Visual Arts at the Morelense Centre for the Arts Mexico claimed that the selection process was conducted without any reasonable accommodation (UN, 2023). The Committee upheld her complaint noting that reasonable accommodation is an *ex nunc* duty (UN, 2023, p. 12) and that “the State party has not demonstrated that it has taken the legislative, administrative and other measures, including the adoption of policies on reasonable accommodation and the training of staff at tertiary education institutions, to ensure the accessibility of inclusive tertiary education for the author, as a person with an intellectual disability” (UN, 2023, p. 11). The Committee noted that reasonable accommodation is an *ex nunc* duty requiring institutions to engage proactively to provide accommodation from the moment that a person with a disability seeks to exercise their right to access even if the individual has not requested this and even if the institution is unaware that the individual has a disability (UN, 2023, p. 12). This obligation for institutions to put in place application processes which are accessible and inclusive by default chimes with research which highlights the sense of being othered experienced by students with disabilities who are obliged to disclose their disability before they can avail of supports and accommodations within the higher education sector (Moriña, 2022).

Progressive realisation of Article 24 UNCRPD

Article 4(2) of the UNCRPD stipulates that “[w]ith regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources ... with a view to achieving progressively the full realization of these rights.” This requirement for progressive realization of rights creates a clear obligation for States Parties to actively and systematically transform education systems to ensure continued progress toward compliance with the rights accorded under Article 4(2) (de Beco (2019b). In practice, this requires auditing of existing provision, identification of barriers to inclusion and engagement with planning on how, with what resources and in what timeframe these barriers can be addressed (UN, 2020).

Inclusive higher education for students with ID—what is required to fulfil obligations under the UNCRPD?

Three models of higher education for people with ID are identified in the literature: mixed or hybrid models, substantially separate models and inclusive individual support models

(Hart et al., 2004, 2006). While the typology developed by Hart et al., is somewhat dated, it is still reflective of the range of programme provision (Rillotta et al., 2020; Whirley et al., 2020), with mixed or hybrid models being most common (Whirley et al., 2020). In mixed or hybrid models, students participate in classes solely with students with ID as well as in classes with students without ID (Hart et al., (2006). In substantially separate models, students with ID only attend classes with other students with ID, (Hart et al., 2006) while in the inclusive individual support model, students with ID only attend classes with the wider university student body (O'Brien & Bonati, 2019). There is limited reflection available in the literature on these models of higher education for students with ID in the context of States Parties' obligations under the UNCRPD. Available commentary, however, suggests that the use of segregated classes in the mixed/hybrid model as well as in the substantially separate model is not in line with the UNCRPD. Kayess and French (2008, p. 31), for example, comment that "[t]he CRPD very specifically, and very comprehensively, de-legitimises segregated specialist service delivery to persons with disability." Similarly, drawing on the UNCRPD, O'Brien and Bonati (2019, pp. 10–11) write that "[f]or inclusive rhetoric to become a reality ... within university settings," the model of inclusive education must be "fully inclusive, where students attend the same classes as their university peer group." The authors state that "[l]ocational inclusion," which forms part of the segregated model as well as the mixed/hybrid model, "should not be confused with the underlying principle of what the CPRD refers to as full participation, as both models continue exclusion that comes from full or partial learning alongside other students with intellectual disability only" (O'Brien & Bonati, 2019, p. 11).

In Ireland, like other jurisdictions in Europe, students with ID participating in education programmes in higher education predominantly come from segregated and institutionalised environments where there have been, at best, limited opportunities for full inclusion in any sphere of life (Shevlin & Banks, 2021, p. 4). Tiernan (2022, p. 887), commenting on the potential for fully inclusive education in Irish primary and secondary schools, notes that "... schools, as currently organised, are not ready and that inclusion in mainstream, while it could be achieved, would require considerable change to the current system." Design of inclusive education for people with ID in higher education thus needs to take account of both the readiness of students with ID to learn in fully inclusive settings and the readiness of higher education institutions to provide the accommodations which students with ID would need for successful learning in such settings. These historical and cultural legacies of segregated education for people with ID pose considerable challenges for policy makers and higher education leaders contemplating obligations under the UNCRPD. Very real tensions exist between the right to inclusive education for people with ID and the capacity of many higher education institutions as currently configured to realise this right through the provision of fully inclusive education programmes where there are no segregated classes.

While there is acknowledgement in international human rights law, including the UNCRPD, that States Parties face challenges in establishing inclusive education, and that it will take time for them to deliver on this obligation, the Irish National Council for Special Education, which has a remit to improve access to education, recognises that that States Parties have a specific and continuing obligation "to move as expeditiously and effectively as possible" towards the full realisation of Article 24" (National Council for Special Education, 2024, p. 88). Accordingly, within this challenging context, higher education institutions must strive to meet obligations under the UNCRPD. The next section describes how one Irish university has developed a programme which balances a commitment to realising the rights of students with ID in line with the UNCRPD, with the practical and material realities of scaffolding and accommodating their learning needs in a higher education

context. A snapshot of the views of students with ID and students without ID regarding their experience of inclusive education at UCC is also presented.

Utilising the UNCRPD to design inclusive higher education for people with ID: the UCC inclusive co-learning model

Higher education for people with ID at UCC emerged in two iterations. Between 2009 and 2020, a 2-year, part-time programme, the Certificate in Contemporary Living (CCL), funded through student fees and sparse philanthropic endowment, was offered to students with ID over the age of 18. Students did not share modules with the wider student body and were taught as a distinct student cohort. They did, however, access the university library; learn in mainstream teaching spaces, frequent college cafes, social spaces and clubs and societies; engage with student volunteers who worked as learning and social mentors and undertake a work placement. Notwithstanding these activities, the programme offered a substantially separate educational model. Guided by the rights-based approach to disability articulated by the UNCRPD, UCC made a successful application for an Irish Higher Education Authority (HEA) Impact Case Study award in 2021 resulting in funding for the id+futures project. This enabled the design and delivery of two rights-based, inclusive education programmes for students with ID, namely, the Certificate in Social Citizenship (CSC), an entry-level programme for students new to university life and the Certificate in Disability-Inclusive Practice (CDIP), a programme for CSC graduates seeking to develop knowledge and skills to act as advocates, educators and consultants in relation to policy and practice related to the rights of people with ID. These programmes are now funded under the PATH 4 Phase 2 funding programme initiated by the Irish Government in early 2024. This allocated €9 million funding on a 3-year pilot basis to support Irish higher education institutions to develop and enhance course provision for students with ID in higher education.

The CSC and the CDIP reflect a mixed or hybrid model (Hart et al., 2004, 2006) consisting of both cohort-based (students with ID only) and co-learning modules (students with ID and university peers). The programmes were systematically designed to honour the right to inclusive education articulated in Article 24 of the UNCRPD and, indeed, the wider framework of rights which the UNCRPD confers on people with disabilities. What follows will describe how the right to inclusive education provided in Article 24 and the core features of inclusive education outlined by the Committee in its General Comment informed the design of the CSC programme.

Translating Article 24 and the core features of inclusive education into practice on the CSC

The CSC strives to realise the right to inclusive education provided in Article 24 and to incorporate the core features of inclusive education identified by the Committee in its General Comment (UN, 2016, pp. 3–5). In particular, the core features of taking a whole person approach, creating a learning-friendly environment and ensuring respect for and value of diversity, effective transitions and supported teachers for people with ID, were key to the design of the programme. Taking a whole person approach means that “recognition is given to the capacity of every person to learn, and ... [t]he education system must provide a personalized educational response ...” (UN, 2016, p. 4). On the CSC, 15 students attend



Fig. 1 CSC module outline

the university 3 days a week for 2 years and complete 40 ECTS³ consisting of cohort-based modules (20 ECTS) where they learn as a group, co-learning modules (10 ECTS) where they co-learn with students taking bachelor and master programmes and 10 ECTS of Work Integrated Learning in an individualised, paid, 12-week Career Development and Work Placement (see Fig. 1).

UCC offers co-learning modules for students with ID in a broad range of areas, including public health, social sciences, sports studies, drama, early years and childhood studies, engineering, environmental science, food and nutrition, geography, international development, law, nursing, plant science, psychology and music. Co-learning modules are “regular courses” (Uditsky & Hughson, 2012, p. 298) and allow CSC students to make individualised learning choices and to learn with their peers without ID. Building choice around the co-learning modules into the CSC was informed by the central tenet of Article 24 as well as the core features of inclusive education, including taking a whole person approach. Co-learning modules, meanwhile, offer a learning-friendly environment where “[r]ecognition is afforded to the peer group in learning, building positive relationships, friendships and acceptance” (UN, 2016, p. 4). Within co-learning modules, the CSC students are supported by volunteer Peer Buddies who are students without ID who are also taking the module. CSC students joining campus social and sporting activities of their choice are also supported by student peers without ID. This reflects a commitment to ensure that students experience authentic student life (Uditsky & Hughson, 2012) and serves as another measure to promote respect for and valuing of diversity where students feel “included and listened to” (UN, 2016, p. 4).

Another consideration in the design of the CSC was the provision of effective transitions. The Committee describes an effective transition as one in which “learners with disabilities receive support to ensure the effective transition from learning at school to vocational and tertiary education and, finally, to work. Learners’ capacities and confidence are developed, and learners receive reasonable accommodation, are treated with equality in assessments and examination procedures, and their capacities and attainments are certified on an equal basis with others” (UN, 2016, p. 4). As discussed previously, primary and secondary education for people with ID in Ireland occurs predominantly in segregated settings including special schools, training workshops and specialised units within mainstream schools, with limited opportunities for engagement with peers without ID. It is thus

³ European Credit Transfer and Accumulation System (ECTS)—European Education Area.

to be expected that most students with ID will require systematic, scaffolded support to facilitate effective transition into a mainstream higher education learning environment and subsequently into the workplace. Cohort-based modules offer a meaningful mechanism for supporting such transitions. These modules allow for identification of the accommodations required by each individual student and facilitate the development of individualised learning profiles. In developing these profiles, students are enabled to identify and articulate the supports they need for optimum learning, their personal areas of learning interest and the types of employment they would like to explore during their work placements. Furthermore, including cohort-based learning opportunities in the CSC programme enables students with ID to acquire the essential life, language and social skills they require to succeed in the co-learning modules, all of which is in line with the core features of inclusive education as articulated by the Committee (UN, 2016, pp. 3–5) particularly those identified in this paper, namely, taking a whole person approach, creating a learning-friendly environment, ensuring respect for and value of diversity, effective transitions and supported teachers for people with ID.

A failure to create teaching and learning opportunities for developing core skills for students with ID has been noted by the Committee, who advise that “[l]earners with intellectual impairments must be provided with concrete, observable/visual and easy-to-read teaching and learning materials” and that “States parties should invest in inclusive interactive classrooms where use is made of alternative instructional strategies and assessment methods” (UN, 2016, p. 10). On the id + futures project, academics delivering co-learning modules attended by CSC students are designated as id + futures Teaching Fellows and receive training and support which is guided by several core features of inclusive education, including supported teachers, a whole person approach and a learning-friendly environment (UN, 2016, p. 4). Supports include training in the design and use of easy-to-read material and in the application of universal design for learning principles in the preparation of lecture materials and the development of assessments (Maxwell et al., 2024). The Teaching Fellows are also embedded within a community of practice which is supported by three Senior Teaching Fellows who facilitate ongoing critical reflection and knowledge sharing about inclusive co-learning.

A snapshot of students’ views on the id + futures project at UCC

To determine how students with and without ID experienced co-learning, staff on the id + futures project undertook a mixed methods study consisting of (a) semi-structured interviews with 13 students with ID who studied on the CSC or CDIP programme in the academic years 2022/2023 and 2023/2024 and (b) an anonymous online survey completed by 95 students without ID who shared co-learning modules with students from the CSC or CDIP in the same academic years. The research received ethical approval from UCC’s Social Research Ethics Committee.

The students without ID reported overwhelming support for the inclusion of students with ID in their modules, with 92.38% indicating that the inclusion of students with ID in their modules was positive. Significantly, 73.47% reported that having students with ID in their module resulted in the lecturer presenting information in a more accessible and user-friendly way, while 64.95% responded that having students with ID in their module improved the quality of their learning experience. Explaining why they thought the inclusion of students with ID in their module was positive, one student without ID observed that “the way they [students with ID] interacted with the lecturer and the class, normalised

people speaking up in class, making the class interactive in a positive way.” These findings, which are consistent with previous research (McCabe et al., 2022), indicate that adoption of core features of inclusive education in non-segregated, co-learning contexts can enhance the learning experience of many categories of learners and not just those with ID.

The students with ID also identified many positive aspects of co-learning, including having an opportunity to socialise with students without ID, and being enabled to choose modules aligned with personal interest. One student with ID commenting on the benefit of co-learning modules for enhancing mutual understanding between students with and without ID, observed that, “I’d be with other students and people without ID as well, so they could kind of maybe get a chance to know people with ID and we get to know them and ... share different experience” [id + futures Student Interviewee 2]. Another student with ID welcomed the opportunities which co-learning provided for social interaction with new people with similar interests, “I liked being involved in the co-learning modules in health and wellbeing. I liked the interaction and meeting the other students as well” [id + futures Student Interviewee 3]. Other students with ID emphasised the new perspectives which they, as people with disabilities, could bring to a co-learning environment. They noted that “half of what we put in modules, they [students without ID] would be like, ‘never thought of that’. So, like that, they were learning from us as well as we were learning from them” [id + futures Student Interviewee 6].

The students with ID were positive about the value of the individualised learning support they received, commenting that this was available from both learning support workers and peer buddies. Reflecting on the support available, one student with ID noted that “if I find some work hard, they will support me and they will help me with it on the computer” [id + futures Student Interviewee 8], while another described how “the peer buddies used to help me with the assignments because I used to get very agitated about assignments at first” [id + futures Student Interviewee 9]. The data snapshot presented here highlights how inclusive higher education initiatives can enhance learning experiences not only for students with ID but also for students without ID who co-learn with them.

Discussion and conclusion

Providing inclusive higher education for people with ID, which complies with Article 24, is an emergent challenge for higher education institutions in countries which have ratified the UNCRPD. Realising the right to inclusive education for people with ID in higher education requires “a process of systemic reform” (UN, 2016, p. 3) including “targeted action associated with funding, university infrastructure, pedagogy, and policies” (O’Brien & Bonati, 2019, p. 10). University management and academic staff need time and resources to develop the infrastructural, cultural and pedagogical practices required to create inclusive learning environments in higher education. However, there is limited information to guide the complex transformation required (de Beco, 2019b). Additional guidance from the Committee about what the UNCRPD requires of States Parties and higher education institutions, and more detail in future Concluding Observations for all States Parties about the practical implementation of the right to inclusive education in higher education settings, would be welcome. It would be particularly beneficial if the Committee expressly discussed the various models of higher education offered internationally and commented on the adequacy of existing provision in meeting the obligations of the UNCRPD. Priority actions for individual States Parties would be

the creation of awareness within the sector of the obligations of higher education institutions in addition to a multi-stakeholder plan of action across all levels of the education system, involving sectoral level auditing of existing provision, identification of barriers to inclusion and engagement with planning on how, with what resources and in what timeframe these barriers can be addressed (UN, 2020).

The limited evidence base around inclusive higher education provision for students with ID presents a further challenge (Buchner et al., 2021). While some institutions are providing education opportunities for this cohort, provision varies in the extent to which it is fully inclusive and widely available (Whirley et al., 2020). Shared accounts of how institutions are engaging with the process of honouring obligations to people with ID vis a vis the UNCRPD would provide insights for the sector. This paper shows how one university has drawn on the text of the UNCRPD, as well as the General Comment (UN, 2016), to develop higher education programmes for people with ID. The id+ futures project strives to comply with Article 24 of the UNCRPD and the guidance provided by the Committee. In particular, the core features of inclusive education, as identified by the Committee in its General Comment (UN, 2016, pp. 3–5), are instructive. Examples are given of how one programme (the CSC) implements some of these core features, including taking a whole person approach, creating a learning-friendly environment, ensuring respect for and value of diversity, facilitating effective transitions for students and having supported teachers. Adopting this approach in higher education means that the focus is on developing the full potential of each person with ID, thereby meeting obligations under the UNCRPD and supporting the meaningful, lived experience of rights by these students (Yamin, 2019). Our research data from students with and without ID, who have shared co-learning modules, indicate that the mixed/hybrid model of inclusive education being utilised at UCC is well received by students. Continuing evaluation in UCC of student learning experiences of co-learning modules is vital to ensure continuous refinement and enhancement of the model.

It is also important to acknowledge that the readiness of many students with ID to transition successfully to fully inclusive higher education is compromised by previous limitations in their learning journeys. Students with ID require time and support to acquire and consolidate the skills needed to succeed in fully inclusive settings in higher education. Our experience of endeavouring to develop inclusive education provision for people with ID in an Irish university indicates that although hybrid education programmes do not completely fulfil an institution's obligations under the UNCRPD, they may constitute a strategic and impactful developmental phase in the longer-term process of creating fully inclusive higher education opportunities for people with ID. Hybrid programmes, if conceived as a timebound stage in the progression toward fully inclusive higher education, can facilitate university management, and academic, access and professional services staff, to develop the infrastructure, pedagogies, practices and policies required to deliver meaningful fully inclusive education initiatives. The progressive realisation of the ambition of fully inclusive education provision can be supported by the development, articulation and dissemination of an evidence base around inclusive education for students with ID in higher education, and we would encourage peers in the sector to engage with this important topic.

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Data Availability The data that support the findings of this study are available from the authors. Restrictions apply to the availability of these data however, they are available from the corresponding author m.leane@ucc.ie. upon reasonable request.

Declarations

Ethics declarations This study was approved by University College Cork Social Research Ethics Committee, Log Number (2023–120).

Competing interests The authors declare no competing interests.

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