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Abstract: *This study examines the gap between disability rights and their implementation in higher education policies across the Global North and Global South. It explores how structural exclusion and institutional discrimination shape access to education for students with disabilities. The analysis is guided by the Social Model of Disability and the Rights-Based Approach, which together explain disability as a product of social barriers and legal obligations. The study adopts a comparative qualitative design using secondary data from academic literature. It compares policy frameworks, institutional practices, and implementation outcomes in different regional contexts. The focus is on how formal rights are translated into real access within universities. Findings show that structural barriers persist in both contexts. These include inaccessible infrastructure, rigid admissions, limited curriculum flexibility, and weak support systems. In the Global North, legal frameworks are stronger, but delays, bureaucratic procedures, and uneven implementation reduce effectiveness. In the Global South, challenges are more severe due to weak enforcement, limited funding, and shortage of trained staff. The study concludes that legal rights alone do not ensure inclusion. Effective implementation depends on institutional capacity, funding, administrative efficiency, and academic culture. Strengthening enforcement, improving resources, and integrating disability rights into everyday university practice are essential for real inclusion. The study is limited by its reliance on secondary sources, which may not fully capture recent institutional changes or lived experiences of students.*

Introduction

Disability is a human rights problem that influences access to resources and opportunities across the world (Gutterman, 2023). When it is seen as a human rights issue, the focus from individual impairment shifts to social justice. Understanding disability in this way changes policy priorities and institutional responsibilities (Béland et al., 2021). One of the important areas where the rights are translated into

concrete decisions and provisions is higher education. Structural barriers, institutional discrimination, and gaps in access persist even where formal rights exist. To understand these patterns, we need to examine both the frameworks of policy and institutional practices (do Nascimento et al., 2022).

Disability is not an issue that lies only in the individual. It is influenced by social arrangements, legal frameworks and institutional decisions. Together these factors influence the ability of people to fully participate in education, work and civic life (Carey & Scotch, 2011). One of the major arenas where rights are implemented is higher education. The availability of universities, support services, and accommodative policies directly impacts on the life chances of students (Carey & Scotch, 2011). Investigating policies highlights the way legal commitments and institutional capacity interact to either promote inclusion or reproduce exclusion.

Importance of Higher Education Policies

Higher education influences life chances, career and social inclusion for persons with disabilities. Universities are the places where legal and institutional obligations are observed in their practice (Mock & Love, 2012). Policies dictate physical access, reasonable accommodation and inclusivity of the curriculum (Figard et al., 2023). Structural exclusion refers to arrangements that are beyond the control of the individual and result in unequal outcomes for them (Ndhlovu et al., 2025). Access to rights means legal recognition, accommodations and resources which enable participation. The literature on higher-education policies indicates the discrepancies between official rights and actual reality (Mais & Yaum, 2025). Therefore, a comparative perspective is needed to highlight how political, economic and social contexts influence policy design and its implementation. An inter-regional policy comparison allows us to identify both global and context-specific challenges and barriers.

Disability can be analyzed with the help of the Social Model of Disability and the Rights-Based Approach. The Social Model stands on the premise that disability lies in the external environment not in the individual while the Rights-Based Approach centers on the legal entitlements and state obligations (Oliver, 1990; United Nations, 2006). Both of these frameworks help in assessing the exclusionary mechanisms and remedial measures in higher education policies. They help to see and analyze policy design, gaps in implementation and the alignment of formal rights with institutional practices (Lawson & Beckett, 2021). They provide a lens through which the design of policies, gaps in their implementation, and the correspondence between the formal rights and practices in institutions can be studied. These frameworks determine how policies may strengthen the exclusion or bring about the inclusion and how formal rights and institutional practices interact. They clarify where the legal frameworks are effective and where institutional culture, capacity, or resource limitations reduce access. Both approaches are discussed in detail in the later section. The current paper uses these frameworks to see disability inclusion in higher education in both contexts.

Paper Aim and Research Questions

The analysis focuses on higher education policies for people with disabilities and the extent to which they uphold or undermine disability rights. The emphasis is made on institutional discrimination, structural exclusion, and access to rights, with the comparison of the situation in the Global North and the Global South. The aim is to bridge the gap between the policy content and the sociological process that shapes the access and outcomes for these students. The focus is on how formal policy works and shapes the institutional practices to produce access outcomes.

The research question of the study is: How do higher education policies uphold or undermine disability rights? The supporting questions are: What are the policy characteristics that allow reasonable accommodations and equal participation of disabled students? How do institutional practices shape

outcomes even when formal rights exist? What are the common trends in comparing policy frameworks in the Global North and the Global South? These questions facilitate comparison and narrow down the attention to the content of the policy and the process of implementation. They aim to discover how policies translate into practice as well as the influence of institutional arrangements on the ability of students to exercise their rights.

The paper only focuses on higher education policies and their impact on the inclusion of students with disabilities. Formal policy texts and institutional actions are examined through published research articles. The comparative approach shows where the rights are respected and where the barriers continue across regions. The finding shows recurring obstacles and supportive features in policy and institutional practice. The paper solely relies on secondary data and publicly accessible sources, allowing a comprehensive view of formal policy and its practical implications. It also gives attention to the ways in which formal rights and daily practices in universities interact to produce inclusion or exclusion.

This technique is an addition to sociological knowledge since it draws a relationship between theory and policy evidence. Mechanisms of structural exclusion are outlined as well as institutional discrimination although with an emphasis on the legal rights and actual access. The comparative approach provides the lens and shows the role of context, capacity and political commitment shape the experiences of students with disabilities in higher education (Przeworski & Teune, 1970). Historical and social determinants that influence the policy frameworks and institutional practices are considered. The limitations include reliance on the available academic literature and online reports, the quality and scope of which may vary. The paper is analytic in its focus, highlighting the ways in which higher education may serve to sustain social inequality or, alternatively, act as a place of inclusion of people with disabilities.

Literature Review

Historical and Sociological Perspectives on Disability

Every era has confronted the ethical and moral challenges the best way to treat people with disabilities. Throughout human history social attitudes and legal responses have varied significantly. We have various models that explain disability. They are based on supposed needs; and are not value-neutral, it includes the religious, medical, charity, social, and human rights models. The medical model describes disability as individual phenomenon; the charity model considers PWDs victims who must be pitied through charities. The social model assumes that disabilities lie in the external environment, not the individual. The human rights model contends that all humans are active subjects with legal rights and should participate equally with nondisabled in all spheres of life (Retief and Letšosa 2018). These perspectives inform how higher education policies affect students with disabilities today.

Earlier social institutions often viewed disabled people as objects of care and segregation. Medical definitions and industrializations formalized definitions and services (Snyder & Mitchell, 2007). Charity models and medical organizations shaped early policy responses and public views, while scholars traced how the welfare systems structured options for them (Koch, 2021). Sociology demonstrates the impact of social roles and labor markets on the lives of disabled people. It states that social systems produce disadvantages, which extend past individual bodies (Mauldin, 2021). Subsequent sociological research concentrated on social explanations of exclusion and barrier creation demonstrates that structural conditions constrain the engagement in the social life (Barnes & Mercer, 2005). Studies on education show that schools usually reproduce social inequalities for marginalized groups. Higher Education is a visible area where status and access converge, and policy studies began to examine how the legal

frameworks interact with actual institutional practices. Comparative sociology emphasized the variation of countries in terms of welfare and rights provision.

Key Debates: Medical versus Social Model

The medical approach of disability identifies the issue in bodies and clinical deficits. Interventions according to medical framings are concerned with cure, treatment, and individual adjustment. Medical discourse often places responsibility for change on the individual (Marks, 1997). Critics state that the medicalization of problems hides the social factors and stigma behind the issues. On the flip side, the social model considers the social barriers as an issue that is external to the individual and constrains them. In other words, it locates the problem in inaccessible environments and exclusionary policies (Oliver, 1990). Advocacy groups embraced the social model to claim rights and demand accommodation. The social model was adopted by scholars to understand the institutional practices and determine the gaps in the policy. The discussion prevails regarding the conflict between impairment-based support and right-based access (Vanhala, 2006). Other researchers contended that hybrid approaches work well because it recognizes both the impairment and the social barriers. This tension shapes policy debates about service provision and civil rights (Subedi, 2024). Higher education policy debates reflect this tension in disability support and inclusion measures, as documents and laws often mix medical eligibility rules with rights language and institutional obligations. The variations among models continue to define the conceptualization and provision of access, accommodations and support services in universities.

Rights-Based Approaches and International Conventions

Rights-based approaches and international conventions such as the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) emphasize access, participation, and equal opportunities throughout the world (United Nations, 2006). It is centered on legal entitlement, specifying what needs to be done by the state to uphold people with disabilities' dignity. It transforms their status to rights holders rather than objects of charity. International conventions offer a common set of standards and language to advocate for legal change, thus binding states to remove barriers and ensure reasonable accommodations (Meena, 2021). They also call for consultation with disabled people and representative organizations. Rights instruments have played an important role in determining national policies and university legislation in many places. Policy analysts note that there is variation in how rights language becomes actionable policy. Some countries have shown the ways to transfer treaty rules into national law with constitutional changes which includes the countries such as South Africa, Uganda, Australia, New Zealand, and Canada. There are others which are discussed in terms of gaps, partial alignment, as well as ongoing reform pressures, including Jamaica, Morocco, and Mexico (Lord & Stein, 2008). Scholars examined the way rights are institutionalized as actions, demonstrating that funding, administrative capacity, and political will affect the results (Pineda, 2019). Studies also show that signing international treaties does not ensure real access, and rights language turns disability into a call for legal and political change.

Higher Education Research and Regional Variation

Studies of higher education show that research is not evenly distributed across different regions and topics. Most of the literature comes from Global North despite more than three quarters of the world persons with disabilities living in the Global South. The Global South is large and diverse in disability experience (Ramirez et al., 2021; Pal et al., 2016). The dearth of academic literature in the Global South is due to lack of funding, human resources, language barriers and power dynamics in the academia (Collyer, 2018). The literature from the Global North focuses on accommodations and campus services

while the existing literature in the Global South mainly focuses on resource limitations (Stein & Lazar, 2021). The cross-cultural context comparison remains very limited, and studies treat cases in isolation. Although few studies compare policy design and implementation across countries.

Researchers found gaps in understanding how the institutional context influences implementation and how governance shapes access to higher education (Stacey, 2023). There is little literature that connects national laws to how universities go about day-to-day operations. Studies most often rely on single country analysis which limits generalizability. There is a need to link policy texts to measurable access outcomes. Secondary data are rarely used for cross-national studies of higher education access. Funding for disability support is limited, and there is a dearth of studies that test the effects of support and inclusion steps. The everyday practices and routines that perpetuate exclusion are usually overlooked in policy research. Faculty perception, teaching approach, and course design are not explored. Research on university and ministry accountability is weak. Connection between rights law and campus action is vague and little research has been done to follow policy language to the actual practice. To sum up, research on higher education for students with disabilities is limited and uneven across regions.

Sociological Analysis of Policy and Institutional Practice

Early studies on disability linked it to social rules and policy choices. Later, sociologists noted the influence of charitable organizations and medical professionals on people's perceptions of disability. During the late 20th century, advocacy groups began to focus on rights and inclusion (Oliver, 1990; United Nations, 2006). Advocacy has immensely influenced legal norms and has pressured states to rethink and revisit service models and access. Higher education became a focal point for rights claims and inclusion debates, and universities were under pressure to open and support disabled students (Cooper, 2015). Research mapped how campus infrastructure affects mobility and participation, emphasizing physical adaptation and assistive technology. Scholars have also examined barriers in teaching practices, evaluation processes, and curriculum planning issues central to inclusion (Gamache et al., 2018). Access is highly influenced by administrative regulations governing admission and eligibility. Furthermore, institutional cultures, including staff attitudes as well as expectations, shape retention and success. Governance studies show that policy decisions reflect broader social values and priorities. Comparative sociology demonstrates the influence of welfare regimes and legal traditions on the way the latter are implemented.

Regional priorities on inclusion are influenced by the external pressures in universities (Topalović, 2025). Limited resources in universities also influence a university's ability to provide accommodations. Decentralization also influences the policy coherence among units within the university. Policies made at a campus level do not comply with the national law because of local budgetary constraints (Mais & Yaum, 2025). The positive effect of inclusion outcomes is highly dependent on leadership determination and institutional priorities. Faculty development programs have been offered to increase classroom access, though training alone may not change assumptions about ability and learning (Hsiao et al., 2019). Researchers encourage the inclusion of disability issues in teacher education and curriculum design. Monitoring and data collection are critical areas that still have gaps. Most countries do not have dependable statistics of disabled students in higher education (Loeb, 2017). Comparative studies face challenges due to inconsistent definitions and measurement methods. There is a need to enhance cross-country comparability as well as research quality with standard indicators. The literature on rights-based demonstrates that international standards impact national reforms, though not all the ratification results in large-scale institutional change. Legal incorporation of rights does not guarantee

enforcement at institutional levels (Aucante & Baudot, 2017).

Administrative remedies, complaint procedures, and ombuds offices differ in their level of accessibility and efficiency. Advocacy organizations are at the center to facilitate implementation and policy agenda-setting. Organizations of disabled people assist in the co-production of policy measures, which makes participation and consultation inculcated as a part of the institutional practices (Aucante & Baudot, 2017). In the right-based approaches, the focus is on the elimination of structural obstacles, reasonable accommodation, and the inclusion of participation. However, critics assert that institutional capacity is linked with resource availability. Economic inequality and intersectional factors determine the accomplishment of disability rights in higher education institutions. The Global North and South face unequal challenges, which include colonial histories, developmental constraints, and unequal access to resources (Pal et al., 2016). Comparative research ought to create a connection between past legacies and current policy outcomes. Studies are needed for funding, support quality, students' experiences, as well as institutional accountability. Curriculum, assessment, and teaching accessibility need study. Comparative study needs to show how global norms meet with local contexts. Cross-context comparative studies can improve policy evidence. Currently the literature forms a good theoretical discussion. However, it lacks systematic comparative evidence which links rights and policy with institutional practice.

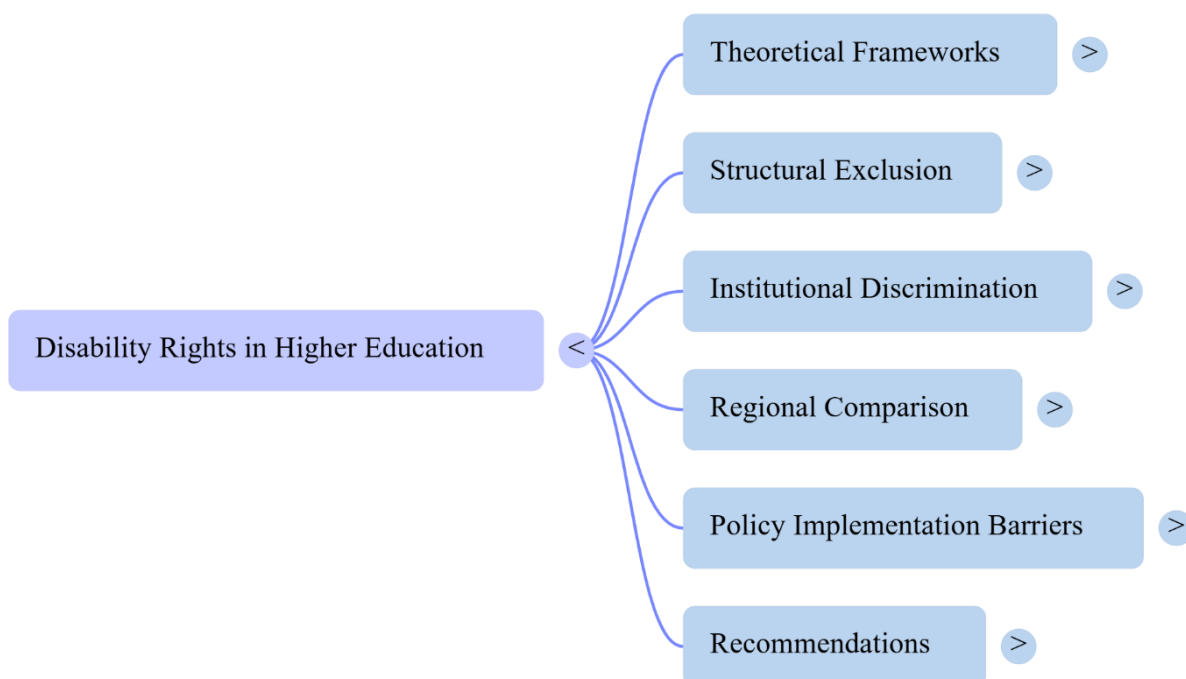
Social Model of Disability

This paper uses the Social Model of Disability by Oliver (1990) to frame the analysis of higher education policies. It shows that disability lies in the external environment, not in the individual; therefore, the external environment must be adapted to the needs of those who carry a disability. To further extend this approach, it highlights the environment, policies and societal attitudes that put them at a disadvantage. In the context of higher education, physical inaccessibility, curriculum, and discriminatory institutional practices impede their participation (Tsai & Ho, 2010). The focus of attention on this framework is not on the individual but on the institutional and social arrangement thus pointing to the need to change the system. It goes a step further to differentiate between impairment, the personal condition, and disability, which arise as a result of inaccessible or exclusionary structures. By using this perspective, the analysis is focused on structural exclusion and institutional discrimination, identifying barriers that prevent students from participating fully in higher education.

Rights-Based Approach

The paper also uses the Rights-Based Approach, which holds that all humans are equal in inherent dignity and respect. Therefore, people with disabilities have legal rights placing obligations on the states and institutions to ensure equality and access without any discrimination. The UN Convention on the Rights of Persons with disabilities (2006) emphasizes participation, nondiscrimination, and equal opportunities. In the context of higher education, this approach evaluates whether the policies and administrative practices protect the rights of people with disabilities documented by the United Nations. It highlights accountability, enforcement mechanisms, and participation of disabled students in decision-making (Palmer, 2019). Using this framework, the paper examines the gaps between legal obligations on paper and on the ground, thereby providing insight into the role of institutional apparatuses in enabling or hindering inclusion.

Conceptual Framework



Integration of Frameworks in Analysis

By combining the Social Model with the Human Rights Model, the present study provides a complete framework for the analysis of the policies of higher education. Both of the frameworks discuss the assessment of structural exclusions, institutional discrimination, and access to enforceable rights. The combination of both approaches helps in the analysis of Global North and Global South showing how the resource availability, social attitudes and legal commitments lead to inclusion.

Methodology

Comparative Analysis Approach

This paper uses a comparative approach to examine higher education policies for people with disabilities (Przeworski & Teune, 1970). It looks at the variation and similarities of policy frameworks, implementation practices and institutional outcomes in various countries. This line of study is centered on the analysis of structural exclusion, institutional discrimination and right accessibility, comparing the policy content to broader socio-political situations. By comparing the Global North and South contexts with the help of secondary data. The analysis helps us to understand how the legal frameworks and the factors in the society interact to contribute or constrain access to opportunities of the students with disabilities. It also considers the importance of international norms and conventions on national and institutional policies.

Case Selection

The cases are drawn from the Global North and the Global South to indicate a variety of policy environments. This choice helps to identify common challenges and context-specific obstacles highlighting how formal rights lead to practical outcomes. The selection of cases is informed by the presence of available documents and research articles to facilitate a feasible and systematic analysis. One of the weaknesses of such a method is that it will utilize only secondary data and published articles, meaning that the study fails to reflect the recent institutional practices as well as the lived

experiences of students with disabilities. It is noteworthy that all the papers reviewed were of general experiences of students with various disabilities. In other words, I do not focus on a special kind of disabled students e.g., visually impaired or locomotive dysfunctions.

Analytical Strategy

The study combines content analysis with comparative evaluation of research papers. It discusses key areas such as accessibility, accommodation and inclusive practices, focusing on both rightsbased language and enforcement mechanisms. The key areas that I focused on are structural exclusion, discrimination, and access to rights. Comparative analysis shows trends in policy formulation and execution that are not similar between the Global North and the Global South.

Themes

Structural Exclusion in Higher Education: Barriers and Policy Gaps

Analysis of the existing body of knowledge regarding higher education policies shows that structural exclusion remains a central challenge for people with disabilities (Palmer, 2019). Structural exclusion refers to institutionalized barriers that prevent the involvement and access of people with disabilities to resources (Oliver, 1990). Physical infrastructure is a major factor. Many of the higher education institutions in the Global South e.g., in India, Pakistan, Nigeria, Kenya, and Bangladesh continue to operate with limited accessibility in classrooms, libraries, dormitories, and laboratories (Pal et al., 2016; Hussain et al., 2020; Shopland et al., 2022; E. Kochung, 2023; Ahmed et al., 2017). Inaccessible campuses restrain the mobility of students and their ability to engage in academic life fully. Although in some cases the infrastructure are relatively improved, these are often restricted to a limited number of buildings and do not pay much attention to campus transport and pathways. Conversely, higher education institutions in Northern Europe, the United Kingdom and Ireland have more accessible facilities. They give support services, accessible webpages and accessibility offices. Nevertheless, the old buildings and labs that can still be a problem with occasional challenges (Krejtz et al., 2025)

Structural exclusion is also reflected in admissions policies. Indian, Pakistani and Bangladeshi standardized entrance exams, Nigerian and Kenyan eligibility policies, and limited consideration of alternative assessment policies unfairly discriminate against students with disabilities. (Hussain et al., 2020; Bagh et al., 2024; Chomba et al., 2014; E. Kochung, 2023). These measures pose barriers that are a result of how institutions organize access not because of academic capability. The policies requiring the use of the same testing format with no offered modifications disregard the diverse learning needs and functional limitations of students. Even in the Global North, examinations use standardized assessments that do not fully accommodate the needs of all students, especially in competitive programs (Williamson & Paul, 2017).

Structural exclusion is further reinforced in the design of curricula and the practices in teaching. Most of the programs presuppose regular learning patterns, predetermined time frames and traditional assessment styles. Students who require alternative format, extended time, or assistive technologies have difficulty in full participation (Nieminen et al., 2024). There are usually no accessible formats of course materials as well as the online learning platform do not give enough features to work with the screen readers (Hashey & Stahl, 2014). Both Global North and South universities have strict rules which disadvantage students with disabilities. These are fixed registration deadlines and strict add/drop policies. Such rules disadvantage students as they need more flexibility.

Another aspect of structural exclusion is funding allocation. Institutions treat mainstream students preferentially, leaving disability services under resourced. Countries such as Nigeria, Pakistan, India and Kenya have limited governmental support and unavailability of specialized staff which can amplify

practices of exclusion (Vincent & Chiwandire, 2019). The existing body of knowledge shows that even in Canada, Australia, Germany, and Sweden, support services may be unevenly distributed across campuses or departments. Both Global North and South encounter structural barriers that intersect with socioeconomic disparities and reinforce inequalities for students with disabilities who confront additional financial, geographic and social constraints.

Institutional Discrimination in Higher Education: Practices and Barriers

The term institutional discrimination refers to formal and informal regulations, practices, and attitudes in universities that do not favor disabled students. It can exist both at policy and practice levels. The admission processes in some universities require a lot of documents and are highly focused on impairment rather than functional barriers or accommodation requirements (Hussain et al., 2020). Although documentation is needed to coordinate support, it can backfire as it delays access and creates administrative burdens due to red tape especially in the Global South context. The selection processes are typically based on strict ideas of ability. These ideas exclude students with special needs. This exclusion can be done even when the students fulfill academic requirements. When we speak about institutional discrimination in teaching, it typically occurs in the form of rigid deadlines, unavailable examination options and the absence of reasonable accommodations in the case of disabled students. Most of the academic staff lack training in inclusive teaching practices. Furthermore, their assumptions about disability influence expectations of student performance (Scott et al., 2013). The faculty and administrative staff members with weak awareness of disability rights, either consciously or unconsciously, perpetuate exclusion in several ways: in their communication patterns, in their beliefs and assumptions about effort or ability, and in how they apply policies (Lombardi & Lalor, 2017).

Another aspect of institutional discrimination in higher education is the administrative policies which create procedural hurdles. Applications for accommodation are complex, slow and inconsistently applied in various departments (Saltes, 2020). The appeal processes often remain ambiguous or inaccessible, and this restricts the choices of students whenever their requests are denied. In some institutions, students are required to do all the accommodation processes, attend numerous offices, and present the same documents several times. These administrative burdens create unnecessary hurdles and systematically disadvantage students with disabilities compared to their non-disabled peers (Lister et al., 2021).

Furthermore, the more subtle discrimination can also include restricting the possibility to take part in research, internships or extra-curricular activities (Szucs & Harpur, 2023). Institutional cultures which see disability as problem that lies in the individual rather than a collective responsibility can fail to integrate support into the mainstream academic life. When resources are allocated, they keep in view the majority leaving disability support peripheral and underfunded (Rooney, 2019). The existing body of knowledge reflects these challenges across both contexts (North-South) but the resource constraints in the Global South exacerbate the effects of institutional discrimination which makes the support inconsistent.

Access to Rights: Comparison Between Regions

The right to access shows how legal structures, institutional policies, and enforcement systems enable the students to exercise their entitlements. In the Global North, legal protection is generally stronger and more formalized (Aucante & Baudot, 2017). National legislation usually safeguards reasonable accommodation and inclusive educational practices. Universities in most countries offer disability offices to students. They also have grievance mechanisms and formal procedures to request various accommodations e.g. (for examination). Students in such contexts clearly understand how to assert

their rights.

However, the Global North continues to have implementation loopholes (Heffernan, 2024). Although, they are protected through strict laws but they report delays in getting their due rights. Furthermore, they also encounter bureaucratic hurdles which add to their difficulties. Administrative procedures are slow and enforcement mechanisms result in the lack of timely resolution processes. The culture of the institution and faculty awareness affect the transformation of rights into practical access (Scott et al., 2013). In some cases, the disability support function is located in student services rather than academic departments which can make its integration with teaching and assessment difficult.

In the Global South, legal frameworks may be in place, but they are often not strongly enforced and may not cover the entire area, as in the case of Pakistan (Hussain et al., 2020). Many countries have ratified UNCRPD but have few local policies that ensure inclusive higher education (O'Callaghan et al., 2025). Universities have fewer resources, insufficient staff, and infrastructure issues. They make it difficult for them to provide various accommodations on a regular basis. The administrative processes are not as standardized and the disability services are offered in limited campuses or even in selected faculties (C. Toutain, 2019). Student rights are often dependent on their own efforts, families, and civil groups. Many use informal networks to get access.

Policies can be consistent with international standards such as UNCRPD. However, in practice, the situation varies greatly. The comparison connotes that formal legal rights do not work alone and guarantee access. Many variables work together, like institutional capacity, cultural attitudes, and resources availability dramatically influences the intended outcomes. In both contexts, enforcement mechanisms, monitoring systems, and accountability structures affect how well the students with disabilities rights are met (O'Callaghan et al., 2025). In some of the countries in the Global North, external bodies for overseeing education provide students with additional means of exercising their rights. For instance, in England and Wales students can file complaints with the Office of the Independent Adjudicator. In Australia, students may approach the National Student Ombudsman or relevant state ombudsman offices. Such support mechanisms are underdeveloped in the Global South.

Barriers to Policy Implementation: Challenges in Enforcing Disability Support

Analysis indicates that even when the policies exist, many things prevent their effective implementation. In both areas, lack of staff training, limited awareness of legal requirements, and weak monitoring of existing policies undermine policy effectiveness. Administrative procedures in both contexts are either very slow or overly bureaucratic (O'Callaghan et al., 2025). Furthermore, unavailability of funding leads to reduced spending on infrastructure, assistive tools and specialized support staff (Vincent & Chiwandire, 2019). In the Global South these challenges are more severe because of additional barriers. They have limited institutional autonomy and political stability. Furthermore, they also rely on external funding for disability initiatives which further complicates policy implementation. Cultural attitudes and social stigmas can also result in a lack of emphasis placed on disability support in universities.

Accountability and monitoring mechanisms are either weak or completely missing. Due to the absence of monitoring of student's experiences, institutions are unable to find out the disconnect between policy and practice. The policies can be on paper but there is no uniform implementation and little compliance checks. Students with disabilities rely on NGOs and advocacy organizations to raise their voice and adapt the institutional systems for them. These obstacles point to the fact that policy design is not enough, institutional commitment, resources and oversight are needed to facilitate effective implementation.

Discussion

The current paper shows a clear discrepancy between policies and their practice. Using the Social Model, disability is shaped by barriers, not bodies (Oliver, 1990). In both contexts, students face physical inaccessibility, rigid examinations, and fixed guidelines (Pal et al., 2016; Nieminen et al., 2024). These barriers are social products. They are embedded in policymaking, campus design, and everyday practices. This illustrates that marginalization of students with disabilities is not a failure on their part but rather a failure of the structure.

The Rights Based Approach brings a new dimension. It examines whether states and universities comply with legal obligations in the UNCRPD (United Nations, 2006). Many countries have ratified the Convention. However, the mere ratification does not guarantee access (Palmer, 2019). In the Global North, formal complaint systems and disability offices are common (Aucante & Baudot, 2017). Nevertheless, students experience inadequate practices and delays. (Heffernan, 2024). This demonstrates that cultural bias and slow processes cannot be solved by legal commitment. Rights require enforcement, funding, and trained staff.

In the Global South, gaps are wider. Rights may be mentioned in legal texts, but they are weakly enforced (Hussain et al., 2020). Campuses lack ramps, assistive tools, and trained staff (Vincent & Chiwandire, 2019). Diverse learning needs are usually neglected in admissions and exams (Bagh et al., 2024; Chomba et al., 2014). These results indicate limited state capacity and resource strain. They also show how global norms meet local limits (Aucante & Baudot, 2017). The Social Model helps explain this: when social systems lack resources, barriers remain.

The literature also shows that in both contexts institutional culture plays a vital role in ensuring accessibility and providing reasonable accommodation to students with disabilities. Faculty beliefs shape how policies work in class (Lombardi & Lalor, 2017). If the faculty think that disability is a personal deficit, it significantly changes their attitude and may resist flexible teaching. Conversely, if they see it as a rights issue, they adapt their approach accordingly. Training programs help, but do not always change deep norms (Hsiao et al., 2019). This shows that policies should also target culture, not the rules.

The other theme is administrative burden. Students need to reveal, record, and repeat requests (Saltes, 2020; Lister et al., 2021). This puts the burden on individuals. From a rights view, this is problematic. The burden should rest on institutions. When procedures are complex, they create indirect discrimination. Even the countries which have strong funding support from their respective governments, slow processes block timely support (Heffernan, 2024). This makes equal participation weak.

Patterns of funding are important as well. Disability services are often underfunded (Rooney, 2019). In the Global South, scarcity is severe (Vincent & Chiwandire, 2019). In the Global North, there is support that is unevenly distributed across the campuses (Krejtz et al., 2025). Higher education market pressure can cause inclusion to go further down the priority list (Topalović, 2025). This demonstrates the influence of economic logic in the provision of rights. The welfare states theory can be used to explain variation in state support (Béland et al., 2021).

The comparative aspect shows both the shared and distinct patterns. Both Global North and the South face gaps between policy and practice. Both contexts show barriers and exams as well as in curriculum (Nieminen et al., 2024; Williamson & Paul, 2017). Yet its scales differ. In the Global South the access to basic infrastructure remains central (Pal et al., 2016). In the Global North the focus shifted to the quality of inclusion and timely response (Heffernan, 2024). This shows that the policies must be adapted

according to the context.

The paper also has various limitations that must be acknowledged. Firstly, it does not include firsthand experiences of students. Secondly, it may miss recently published work and recent changes on campuses. Data gaps also remain strong, especially in the Global South (Loeb, 2017). There is also inconsistency in the definition of disability in comparative work. These limits affect depth, but patterns across sources are consistent.

The policy implications are clear. First, universities will have to address the alignment of practice to the rights promised in laws. Accommodation must have clear timelines. Second, rights should be connected to the teaching strategies through staff training. Third, there should be stability and monitoring of funding for disability services. Fourth, the access and outcomes should be monitored by data systems. Without data, reform is guesswork based on rough estimates. Disabled students will also need to participate in the process of designing policies as participation is a fundamental right as stated under the UNCRPD (United Nations, 2006).

Lastly, theoretical integration makes the findings stronger. The Social Model describes how barriers are created. The Rights Based Approach indicates the way they should be removed. Taken together, they demonstrate the inadequacy of formal equality. Inclusion calls for structural transformation and legislation. Higher education either reproduces or reduces inequality. The answer to this depends on how seriously institutions treat disability as a rights issue.

Conclusion

This paper asked how higher education policies uphold or undermine disability rights. It concludes that policies can support or hinder access depending on implementation resources and culture of the institution. The documents alone do not translate into meaningful inclusion. Higher education institutions provide accessible buildings, timely reasonable accommodations and fair procedures where infrastructure funding as well as monitoring systems exists. In most of the Global North contexts, the policies and laws are strong, but delays do occur due to bureaucratic hurdles and nonuniform implementation across various departments which practically limit access for students with disabilities. In the Global South, problems are often more intense because of limited funding, weak enforcement, lack of adequate infrastructure and limited availability of trained staff. In both regions, heavy documentation requirements, inflexible deadlines, fragmented administrative procedures create barriers which shift responsibility onto the students instead of institutions. To bridge the gap between policy and practice, it is very important to provide stable funding to the higher education institutions. Furthermore, the staff must also be given training, and the universities should be provided with stable funding to raise the quality of inclusive education. Closing the gap needs funding, training, monitoring, availability of reliable data, and student participation to make disability rights real in universities.

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