

Examining Teachers' Responsibilities and Rights in Implementing Inclusive Education within the Legal Framework

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ABSTRACT:

This study examines the roles of teachers in implementing inclusive education within the South African legal framework. Teachers often struggle to understand and meet their legal obligations despite existing policies. The research explores how legal and policy documents influence teachers' practices and their ability to support learners with disabilities. A qualitative research design was used within an interpretive framework to analyse key legal and policy documents, including the White Paper 6 on Inclusive Education. The analysis identified four main themes in inclusive education: the state's legal commitment, teachers' responsibilities for fostering inclusivity, the rights of learners with disabilities, and the professional and ethical standards that guide educators in this context. Legal documents underscore the state's duty to provide equitable access to education and support mechanisms. The study identifies a gap between policy expectations and teachers' practical realities, with many lacking clarity on their legal responsibilities. The implementation of inclusive education is hampered by insufficient training and support, despite a strong legal framework. Enhancing professional development and providing clearer guidelines are essential for better coordination between legal standards and classroom practices. This will help ensure equitable learning opportunities for all learners, especially those with disabilities.

Keywords: Inclusive Education, Legal Framework, Learner Rights, Professional Autonomy.

INTRODUCTION

Inclusive education has become a fundamental aspect of modern schooling, ensuring that all learners, regardless of their abilities or disabilities, receive equitable access to quality education. Across the world, policies and legal frameworks have been developed to support inclusive education, outlining learners' rights and teachers' responsibilities (Hernández-Saca et al., 2023). In South Africa, frameworks such as the South African Schools Act (SASA) and White Paper 6 on Inclusive Education emphasise the need for schools to accommodate diverse learning needs (Department of Education, 1996; Department of Education, 2001). However, while these policies promote inclusivity, the implementation process presents significant challenges for teachers who must navigate legal obligations while meeting the educational needs of all learners. Teachers play a critical role in fostering inclusive learning environments, yet they often face uncertainties regarding their legal responsibilities, professional autonomy, and the extent of institutional support available (Li & Rupp, 2020). This study examines teachers' roles in implementing inclusive education within the legal framework, assessing how laws impact their practices and the support they receive. It identifies gaps in policy implementation and recommends improvements to support teachers and learners better.

The implementation of inclusive education varies across different regions and is influenced by legal frameworks, socioeconomic conditions, and educational policies (Kefallinou et al., 2020). Countries like Finland, Canada, and the United States have well-established inclusive education policies backed by strong legal mandates and government funding in the Global North (Hardy & Woodcock, 2015; Soka & Katz, 2020). These nations emphasise teacher training, resource allocation, and individualised support for learners with diverse needs. The Individuals with Disabilities Education Act (IDEA) in the United States, for example, ensures that all children receive free and appropriate education with necessary accommodations (Russo, 2019). Similarly, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) has shaped inclusive education policies in many Global North countries (Byrne, 2019), reinforcing legal protections for learners and teachers. Despite these advancements, challenges remain, particularly in balancing legal compliance with the practical realities of teaching diverse classrooms.

In contrast, the Global South, including Africa, Latin America, and Asia, faces significant challenges in fully

realising inclusive education due to limited resources, infrastructural constraints, and varying policy enforcement levels (Byrne, 2019; Waisath et al., 2022). Inclusive education policies within the Southern African Development Countries (SADC) region have been introduced, but their implementation is inconsistent due to teacher training, funding, and legal enforcement disparities (Engelbrecht, 2020). Countries such as Botswana, Namibia, and Zambia have made strides in promoting inclusive education, yet teachers often struggle with inadequate professional development and unclear legal guidance (Muthukrishna & Engelbrecht, 2018). In South Africa, inclusive education is guided by White Paper 6 on Inclusive Education and the South African Schools Act, which mandates schools to accommodate diverse learners (Department of Education, 1996; Department of Education, 2001). However, many teachers experience difficulties in understanding and applying these legal frameworks, particularly in under-resourced schools (Garfield & Hogan, 2022). This study explores these challenges by examining how legal policies shape teachers' responsibilities and rights in inclusive classrooms, focusing on identifying barriers to effective implementation and proposing strategies for improved legal and institutional support.

Research Questions

- What are the legal responsibilities of teachers in implementing inclusive education in South Africa?
- What challenges do teachers face in fulfilling their legal obligations related to inclusive education?
- How can legal frameworks be improved to effectively enhance teachers' ability to implement inclusive education?

Inclusive education is a fundamental human right that ensures all learners have equal access to education (Medina-García et al., 2020). Legal frameworks shape teachers' responsibilities and learners' rights (Erdmanis & Mihailovs, 2022). While many countries have inclusive policies, their success depends on implementation at the school level (Irmawati et al., 2024). This review discusses the legal responsibilities of teachers in inclusive education, addressing challenges like inadequate training and resource limitations, and identifies opportunities for improvement.

Conceptualising inclusive education

Inclusive education is an approach that ensures all learners, including those with disabilities and learning difficulties, have access to quality education in mainstream schools (Woolfson, 2024). According to Nishina et al. (2019),

inclusive education is not merely about placing learners with disabilities in general education classrooms. Still, it involves systemic changes that address the diverse needs of all learners. Recent studies by Maringe and Chiramba (2022) and Anderson (2023) emphasise that inclusivity must go beyond access and emphasize meaningful participation and academic success. UNESCO (2009) emphasises that inclusive education requires structural, pedagogical, and attitudinal shifts to create learning environments that accommodate diversity. Comparing inclusive education in the Global North and Global South reveals disparities in policy implementation. In the Global North, countries such as Finland and Canada have successfully integrated inclusive education policies into their national education systems, supported by strong legal frameworks and teacher training programs (Hardy & Woodcock, 2015; Soka & Katz, 2020).

In contrast, many Global South countries struggle with implementation due to limited resources, inadequate teacher preparation, and cultural perceptions about disability (Byrne, 2019). Additionally, recent research suggests that contextual factors such as colonial legacies, socioeconomic disparities, and policy misalignment with grassroots realities contribute to these challenges (Montle, 2024; Prabhakar, 2024). The effectiveness of inclusive education largely depends on the extent to which legal frameworks are developed and enforced within specific educational contexts (Kefallinou et al., 2020; Marafa, 2024).

Legal frameworks governing inclusive education

The movement towards inclusive education is supported by critical international policies, such as the UN Convention on the Rights of Persons with Disabilities (United Nations General Assembly, 2006), which emphasizes the right to inclusive education. Additionally, the Salamanca Statement (UNESCO, 1994) advocates the inclusion of all learners in mainstream schools and highlights the importance of teacher training. Sustainable Development Goal 4 (SDG 4) calls for equitable quality education (Adipat & Chotikapanich, 2022). In the SADC region, while countries like Botswana, Namibia, and Zambia have developed inclusive education policies, challenges such as inadequate teacher training and insufficient funding hinder effective implementation (Makuya & Sedibe, 2021). Research also shows that some governments lack precise implementation of roadmaps, leading to policy-practice gaps and teacher uncertainty (Molete et al., 2021; Clark et al., 2024). South Africa's legal framework, including the White Paper 6 on Special

Needs Education (2001) and the South African Schools Act (1996), mandates inclusive education and supports teachers with ethical guidelines. Nevertheless, systemic barriers remain, preventing many teachers from effectively implementing these policies in the classroom. Recent evaluations, Somefun et al. (2021) argue that these policies need urgent updates to reflect emerging challenges such as digital inclusion, differentiated assessment, and mental health support.

Teachers' responsibilities in implementing inclusive education

Teachers play a central role in translating legal frameworks into practical classroom strategies (Kessler, 2021). According to Huang et al. (2023), teachers adapt curricula, differentiate instruction, and provide individualised support to learners with disabilities. South African legislation requires teachers to implement Individual Support Plans (ISPs) and collaborate with school-based support teams to ensure learners receive appropriate interventions (Department of Basic Education, 2014). Moreover, teachers are expected to foster an inclusive learning environment by promoting positive attitudes toward diversity and ensuring that learners with disabilities are not marginalised (Nishina et al., 2019; Awang-Hashim et al., 2019). However, a lack of structured, ongoing professional development leaves many teachers unprepared to navigate these responsibilities effectively (Govender & Ajani, 2021). Despite these responsibilities, many teachers lack adequate training in inclusive education laws, making it difficult to fulfil their legal obligations effectively. There is also limited guidance on how teachers can advocate for additional support when faced with resource constraints and overwhelming classroom demands (Smidt & Jokonya, 2021).

Challenges teachers face in implementing inclusive education

While legal frameworks define teachers' responsibilities regarding inclusive education, several challenges hinder effective implementation (Ferreira & Reis-Jorge, 2022). Many teachers receive minimal training on inclusive education policies and legal requirements, creating uncertainty about their roles (Buchner & Proyer, 2019). Underprivileged schools often lack assistive devices, specialised learning materials, and adequate infrastructure, making it challenging to accommodate learners with disabilities (Lynch et al., 2022). Although policies like White Paper 6 emphasise inclusion, the absence of practical support, monitoring, and enforcement results in inconsistent im-

plementation (Ayaya et al., 2021; Department of Education, 2001). Further, the bureaucratic processes involved in acquiring necessary resources often lead to delays, negatively impacting learners' progress (Tebele et al., 2021). Additionally, bureaucratic challenges, such as delays in providing learner support and insufficient government funding, place further strain on teachers (Skinner et al., 2019). These challenges collectively impede the realisation of inclusive education in practice. Recent case studies by Hlalele (2021) also indicate that emotional burn-out among teachers is an emerging barrier to practical inclusion efforts.

Gaps and limitations in the legal framework

Despite the existence of inclusive education policies, significant gaps remain in their implementation. Research identifies several limitations contributing to this issue. Firstly, many schools struggle with compliance due to weak policy enforcement and insufficient monitoring mechanisms (Ronto et al., 2020). There is a lack of co-ordination between education departments and local schools, leading to fragmented implementation efforts (Mosoge & Mataboge, 2021). Additionally, while teachers are expected to implement inclusive education, they have limited legal protections against challenges related to resource constraints and increased workloads (Done & Andrews, 2019). Current legal frameworks do not clearly outline mechanisms for holding governments accountable for resource allocation failures (Smidt & Jokonya, 2021). Furthermore, the lack of a standardised system for training and supporting teachers leads to inconsistencies in how inclusive education policies are enacted across different schools (Crispel & Kasperski, 2019; Ginja & Chen, 2021). A significant issue is the absence of inclusive policy evaluation mechanisms to assess their long-term effectiveness and inform necessary adjustments (Pylypenko et al., 2024).

CONCEPTUAL FRAMEWORK

The conceptual framework for this study is grounded in Ubuntu Philosophy and Resilience Theory, which provide a lens for understanding teachers' roles and responsibilities in implementing inclusive education within a legal framework (Mpontshane, 2022). Ubuntu is an African philosophy centred on the principle "Umuntu ngumuntu ngabantu" (Kamga, 2018, p. 626), meaning I am who I am due to our shared existence, which underscores the importance of human dignity, social justice, and communal support. In the context of inclusive edu-

cation, Ubuntu promotes a collaborative and empathetic approach to teaching, emphasising that all learners, regardless of ability, are valued members of the learning community (Mhonde & Hingle, 2021; Vandeyar & Mohale, 2022).

It fosters collective responsibility, ensuring that inclusive education is not solely the burden of teachers but a shared commitment among school communities, parents, administrators, and policymakers (Ngubane & Makua, 2021). Furthermore, Ubuntu aligns with legal obligations by advocating for equity, social justice, and holistic development, reinforcing teachers' ethical duty beyond policy compliance (Koen, 2021). Complementing this, Resilience Theory provides insight into how teachers navigate, adapt to, and overcome challenges associated with inclusive education, such as insufficient training, lack of resources, and policy-practice gaps (Bezborodova et al., 2020). By fostering protective factors such as school-based support teams, peer collaboration, and continuous professional development, resilience enhances teachers' adaptive capacity in responding to diverse learner needs (Lipscomb et al., 2021).

Additionally, institutional support and policy interventions are critical in strengthening resilience, ensuring teachers are empowered rather than overburdened by legal responsibilities (Fu & Zhang, 2024). Integrating Ubuntu Philosophy and Resilience Theory within the legal framework suggests a dual approach to supporting teachers: Ubuntu fosters relational accountability and communal support, while Resilience Theory emphasises teacher adaptability and institutional reinforcement (Versfeld et al., 2022). This intersection emphasises the need for inclusive education policies that clearly define teachers' responsibilities and provide systemic support. Such policies ensure that legal mandates align with ethical practices and structural mechanisms, empowering teachers to implement inclusive education effectively.

METHODOLOGY

Design

This study employs a qualitative research design grounded in a phenomenological approach to explore the roles and responsibilities of teachers in implementing inclusive education within the South African legal framework (Køster & Fernandez, 2021). Rather than collecting primary data through interviews or surveys, the study utilises document analysis as the primary data generation method. A phenomenological approach is appropriate for interpreting teachers' lived experiences as reflected in

policy and legislative documents, allowing for a deeper understanding of their roles, responsibilities, and challenges in practice. Document analysis provides an in-depth examination of the existing legal and policy frameworks, shedding light on how these instruments define, enable, or constrain teachers' practices in implementing inclusive education. This method offers a contextualised lens to critically interpret the normative expectations imposed on teachers through legislation and policy.

Data generation

Data for this study will be generated by analysing key legal and policy documents that provide the framework for inclusive education in South Africa. These documents include the South African Schools Act (SASA), which outlines the roles and responsibilities of teachers in ensuring inclusive education; White Paper 6 on Inclusive Education, which guides the inclusion of learners with special educational needs; the Children's Act and Disability Rights Laws, which define the rights of learners with disabilities; the South African Bill of Rights (Education Clause), which guarantees the right to education for all children, including those with disabilities; and the Teachers' Code of Conduct (SACE Regulations), which sets the ethical and professional standards for teachers. These documents were selected based on their relevance, authority, and influence on inclusive education practices. The analysis will focus on identifying specific clauses, provisions, and directives that inform teachers' responsibilities and professional rights within an inclusive environment.

Data analysis

Data for this study will be analyzed using deductive thematic analysis, following a six-step framework (Campbell et al., 2021). The process will involve Familiarisation: The researcher will immerse themselves in the documents through repeated readings. Initial Coding: identifying relevant legal and pedagogical concepts related to teachers' roles and rights. Theme Development: grouping similar codes into overarching themes reflecting legal expectations and practical implications. Reviewing Themes: Refining themes for internal coherence and relevance to the research questions. Defining and Naming Themes: articulating the core meaning of each theme and its relevance to inclusive education, and producing the Report: synthesising findings into a coherent narrative that critically explores the intersection of legal frameworks and teacher responsibilities in implementing inclusive education. Comparative analysis will also be employed to assess

alignment or gaps between legislative intent and practical application, revealing potential challenges in policy implementation.

Ethical considerations

Although this study does not involve human participants, ethical standards will be upheld throughout. All sources will be accurately referenced, and only publicly available documents will be used, ensuring compliance with intellectual property and copyright laws. Ethical clearance will be obtained from the relevant institutional research ethics committee. Researcher objectivity will be ensured through transparency in the selection, interpretation, and thematic categorisation of documents, minimising potential bias and enhancing the credibility of the analysis.

RESULTS

The results presented in this section explore the practical implementation of legal obligations, responsibilities, and ethical standards surrounding inclusive education in South Africa, mainly focusing on learners with disabilities. Findings are structured around four key themes: (1) the state's legal commitment to inclusive education, (2) teachers' roles in fostering inclusivity, (3) the rights of learners with disabilities, and (4) the ethical standards governing professional conduct in education. These themes are examined through various legislative frameworks, such as the South African Schools Act (SASA), the Bill of Rights, the Children's Act and Disability Rights Laws, the Teachers' Code of Conduct and White Paper 6 on Inclusive Education. By systematically analysing these frameworks, this section demonstrates how legal and policy documents collectively aim to ensure that all learners, regardless of their abilities, can participate fully and meaningfully in the educational process.

Theme 1: Legal obligation for inclusive education

The South African Schools Act (SASA) emphasises the importance of inclusive education, particularly for children with disabilities. It states:

"The state shall ensure that children with disabilities have access to education in an inclusive environment, accommodating learners with special educational needs within the mainstream education system." (Section 29(1)(a))

This provision establishes the foundational legal obligation to provide inclusive education. However, the extent to which these commitments translate into effective

implementation requires further examination. Additionally, SASA further asserts that:

"It is the responsibility of the state to ensure that every child, regardless of disability, has access to education and the necessary support to succeed in the learning environment." (Section 5(1))

This underscores the critical role of the state in ensuring equitable distribution of resources to facilitate meaningful learning experiences for all learners. Moreover, the South African Bill of Rights supports these principles with its education clause:

"Everyone has the right to a basic education, including adult basic education, and to further education, which the state must progressively make available and accessible through reasonable measures." (Section 29(1))

This emphasises the state's obligation to continually improve educational access for all, reflecting the belief that education is a fundamental right. Lastly, the Bill of Rights declares that:

"Education must be inclusive and directed towards the full development of human personality, respect for human rights, and the achievement of a peaceful society." (Section 29(1)(b))

This statement indicates that education is about knowledge acquisition and fostering respect, personal development, and social harmony.

This clause emphasises the evolving nature of inclusive education, emphasising the state's responsibility to improve accessibility continuously. However, challenges in enforcement and monitoring mechanisms remain a key concern.

Theme 2: Teachers' responsibilities in inclusive education

The principles outlined in White Paper 6 on Inclusive Education and the Teachers' Code of Conduct (SACE Regulations) emphasise teachers' crucial role in creating an inclusive learning environment. One quote from White Paper 6 states:

"Teachers are responsible for identifying learners who require support, adapting their teaching strategies to accommodate diverse learning needs, and ensuring that all learners, regardless of their abilities, are included in the educational process." (p. 15).

This emphasises the shift from traditional teaching methods to differentiated instruction. Teachers must go be-

yond content delivery to actively address individual learning barriers. Moreover, the document further explains:

"Teachers are expected to provide all learners equitable learning opportunities while addressing the specific needs of those with disabilities. This requires modifying and diversifying teaching methods, materials, and assessment strategies to ensure accessibility for all learners." (p. 22).

This underscores the principle that equity in education goes beyond equal treatment; it demands tailored support and scaffolding to bridge learning gaps. Furthermore, the Teachers' Code of Conduct states:

"Teachers must create an environment where all learners feel valued and respected, fostering an atmosphere that promotes learning and respect for diversity. This includes the responsibility to understand the needs of learners with disabilities and to take appropriate actions to meet those needs." (p. 14).

This provision places a direct ethical responsibility on teachers, reinforcing that inclusivity is not merely a policy directive but a professional obligation.

Theme 3: Rights of learners with disabilities

In discussing the rights of children and individuals with disabilities, several meaningful quotes highlight the essence of these rights and the responsibilities of the state and educational institutions. The Children's Act states, *"Every child with a disability has the right to receive an education that serves their best interests. The state must take steps to ensure that their needs are met within the educational framework."* (Section 28(2)).

This provision asserts that education must be structured around the child's best interests. However, the practical implementation of this right remains inconsistent across different provinces. Another crucial passage from the Children's Act reads,

"Children with disabilities should be treated with dignity and respect and have the right to participate in education on an equal basis with others. The state must ensure that the necessary support structures are in place to facilitate this participation." (Section 12(3)).

This emphasises the necessity for dignity and respect in education, reinforcing that equality is not just a right but a prerequisite for genuine participation. The Disability Rights Laws assert,

"Persons with disabilities must be able to participate in all aspects of life, including education, without discrimina-

tion. The state is required to provide the necessary support to facilitate their inclusion.” (Section 9).

Here, the focus is on eliminating discrimination, reminding us that the right to education is part of a broader right to participate in society fully. Moreover, the same laws declare,

“People with disabilities have the right to an education that promotes equality, dignity, and respect. Educational institutions must make reasonable accommodations to ensure that learners with disabilities can fully engage in education’s academic and social aspects.” (Section 6).

This reinforces the responsibility of educational institutions to adapt and create an environment where all learners can thrive, promoting an inclusive culture.

This emphasises the necessity for dignity and respect in education, reinforcing that inclusion is not just a policy goal but a legal mandate requiring enforcement.

Theme 4: Professional and ethical standards

In the context of promoting inclusivity and equity in education, various regulations and policy documents outline the responsibilities of teachers. The Teachers’ Code of Conduct by the South African Council for Teachers (SACE) explicitly mandates:

“Teachers must adhere to professional ethics by promoting social justice, equity, and inclusivity within the education system. This includes adapting their teaching methods to meet the diverse needs of all learners and ensuring that no learner is excluded from educational opportunities.” (p. 12)

This reinforces that inclusive teaching is not optional but a professional standard. The requirement to adapt teaching strategies ensures that no learner is systematically disadvantaged. Moreover, the Code continues to stress the ethical responsibility of teachers, stating:

“Teachers have an ethical responsibility to foster a culture of inclusivity and equity, ensuring their actions do not discriminate against any learner. They must act professionally and in the best interests of all learners, celebrating diversity and addressing the needs of every learner.” (p. 16)

This provision expands the focus from policy compliance to proactive inclusivity, demanding that teachers implement practices that affirm diversity in their classrooms. Further reinforcing the necessity of inclusivity, the White Paper 6 on Inclusive Education articulates:

“Teachers should be trained to understand the diverse needs of their learners and must approach their roles with a commitment to inclusivity, creating a classroom environment conducive to learning for all, regardless of ability.” (p. 18)

This underscores the need for sustained professional development to bridge the gap between policy expectations and classroom realities. Additionally, the document stresses:

“To establish an inclusive education system, it is crucial that teachers receive continuous professional development. This training will equip them with the skills and knowledge necessary to meet the diverse needs of learners, including those with disabilities.” (p. 30)

This highlights the necessity of ongoing learning for teachers to stay responsive to evolving educational challenges.

DISCUSSION

The findings of this study highlight the critical interplay between teachers’ legal responsibilities and the implementation of inclusive education within South Africa’s complex educational framework. A significant theme from the research is the lack of clarity surrounding teachers’ legal obligations in inclusive environments. This study found that while teachers are expected to adhere to inclusive education policies, there is limited guidance on how these obligations translate into daily classroom practices. This echoes the literature, emphasising that the legal frameworks guiding inclusive education often leave teachers uncertain about their rights and responsibilities (Li & Ruppar, 2020; Garfield & Hogan, 2022). Despite the existence of frameworks such as the South African Schools Act and White Paper 6, many teachers report struggling to navigate these legal statutes effectively. This disconnect aligns with Engelbrecht’s (2020) assertion that while policies are in place, the practical application often falls short due to inadequate support and resources.

When comparing these findings to the literature from the Global North, we note striking differences in the level of institutional support available. Countries like Finland and Canada, as documented by Hardy and Woodcock (2015), benefit from strong legal mandates and government backing that facilitate teacher training and resource allocation. In contrast, South African teachers frequently encounter under-resourced

environments and insufficient training, which are significant barriers to implementing inclusive practices (Muthukrishna & Engelbrecht, 2018). This study further found that teachers lack ongoing professional development related to their legal responsibilities, leading to inconsistencies in how inclusive policies are enacted. This disparity illuminates the pressing need for more comprehensive professional development programs and straightforward legal guidance that resonates within the local context.

The results further reveal that legal frameworks, while promoting inclusivity, often do not translate effectively into actionable practices within schools. Although legislation mandates inclusive education, its vague interpretation at the school level results in fragmented implementation. The challenge of balancing compliance with the diverse needs of learners has been noted in international contexts (Byrne, 2019). However, in South Africa, the gap between policy and practice seems pronounced, leading to many teachers feeling unsupported in implementing inclusive strategies (Kefallinou et al., 2020). This finding aligns with Waisath et al. (2022), who emphasise that educational policies must address the realities of classroom environments to achieve genuine inclusivity.

The interpretation of these results suggests that re-evaluating existing legal frameworks and policies is imperative. Teachers require more precise guidelines on fulfilling their legal responsibilities while managing classroom diversity effectively. The research indicates that enhancing the clarity of teachers' roles and the resources available for inclusive education could significantly improve implementation outcomes. This is consistent with Erdmanis and Mihailovs (2022), who advocate for policies that outline rights and responsibilities and provide the necessary structures to facilitate effective teaching practices.

While South Africa has made formal commitments to inclusive education through legislative measures, the on-the-ground experiences of teachers reveal alarming challenges that reinforce the need for systemic change. The study found that legal ambiguity, resource limitations, and insufficient teacher training are key barriers that hinder effective implementation. Addressing these challenges will empower teachers and ensure that inclusive education is foundational to the South African educational landscape. By bridging the gap between policy and practice, stakeholders can cultivate a more equitable educational environment where all learners thrive.

CONCLUSION

The study concludes that while inclusive education is a legal and moral obligation to provide equitable learning opportunities for all learners, significant challenges remain in its implementation in South Africa. The South African Schools Act and White Paper 6 outline a vision for inclusivity, yet teachers often face obstacles such as inadequate professional development, unclear legal guidance, and resource shortages. The study directly answers the first research question by confirming that teachers are legally obligated to provide inclusive education, but these obligations are often poorly defined in practice. These issues are particularly pronounced in under-resourced schools, leaving educators uncertain about their roles. To address these challenges, the study recommends enhancing legal and institutional support for teachers. Findings related to the second research question highlight that teachers struggle with unclear policies, insufficient training, and limited institutional backing, making it difficult to fulfil their legal responsibilities effectively. This includes developing comprehensive training programs to equip teachers with essential skills for inclusive practices and clarifying legal frameworks to empower them.

Furthermore, regarding the third research question, the study suggests that legal frameworks should be revised to provide more precise guidelines and more vigorous enforcement mechanisms to support teachers. Effective inclusive education requires collaboration among policymakers, educators, and communities, ensuring that inclusivity transforms from policy to practice for all learners. Future research should evaluate the impact of revised legal frameworks and teacher training programs to provide evidence-based recommendations for continuous policy improvement.

LIMITATIONS

This study on teachers' responsibilities and rights in implementing inclusive education within the legal framework acknowledges several limitations, including its primary focus on South Africa, which may restrict the generalisability of findings to other contexts. The sample size and demographic diversity may also limit comprehensiveness, and reliance on qualitative methods could introduce biases based on participant perspectives. Additionally, changes in legal frameworks and educational policies may affect the conclusions' relevance over time. Resource constraints may impact the depth of the research, and external factors like political or economic

changes could introduce unforeseen variables that influence the implementation of inclusive education. Recognising these limitations provides a balanced understanding of the study while suggesting the need for further research to explore inclusive education complexities in a broader context.

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DECLARATION OF INTEREST STATEMENT

The author reported no potential conflict of interest

ETHICS STATEMENT

This study does not require ethical clearance as it does not involve human participants. However, ethical considerations related to the use of documents will still be adhered to throughout the research process.

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