

## Chapter 8

# Wheelchair Access and Inclusion Barriers on Campus: Exploring Universal Design Models in Higher Education

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### ABSTRACT

*Students with disabilities are achieving greater success in high school and attending post-secondary institutions at higher rates than ever before. However, disabled students are graduating at a lower rate than their able-bodied peers. Federally legislated mandates on accessibility have strengthened over the past decades, yet statistics suggest that inclusion, access, and support services for students are inadequate. Universal Design principles and barrier-free concepts are beginning to trend as possible solutions to higher education inclusion barriers. The universal design paradigm shifts the focus from providing accommodations for individual students to removing barriers in the environment and thus promoting universal access. This chapter will explore the barriers to inclusive education that students with disabilities face and propose solutions to create more inclusive and welcoming campuses that facilitate the success of all students.*

### INTRODUCTION

*No otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance... (§ 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794, ED, 2010)*

A student wheelchair user at a private Jesuit University is unable to access the campus quadrangle because all wheelchair ramps have been removed and replaced with flights of stairs. A student who is deaf finds that there is no American Sign Language (ALS) interpreter or assistive listening system (ALS)

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available during his *First Year* orientation. A student who is blind is unable to access the computers in his college library due to the absence of accessible screen readers. A wheelchair user feels great fear of injury while wheeling down the extremely steep, slippery path to her classroom that the university map identifies as a “wheelchair negotiable path.”

What do these students have in common? They are persons from diverse backgrounds and abilities who encountered architectural and access barriers on campus that prevented them from participating equally with their peers at their institutions of higher education (IHE).

According to federal statistics, people with disabilities (PWD) who are denied opportunities to obtain certificates or degrees from post-secondary education institutions (PSI) are at increased risk of living in poverty and unemployment, and with a decreased standard of living than their able-bodied (AB) peers (DOL, 2016, para. 4-7). In 2015, statistics reported only 17.5% percent of persons with disabilities (PWD) were employed compared to 65% percent of AB persons were employed (DOL, 2015, para.1).

The statistics provided by the U.S. Department of Education (ED), the U.S. Department of Justice (DOJ) and Department of Labor (DOL) suggest that despite the substantial increases in the number of students with disabilities (SWD) enrolled in programs at IHE, the number of SWD graduating from these IHE is far lower than the graduation rates of their able-bodied (AB) peers (DOL, 2016, para.7). At the same time, the IHE incidents of disability discrimination cases reported by ED and DOJ under the title “Enforcement Activities” are increasing over the last several years (DOJ, 2016b, para.1-210). According to a 2016 report, “...Nearly 6,000 complaints of disability discrimination were submitted to the Education Department’s Office for Civil Rights during fiscal year 2016, which concluded in September. That’s up from 4,800 the year prior” (Heasley, 2016). These statistics suggest that the disability service providers (DSP) at institutes of higher education (IHE) may be failing to remove access barriers on campus or adequate accommodations to enable SWD to succeed with their AB peers (Rothstein, 2010).

All IHE are required to follow the practices of nondiscrimination in all of their programs and services under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1974 (Section 504) (HECA, para.1). The goal of the ADA is to “assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals” (35 42 U.S.C. § 12101(a) (7) (2012) (Rothstein, 2014, p.1271)

The utilization of Universal Design in Higher Education (UDHE) paradigms and Barrier-Free (BF) concepts are trending in many institutes of higher education (IHE) (Burgstahler, 2016). The UDHE paradigm focuses on the removal of access barriers in the environment or in classrooms with a design to accommodate the most number of persons with diverse body types and abilities. This paradigm differs from the current ADA accommodation model where SWD request accommodations from the DSP at their IHE, usually at a time after they have met campus access barriers.

UDHE paradigms may effectively address the needs of IHE to provide accessible technology, access to older campus buildings, and meet the needs for the growing population of SWD seeking HE. According to the statement from the Office for Students with Disabilities (OSD) at McGill University (MU) “...With the number of users exploding in an unprecedented way, the traditional ‘accommodation approach’ begins to be inadequate” (MU, 2016, para. 2).

The UDHE paradigms discussed in this chapter include Universal Design in Learning (UDL), Universal Design in Public Spaces (UDPS), and Universal Design in Technology (UDIT) (Burgstahler, 2008).

The goals of this chapter are to:

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