

Chapter 1

Laws, Finance, and Policies of Higher Education Accessibility

Jennifer Raasch

Clemson University, USA

ABSTRACT

Historically, educational accessibility in higher education appeared to be a dynamic and fluid scale with individual rights and accessibility on one side while institutional policies and procedures balanced the other side. Additional weights were applied to both sides of the scale. United States (U.S.) federal laws applied weight to the individual rights and accessibility side. Meanwhile, financial considerations applied weight to the institutional policies side. U.S. universities may have found this balancing act difficult through ongoing legal cases and law revisions. Critical Disability Theory (CDT) provides an alternative viewpoint to review education accessibility. CDT also encourages participation by more campus stakeholders to resolve accessibility issues and promote full accessibility on university campuses. This chapter will explore and explain the complex interconnections of laws, finances and policies in supporting accessibility on campuses and discuss potential guidelines for future institutional policies and procedures related to students with disabilities.

INTRODUCTION

Historically, educational accessibility in higher education appeared to be a dynamic and fluid scale with individual rights and accessibility on one side while institutional policies and procedures balanced the other side. Additional weights were applied to both sides of the scale. United States (U.S.) federal laws applied weight to the individual rights and accessibility side. Meanwhile, financial considerations applied weight to the institutional policies side. U.S. universities may have found this balancing act difficult through ongoing legal cases and law revisions.

Critical Disability Theory (CDT) provides an alternative viewpoint to review education accessibility. CDT also encourages participation by more campus stakeholders to resolve accessibility issues and promote full accessibility on university campuses. U.S. universities could become the role model for accessible spaces and curriculum.

DOI: 10.4018/978-1-7998-1213-5.ch001

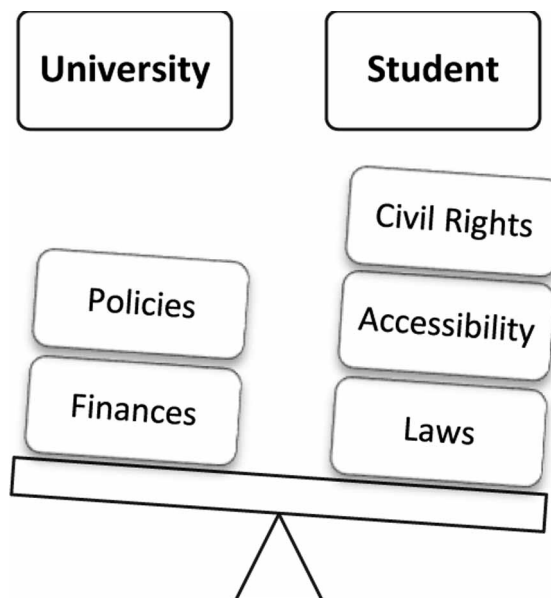
This chapter will explore and explain the complex interconnections of laws, finances and policies in supporting accessibility on campuses and discuss potential guidelines for future institutional policies and procedures related to students with disabilities. The goals for this chapter are:

- Provide an overview of landmark federal disability laws.
- Review of recent legal cases impacting accessibility issues in U.S. universities.
- Examine accessibility finances in higher education.
- Discuss alternative CDT inspired institutional policies for the future of campus accessibility.

SOCIAL ACTIVISM BACKGROUND

Disability rights and laws were born out of civil activism and advocacy groups. Historically, people with disabilities were supported by family and friends without much public awareness and resources. Students with disabilities were educated at home. Ward and Meyer (1999) noted that public advocacy groups such as the American Foundation of the Blind began in the 1920s and post World War I veterans required rehabilitation services. Disability advocate groups continued to expand as American industrialism increased. From the 1930s to the 1950s, disability advocacy enlarged as people with disabilities lived longer lives due to the advances in treating disabilities along with better rehabilitation services. They desired more independent living environments as well. McDonald and Oxford (2005) noted that Ed Roberts became disabled from polio and was a key leader for independent living rights. Ed Roberts fought for accessibility rights to attend college in California in the late 1960s and early 1970s. Also during the 1960s and 1970s, Scotch (1989) explained how the smaller advocacy groups became more connected and organized to protest for equal rights which gained national media attention. During the

Figure 1. Historical factors impacting accessibility in higher education



16 more pages are available in the full version of this document, which may be purchased using the "Add to Cart" button on the publisher's webpage:

www.igi-global.com/chapter/laws-finance-and-policies-of-higher-education-accessibility/240969

Related Content

The Role of Education and NGOs in the Reintegration of Inmates in Hungary

Márta Miklósi and Erika Juhász (2019). *International Journal of Bias, Identity and Diversities in Education* (pp. 100-112).

www.irma-international.org/article/the-role-of-education-and-ngos-in-the-reintegration-of-inmates-in-hungary/216376

Mentoring and Supervision for Women of Color Leaders in North American Higher Education: Together We Go Further

Elena Sandoval-Lucero, Tamara D. White and Judi Diaz Bonacquisti (2020). *International Journal of Bias, Identity and Diversities in Education* (pp. 18-45).

www.irma-international.org/article/mentoring-and-supervision-for-women-of-color-leaders-in-north-american-higher-education/258995

Liberty Needs Glasses: A Critical Race Theory Analysis of a Culture of Miseducation in the Intersection of Power, Privilege, and Positionality

Tanishia Lavette Williams (2021). *Challenges to Integrating Diversity, Equity, and Inclusion Programs in Organizations* (pp. 62-79).

www.irma-international.org/chapter/liberty-needs-glasses/264606

Doppelganger-Inspired Change Effect Model of Faculty Global Cultural Competency: A Case-Based Study for Preparedness

Papia Bawa (2021). *International Journal of Bias, Identity and Diversities in Education* (pp. 15-32).

www.irma-international.org/article/doppelganger-inspired-change-effect-model-of-faculty-global-cultural-competency/282069

Gender Differences in Motivations to Use Social Networking Sites

Valeria Noguti, Sonika Singh and David S. Waller (2019). *Gender and Diversity: Concepts, Methodologies, Tools, and Applications* (pp. 1565-1580).

www.irma-international.org/chapter/gender-differences-in-motivations-to-use-social-networking-sites/209051