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I have a Ph.D. in Education with a specialization in Instructional Design, a Masters of Fine Arts in Writing and Poetics (MFA) and a Masters in Education (M.Ed). My research interests center on Universal Design for Learning. I love to write and teach. Whenever teaching I learn a little more about what Universal Design for Learning means and how much students enthusiastically embrace its principles. My philosophy of education centers around the learner. As an instructor, I am much like a coach and so, strive to listen to what students are saying and then facilitate their learning as much as possible. As an administrator, I listen to students, staff and everyone I work with to learn more about Universal Design and how I can be a part of helping to make life better for all. I love technology and the doors it opens for everyone. I love hiking, reading, writing, weight lifting, and most of all, being with my family.

Under the Mask: Universal Design for Learning as Ableist Pedagogy

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Introduction

Within the United States, more than one in six people have been identified as having a disability, while one in ten are reported to have a severe physical disability (Brault, 2010). Additionally, in higher education between 12 and 15 percent of people identify as having a disability (NCES, 2011), with three to five percent of people identifying with campus disability services (AHEAD, 2016). Since the 2007-2008 academic year, both institutions of higher education and disability services offices have reported growth in their disabled student population (AHEAD, 2016; NCES, 2011).

Alongside this growth, institutions of higher education have furthered their commitment to civil rights, specifically those that involve people with disabilities has also increased in understanding and action. Many institutions promote inclusive learning environments by committing to inclusive excellence standards (Burghstahler, 2010). Within this movement, a call for accessibility and Universal Design for Learning (UDL) has been adopted to reach more/all students (Burghstahler, 2010).

The implementation of accessibility and UDL within higher education has mostly been reactionary. In a recent InsideHigherEd.com article, a spokesperson from the Department of Justice, the investigation arm of the Office of Civil Rights

reported that as of August 7th, 2017 there were 556 open cases (McKenzie, 2018). Additionally, in November of 2018, an additional 50 colleges had lawsuits opened against them for failure to comply with web accessibility compliance guidelines (McKenzie, 2018). In addition to these open cases, the Office of Civil Rights reports that they receive thousands of complaints a year on people alleging their civil rights as they pertain to disability are being infringed upon. This is a steep rise in risk for institutions of higher education to take on without a plan to ensure some level of protection. Most schools come to the same conclusion that if they meet 508 compliance and implement UDL practices, they are free from litigation. Feingold argues that instead of focusing on the ramifications of the potential for litigation, collaborating to reach compliance through proper planning, monitoring and enforcement would provide a sustainable model for inclusiveness. This belief, whether true or false, we argue perpetuates ableism within higher education under the guise of “reaching all students.”

Literature Review

Universal Design for Learning was first adapted from the work of Robert Mace, an architect from 1970s who believed in designing physical spaces to be barrier free was later adopted into education as a pedagogical framework and design to create inclusive, barrier free, learning environments. The premise of UDL is based on three primary tenets. Each tenet provides variety and choice for students.

The first principle is multiple means of representation of course/class learning materials. This manifests in producing information within multiple media including alternative

representations of auditory and visual objects; access to language and symbols for diverse learning groups; and summarization of complex ideas into manageable sizes for various audience members. In practice, this takes the form of providing captions and descriptive text to multimedia objects. In some spaces, this also manifests as term glossaries and video shorts that re-explain/simply explain course terminology and jargon (Burghstahler, 2010; CAST, 2014; Meyer, A., Rose, D., & Gordon, D., 2014).

The second principle of UDL is multiple means of action and expression (assessment). This manifests as the ability to assess student learning through multiple modes. Students are not limited to one type of assessment, and can display learning through a variety of means. Additionally, students can utilize various forms of technology for construction and composition; build fluency in ideas and abilities through various levels of support and set goals that are reachable, manageable and appropriate for the course content (meeting students where they are).

The final principle of UDL is multiple means of engagement. Research supports that students who are engaged or invested in the material, the institution or in the course content report higher levels of learning (Burghstahler, 2010; CAST, 2014; Meyer, A., Rose, D., & Gordon, D., 2014). This manifests as the ability to provide choice or freedom in course materials and course content; optimizing information relevance to everyday life or professional spaces; managing the classroom learning environment to reduce or remove threats and distractions; establishing a classroom community and promoting self-regulation. A variety of pedagogical strategies seeks to utilize this principle by establishing relationships with students (i.e. immediacy), make

course content relevant (i.e. tangibility), and create additional value in the act of knowing (i.e. knowledge is power) (Burghstahler, 2010; CAST, 2014; Meyer, A., Rose, D., & Gordon, D., 2014). In summary, the purpose of UDL is through the variance of materials, assessment and engagement to create a learning environment that is equitable and inclusive to all learners. This becomes problematic as ableism stands in stark contrast to assimilation rhetoric.

According to Keller and Galgay (2010), ableism is defined as the unique form of discrimination experienced by people with disabilities based on their disabilities. More so, the expression of ableism privileges non-disabled people through an able-centric worldview (p. 242). This approach suggests that disability is a salient identity marker that deviates from normative expectations of what people expect or perceive to be normal. Grewe (2017) supports the construction that disability is an element of normalcy, where the biomedical (social model) discourse of disability situates people with disabilities as valued less and are less capable than their abled counterparts.

Ableism has also long been used to justify hierarchies of rights and discrimination between other social groups, and to exclude people not classified as 'disabled people' (Wolbring, 2008). Ableism manifests in a multitude of ways. Covert ableism manifests as vague and/or broad institutional policies, practices and procedures within institutions of higher education. This may include, but is not limited to: accessibility/accommodation policies, no-classroom recording practices, the encouragement of note takers vs. support for assistive technology and reactionary remediation procedures, software and technology procurement processes and the misuse of Universal Design (UD) in physical

spaces and Universal Design for Learning in course design. In addition, covert ableism manifests through the scapegoating of departmental and institutional funding for support in course and curriculum design, pedagogical training and practical implementation of UDL. Further, we also see covert ableism in how accommodations are provided through language such as: documented disability; and reasonable accommodations (Hutcheon and Wolbring, 2012).

Institutions of higher education do not want to be seen as discriminatory towards people with disabilities. In fact, many institutions promote inclusive practices and in 2016, the US Department of Education published *Advancing Diversity and Inclusion in Higher education*, a 95 page document that does not mention UD or UDL, and only tangentially mentions disability once. This exclusion of disability echoes our institutional understanding of disability and ultimately promotes an ableistic approach to education. Further, with institutions of higher education hanging their hat on the rack of UDL, we inherently promote ableism under the guise of inclusiveness.

Theory vs. Practice of Universal Design for Learning

There is a misconception that the practice of UDL is a destination that can be reached. In fact, UDL should not be viewed as a destination, but rather as a journey. Each semester, year or generation of student brings with them different needs, values and views of the world they live in and these differences require us to re-evaluate, modify and enhance our approaches to teaching students through the goals we set, the methods we use, our assessments that measure learning and the course materials themselves (Hall, Meyer & Rose, 2012). This constant change can be daunting and the amount of time, effort and resources are not

built within the departmental budgets of higher education, nor the support services that assist. There is also a component of understanding that is missing from the pedagogical approaches within higher education.

Due to the lack of support, a lot of responsibility falls upon the uncompensated physical and mental labor of the instructor, the department and the school. Scholars, researchers and practitioners have sought simpler ways of managing course updates and quick solutions are privileged (Rose & Meyer, 2002). As the diversity in need that students have within the classroom grows, these quick approaches become exclusionary and reactionary in nature. This is not done out of any negative will, but rather out of necessity to meet deadlines, budgetary constraints, and accessibility compliance.

Higher education inherently misunderstands the role of disability within the identities, abilities and communities that it serves (Grewe, 2017). This lack of understanding paired with societal influences of expectations of persons with disabilities (Invisibilia, 2015) create gaps in equality that are fed by the attitudes of the faculty, students and communities within the school (Burgstahler, 2010). This creates a space where students with disabilities view themselves and their needs as a burden and creates compromised competitive spaces akin to believing in "the survival of the fittest" (p. 280).

The purpose of this project is to highlight how ableism manifests through the practice of Universal Design for Learning. Further, this project will illustrate that the practice of UDL is not a solution for ableism, but at best finds itself to be a false or partial management strategy in addressing the needs of students within

a higher education learning environment. Pulling from the dissertation data from Christopher (2016), a thematic analysis is employed to identify the unintentional ableism present within the practice of Universal Design for Learning.

This project will address the following research questions:

RQ1: How is UDL implemented within the design of a course?

RQ2: What challenges arise when implementing UDL?

These questions will help us better understand the practice of UDL and the role of ableism within course and curriculum design.

Methods

In order to explore the relationship of ableism with the practice of UDL, the research design and methodology for this study utilizes qualitative design. To more accurately speak this project employs a thematic analysis of research data collected from ten structured interviews. The objective of the interviews looked at how UDL was being implemented and the challenges faced by designers. This study was exploratory and so, understanding the experiences and viewpoints of the participants was important (Creswell, 2008, p. 174). Data was collected from recorded interviews. These interviews were structured interviews with no follow-up. The interview questions were open-ended and researcher notes were taken throughout the interviews. The interviews were then transcribed. Transcribing the interview allowed for deeper analysis.

Population and Sampling

The participants for this study were drawn from the larger population of instructional designers and designers-by-assignment who work at community colleges in the United States. The participants were drawn from The American Association of

Community Colleges and the Instructional Design Group in Linked-in.com/. The American Association of Community Colleges has 1,123 community colleges participating in their organization (AACC, 2015). The Instructional Design Group in Linked-in.com has approximately 20, 000 members (Linked-in.com/, 2015). An IRB-approved email was sent to 354 community colleges in good standing with The American Association of Community Colleges. On Linked-in.com/ in the Instructional Design Group, a discussion forum was created and posted which included the IRB-approved email. The criteria for the study participants were stated in the recruitment email and included position (i.e. instructional designer or designer-by-assignment), educational requirements, and willingness to participate and share materials. There were ten participants.

Interview Protocol

The interview protocol derived from EnActPTD: Ensuring Access through Collaboration and Technology Partnerships, Technology and Dissemination at udluniverse.com. This protocol was developed in line with the instrumentation documentation listed above. A total of eleven questions were created, with the final question aligning as a clearinghouse statement (Creswell, 2008). These questions included open-ended questions based on the research questions. The researcher used a script to help ensure consistent data collection for each participant.

Data Collection

Ten participants were recruited to participate in this project. Each participant received and signed an informed consent form and were then scheduled for a telephone interview. Each interview was digitally recorded and transcribed for accuracy. Each participant received a copy of the transcript to engage in

member checking, a process that allows participants to verify accuracy and credibility of the data (Harper & Cole, 2012).

Data Analysis

Data for the study was analyzed using a discourse specific thematic analysis introduced by Baxter (2011). The choice to use Baxter's method follows the procedures of mainstream thematic analysis procedures, such as Strauss and Corbin's (1990) constant comparative thematic analysis or Glaser & Strauss (1967) grounded theory analysis. Using this method requires for a phenomenon, event, object or setting of interest to be identified (Baxter, 2011, p. 29). For this study, a broad analytical question was used, "What is ableism?" This question created a setting and provided an object for analysis.

Selecting a Text

The text for this project was pulled from transcribed interviews collected in 2016. Although we looked at the entirety of the transcript, sections two (design decisions), three (implementation), four (challenges) and five (conclusions) were used.

Identifying Discourses

The first step in this process is to understand the current social, historical and political discourses that currently exist surrounding the concept of ableism. This process entailed reading and engaging with the academic conversation. Baxter (2011) argues that this process sensitizes the researcher and helps position data within in a larger framework. This study employed Braun and Clarke's (2006) six steps to a thematic analysis as a guideline to identifying the discourses of an acquired physical

disability. Braun and Clarke state that a thematic discourse analysis begins by being reflexive of what you are collecting and what you are reading as you move through the data to get a feel for what is happening within each story (p. 82).

Step One: Create Familiarity. This process was conducted by re-reading and listening to the interview recordings both while transcribing and while reading the finished transcripts. **Step Two: Create Codes.** The codes created for this data set are based on the analytical question, "What is ableism?" (discourse). Using the semantic object, a derivative of the analytical question, initial coding began. **Step Three: Create Discourses (Themes).** Once we had completed the initial coding, we began to compare the coded data against each other, grouping different statements and stories together based on similarity. Throughout this process, an in-depth research log and memo were created, annotating and listing direct quotes and exemplars, and coding statements in different colors. **Step Four: Review Discourses (Themes).** Once the discourses were named and identified, a definition with an in-depth description and exemplars were created. A review of the exemplars was necessary to define the boundaries of the discourses and to ensure that there was little to no over-lap within the tenets of the identified discourses. **Step Five: Defining Discourses (Themes).** After completing the review of discourses, a robust, analytical memo was created outlining each tenet that constructed the discourses identified. **Step Six: Use of Exemplars.** Using exemplars for this process involved identifying specific passages of spoken dialogue from participants as they answered questions.

Verification Procedures

Although this work does not seek to predict or explain how a phenomenon works, there is an importance placed on ensuring that data is analyzed with rigor, validity and reliability in mind. To accomplish this, three different verification procedures were used. The verification process included referential adequacy, audit trail and data exemplars. In total, 32 exemplars were pulled with 11 unique, non-repeated examples that illustrate the presence of ableism in implementing UDL.

Results

To answer the research questions, themes were identified from the responses provided by the participants. These themes provide space for exploration on the role of ableism in the utilization of strategies in implementing UDL. For research question one, four themes emerged from how UDL was being implemented. They include: the use of multimedia in applying UDL principles, using the discussion tool of a Learning Management System (LMS), the creation of self-assessments and practice tests, exams and quizzes are highly used and the creation and implementation of rubrics.

The utilization of multimedia as a tool of implementing UDL was often reported as the sole task being used by instructors. This aligns with the multiple means of representation principle within UDL. The use of the LMS as a tool for creating engagement was identified, but specifics of how the tool was used were not provided. Self-assessments, practice tests, exams and quizzes were also identified, but specifics on the implementation remained unclear and the creation and employment of rubrics echo the need for finite and tangible assessment.

The second research question provided the following themes. They include: the diversity in needs for a diverse population; challenges in communicating between instructor, students and the course materials; lack of consistency in design; and student challenges in adapting to evolving classroom environments. Additionally, there was an overarching theme across both questions of lack of support and resources available from the institution itself.

There is a level of irony present that the diversity in population emerged as the largest and most common challenge faced by course designers. Virtually every participant mentioned the challenges in reaching "all students." Communication and clarity of communication between instructors and students also emerged from most interviews. There was no mention of data collection or needs assessment on the part of the designers. The last commonality that crossed both questions illustrated the lack of support and resources in adapting, updating and implementing UDL within the different types of classroom.

Discussion

Within higher education today, Universal Design for Learning (UDL) is gaining traction as populist jargon meant to discursively communicate a pedagogy of reaching all students. This project decentralizes the practice of UDL as a mechanism that unintentionally perpetuates ableism within the academy. Within the first research question, "How is UDL implemented within the design of a course?" we found that most designers are not actually holistically applying UDL in their course design.

The use of multimedia in applying UDL principles within the classroom took the form of captioning and transcribing materials for deaf and hard-of-hearing students, English as a second-

language learners, and students with different learning disabilities. Many designers heralded this as their courses aligning with UDL principles. By providing examples through the means of multimedia, students were and are afforded an additional mean in which they can learn course content. The most common form of multimedia was video. A captioned video provides most students with a non-reading method of learning information.

On the surface, providing a video as an ancillary or auxiliary piece of course material seems to be a great idea. Many students would benefit from the ability to watch a video on a course topic that was first introduced in class. However, the fact that this is the most popular practice reported as aligning with UDL does not take into account for people who have other physical disabilities or processing disorders. This practice creates saliency of the needs of certain populations, while being exclusionary towards others.

The reporting of using the Discussion tool within an LMS as a method of applying the principle of engagement within the course was identified as the most used LMS tool. Although not thoroughly explained, we operationalized this practice as finding ways for students to connect with each other and the instructor and as a mechanism for instituting community and engagement in the classroom, specifically an online classroom. It was reported that some discussions have a structured format and some discussions have a more open-ended format for answering questions or discussing topics.

This approach to engagement privileges students who can articulate themselves well in written form, while furthering the marginalization of students who cannot. In addition, instructors

who utilize time limits or time restrictions while using this tool create a challenge for students who use assistive technology. If using this tool as a major way to engage students, some students might be left out. This approach alone does not meet the criteria for pedagogical and meaningful and practical implementation of UDL.

A lot of attention was also placed on the importance of creating self-assessments and practice tests, using exams and quizzes. This is one of the oldest and most used forms of assessment in western education, as highlighted by Friere (2018) and is easily quantifiable. Whether for points or self-assessment, the use of exams and quizzes arises as the primary method of implementing meaningful assessment. Second to this comes in the form of essay and other forms of formal writing.

Self-assessments, practice tests and other forms of structured assessment privileges some students over others. Students with learning disabilities, processing disorders or students who lack strong comprehension skills suffer from this type of assessment. As Stiggins (2004) illustrates, these assessment tools are out-dated and naïve to today's learner. Holistic and varied assessment can not only measure student learning, but also create a benefit for student learning. This method challenges the traditional methods of assessment and requires nuance for measuring student learning for UDL.

Finally, the creation and implementation of rubrics as an assessment measure is not new to higher education. With the growth of programs like, Pathways, it is not surprising to see more rubrics being used to assess student learning. Rubrics create an equitable playing field for students and instructors to measure how they are being assessed in learning. Designers report that

good rubrics are those that students can understand and apply to their own work. Whether this takes the form of an exam, an essay or a discussion, rubrics are created to provide students with the understanding of how they will be graded.

The challenge of rubrics is two-fold. First, rubrics are created to produce similar outcomes from all students. To more accurately speak, a rubric is designed to measure student learning based on a set of criteria set forth by the instructor. This in and of itself promotes a standardized assessment for learning that does not take into account the differences amongst students. For some students, the ability to articulate “perfect” spoken or written English is not realistic, nor does it reflect a diverse and inclusive worldview. Most constructions of “perfect” spoken or written English is colonialistic in nature and privileges a white, abled and learned education. Second, rubrics allow for interpretation that does not account for implicit bias.

The second research question, “What challenges arise when implementing UDL?” provided a rich understanding of how ableism permeates the educational system as a whole. This question also illuminated the gap between theory and praxis by providing tangible evidence to the vague/broad policies, procedures and practices within the higher educational system. Additionally, this question allowed us to better understand the role of resources and support within the implementation of UDL in higher education.

The first theme, the diversity of students and student needs being the greatest challenge that designers face was surprising. The purpose of UDL is to help designers create courses that reach a greater number of students. One designer stated that because of

the challenges presented by the diversity of students, it was impossible to meet all the needs of this diverse population (Christopher, 2016, p. 92). Burgstahler (2010) states that the characteristics of this diverse population include: physical, visual, hearing, learning, attention, and communication differences (p. 5). We would add that cultural, socio-economic, geographical, ethnic and age-based differences also create problematic environments for course development.

It is not surprising that within this theme, challenges arise when designing courses. In homogeneous communities, some of these differences may not be present, but as we better understand the approach to intersectional identities, course development will also need to evolve. Emmert (2010) states that:

Diversity efforts of many post-secondary institutions originally focused on gender, racial and ethnic issues. Institutions that have expanded their definition of diversity to encompass such characteristics as: sexuality, religion, age, socio-economic status, nationality and disability are fertile ground for the promotion of the overarching concept of UD. Institutions with a narrower vision of diversity are less likely to embrace UDHE [Universal Design for Higher Education] (p. 280).

By identifying the need for broadening our understanding of diversity, there is an inherent need to increase the breadth of how we design using UDL (Hehir, 2002). Further, ableistic practices become addressed as we include additional identity markers within our consideration for design.

The second theme is centered around the concept of communication between instructors, students and the course materials and student's ability in adapting to evolving learning

environments. These challenges speak to an ever-evolving classroom environment that takes advantage of face-to-face, hybrid and online learning. Challenges in communication range from creating immediacy between the instructor and the student, establishing investment or connection to the course material and articulating the value of the course material to students.

Establishing strong communication between various groups of diverse people is always challenging. Shared levels of understanding are needed to communicate effectively and today's modern classroom is no longer homogeneous. Differences in age, ability, cultural backgrounds, and other identity markers create difficulty and call for the need for diverse trainings for course designers, instructors and students.

Ableism is extremely prevalent in the challenges that communicating among instructors, students and course materials. Assistive technology can bridge the gap between students and instructors, but in-and-of-itself can be a hindrance as language is translated from text to speech. Access to accessible course materials, including the syllabus can prevent students from understanding classroom and course expectations. And the lack of training for instructors on inclusive teaching practices may create a lack of knowledge and understanding between an instructor and their students.

The third theme dealt with the lack of consistency in designing with UDL. From aesthetics to approach, the lack of consistency creates unique challenges at every institution. Consistency in course layout creates for students a space where they do not have to question how to navigate the LMS, but rather would allow students to spend more time learning. Hutcheon and

Wolbring (2012) suggest that a collaborative approach between faculty, designers and students in laying out course design provides the best possible space for usability. “Finally, the language of policy that addresses the needs of the ability-diverse population should be changed to include non-ableist and inclusive sentiments” (p. 48). This statement reflects the disconnect between inclusive educational design and ableism perfectly.

Conclusion

The overarching theme across both questions centered on the lack of resources and departmental/institutional support available to course designers. At the end of the day, the implementation of Universal Design for Learning requires institutional and departmental support. As the diversity in our student population grows, so does our need to update and create new materials. The presence of ableism emerges from the gaps between creation and support and has been illustrated throughout this project.

Covert ableism is prevalent within the approaches taken through institutional policies, practices and procedures. It is also reinscribed every time we create and adapt as there is no one way of serving all students. Rather, there is a need to truly establish multiple means of representation without replacing or preventing access to one means of learning, while still being able to access all means of learning. Further, covert ableism is reinforced through our reliance of assistive technology and accessibility compliance. Equity does not equal fairness, nor freedom and by promoting reactionary spaces, where materials are only adapted after a complaint or in fear of a complaint does not benefit all students.

As we move forward, more thought should be placed on how ability, ableism and disability are incorporated into our course design. Choosing texts, course materials and learning technology should be inclusive for all students, regardless of ability and while UDL provides us the framework to accomplish this, we fall short in our application. As a whole, UDL is an incredible tool to enhance our current educational model, but the practice of UDL still perpetuates the same ableistic approach to teaching and learning.

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