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Thinking outside the boxes: barriers to inclusion for persons with physical impairments in higher education

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THINKING OUTSIDE THE BOXES: BARRIERS TO INCLUSION

FOR PERSONS WITH PHYSICAL IMPAIRMENTS IN

HIGHER EDUCATION

By
Robert Timothy Wunschel

Accepted in Partial Completion
Of the Requirements for the Degree
Master of Arts

Moheb A. Ghali, Dean of the Graduate School

ADVISORY COMMITTEE

Chair, Dr. Joan Stevenson

Dr. Daniel Boxberger

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MASTER’S THESIS

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Robert Timothy Wunschel

November 9, 2011
THINKING OUTSIDE THE BOXES: BARRIERS TO INCLUSION
FOR PERSONS WITH PHYSICAL IMPAIRMENTS IN
HIGHER EDUCATION

A Thesis
Presented to
The Faculty of
Western Washington University

In Partial Fulfillment
Of the Requirements for the Degree
Master of Art

by
Robert Timothy Wunschel

November 2011
Abstract

Since passage of the Americans with Disabilities Act in 1990 the participation rate of students with physical impairments in higher education has remained static or declined. Though a number of potential issues have been identified most research tends to focus on classrooms, building interiors, and technology rather than exterior landscapes and fiscal policies that treat all students the same way. Most studies have also lacked theoretical rigor, relying instead on models of disability and statistics to explain their data, rather than on an extensive body of community based, multidisciplinary studies employing urban theories of space and place. Using space and place theory as a template and critical discourse analysis to examine data collected from two comparable mid-sized Washington State public universities the author has attempted to expose some of the underlying dominant and minority discourses concerning exterior barriers to inclusion for persons with physical impairments in higher education by placing these issues in historical context while fully encasing them within urban anthropology and contemporary urban studies of architecture, geography, sociology, and disability.
Acknowledgements

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Chapter 1 – Introduction

*I come from a state that raises corn and cotton and cockleburs and Democrats, and frothy eloquence neither convinces nor satisfies me . . . You have got to show me—*U.S. Congressman Willard Duncan Vandiver (1854-1932)

When William Peace (2009), a cultural anthropologist who uses a wheelchair first arrived at Columbia University in the late 1980s to attend graduate school he was warned by Robert Murphy, the famous anthropologist and a person with a mobility impairment that he could not afford to fail. Murphy had no doubt in his mind that if Peace were to fail to complete his degree it would be used to justify the future exclusion of students with disabilities at Columbia for many years. This thought both terrified and inspired Peace because he knew that it was true. At the time Columbia, like most private and public American postsecondary institutions was a bewildering maze of physically inaccessible landscapes and structures, with a hodgepodge list of seldom enforced accessibility and accommodation policies. Despite these many obstacles, and with Murphy’s direct support, Peace went on to earn a PhD in cultural anthropology in 1992—though he doubts that it would be possible for him to do so today.

What changed while Peace was at Columbia was the law. Heralded as the crowning glory of the disability rights movement, the Americans with Disability Act (ADA; Public Law 100-336) was the culmination of over a decade of struggle by persons with disabilities to gain fair and equal access to all segments of American society, including higher education. More comprehensive and far reaching than previous legislation, such as the Rehabilitation Act of 1973 (Public Law 93-112) which prohibited discrimination on the basis of disability in programs
receiving Federal financial assistance, the ADA extended civil rights protections to employment, State and local government services, public transportation, public accommodations, commercial facilities, and telecommunications (U.S. Department of Justice 2005). However, the glacial pace of progress in implementing the ADA at colleges and universities has caused persons with disabilities to question the law’s effectiveness (Association on Higher Education and Disability 2009; Henderson 2001) as well as many schools’ commitment to overcoming what Peace (2009;) has described as an “unmovable wall of tradition that is very difficult to change.”

Research has shown that higher education is one of the most critical determinants of life chances for persons with disabilities in terms of employment, income, health, housing and social inclusion (Levin, Belfield, Muennig and Rouse 2007; Riddell, Tinklin and Wilson 2005:1; Stodden and Dowrick 2000:19; Chard and Couch 1998:608). Typically persons with disabilities who earn a bachelor’s degree have employment outcomes, annual salaries and graduate school enrollment rates similar to their counterparts without disabilities (Madaus, 2006; National Council on Disability 2003; Horn and Bobbitt 1999:45; Braddock and Bachelder 1994:25). Yet students with disabilities are still half as likely to attend college and complete degree programs as their nondisabled peers (Harnett, Morris and Stengel 2008; Kine and Topolski 2006; Rothstein 2003), and are also far less likely (5.7% compared to 28.3%) to attend a four-year institution (National Longitudinal Transition Study-2 2005).

This is reflected in employment statistics which indicate that 20 years after the ADA was first enacted persons with disabilities are still underrepresented in the labor market. Despite the desire and ability to work, 62% of the fifty-four million Americans with disabilities are currently unemployed with over 25% living in poverty (Erickson and Lee 2007; Northern Illinois University 2004; University of Kansas 2004; U.S. Department of Education 1999). Even within
the federal work force, the nation’s largest employer, the participation of People with Targeted Disabilities (PWTD) has steadily declined, reaching the lowest percentage rate (0.94%) in 20 years (U.S. Equal Employment Opportunity Commission 2008). When persons with disabilities are able to find employment it is often at menial and poorly paid jobs earning an average annual income of $15,000 compared to $39,300 for workers without a disability (Harnett, Morris, and Stengel 2008:5). The situation worsens in times of economic distress when persons with disabilities are usually the first to be discharged and the last to be hired (United Nations Enable 2009; Kaye 2003:9; Yelin and Katz 1994:36). For example, by October of 2009 the percentage of persons with disabilities in the labor force had shrunk to 22.7% compared with 70.5% for persons without disabilities, with unemployment hovering at 16.5% for persons with disabilities compared to 9.2% for those without (U.S. Department of Labor 2009).

The President has responded that all Americans with disabilities who want to work should have the supports and services they need in order to succeed, including fair and equal access to a postsecondary education (The White House 2009). Therefore opportunities for inclusion need to be expanded and barriers removed that prevent persons with disabilities from seeking and completing higher education (Obama for America 2008). There are six general categories of barriers to participation that effect postsecondary students with disabilities—architectural, attitudinal, educational, employment, legal and personal (Barnes and Mercer 2003; Bowe 1978). Of the six, institutions tend to focus on educational, architectural and technological barriers within the classroom environment and on providing relatively low-cost accommodations. These include academic adjustments (extended time on tests, reduced course load and changes in classroom location) and auxiliary aids or services (note takers, sign language
interpreters, and assistive technology) associated with certain types of disabilities (U.S.

This has led to an increase in the numbers of students with learning disabilities, which has tripled in the last 10 years (Wolanin and Steele 2004), and who now comprise 60% of the total population of postsecondary students with disabilities (Brinckerhoff et al. 2002). But accommodations have done little to increase the participation rate of students with physical impairments, which has remained static or declined (Association on Higher Education and Disability 2009; Peace 2009; Henderson 2001). For example, from 2000 to 2008 the participation rate for postsecondary students with orthopedic or mobility impairments dropped from 30% to 15%, with similar downward trends reported for students with vision impairments and significant ongoing illnesses (U.S. Government Accountability Office 2009).

Most students with disabilities are generally satisfied with the academic accommodations they receive (Elacqua 1996; West, Kregel, Getzel, Zhu, Ipsen and Martin 1993) and most colleges and universities are reasonably accommodating when it comes to ensuring the physical accessibility of buildings, classrooms, and most facilities (Beilke and Yssel 1999). However there are still many barriers that disproportionately affect students with physical impairments in exterior environments where movement, space and speed are the primary focus (Egilson and Traustadottir 2009). In such areas accessibility is determined by a number of different variables including: the spatial distribution of potential destinations; distance, time, ease and cost of reaching each destination; mode of travel and type of impairment; and the magnitude, quality and character of the destination’s activities (Erickson and Lee 2007; Church and Marston 2003; Handy and Niemeier 1997; Weibull 1976).
These findings are consistent with surveys of students with physical impairments who have noted that cost, lack of adequate transportation, and the inaccessibility of many campuses are some of their most pressing concerns (McKenzie 2009:13; Tinklin, Riddell and Wilson 2004; Stodden, Whelley, Chang and Harding 2001). Yet according to many state and federal legislators and school administrators the elimination of these same barriers are some of the most successful fronts in the effort to make higher education more inclusive (U.S. Government Accountability Office 2009; Wolanin and Steele 2004:54; National Council on Disability 2003). These differences of opinion serve to highlight the conceptual nature of “accessibility,” which according to Gould (1969:64; Church and Marston 2003; Ingram 1971:101) is a “slippery term” that is often difficult to define and measure.

While some legislation has addressed exterior accessibility, such as Section 504 of the Rehabilitation Act of 1973 and portions of the ADA, the possibility of broadening access standards at postsecondary institutions to include fees and other costs has not been adequately addressed. According to Alcock (2006:175) “poverty is disability’s close companion,” and having a physical impairment is often quite expensive. Costs in excess of tuition, fees, books, and everyday living expenses may include disability related services, such as personal care attendants, assistive technology and adaptive equipment, specially adapted personal transportation, and ongoing medical expenditures (U.S. Government Accountability Office 2009; Kaye 2001). Persons with physical impairments may also need to reduce their course load or withdraw from classes because of complications related to their impairment. This in turn may adversely affect their eligibility to receive the maximum amount of financial aid. Yet special provisions for extended financial aid and waivers of parking and other fees are normally not
available. Students with disabilities may also take twice as long to complete their degree as their peers without disabilities, thereby acquiring additional debt—another barrier to their success (National Council on Disability 2003).

Certain provisions embedded in the laws actually exacerbate the situation. For example, Section 504 of the Rehabilitation Act of 1973 does not require schools to create a totally barrier-free environment so long as students with disabilities are not hindered from participating programs or activities (West et al, 1993). This means that access barriers do not have to be examined as a systemic or structural issue, but only need to be addressed on a case by case basis. Because barrier removal was considered a continuing obligation it was anticipated that affected public institutions would work steadily to improve access over time. Therefore there was no need to establish deadlines by which compliance had to be demonstrated. Unfortunately many colleges and universities have continued to offer only case by case adjustments, placing the responsibility for access on individuals with disabilities who must continually request accommodation for the same barriers time and time again (Riddell, Tinklin and Wilson 2005; Center for the Study of Postsecondary Educational Supports 2000).

The intent of Congress in enacting these laws was clear: to protect persons with disabilities from discrimination resulting not from invidious animus, but from thoughtlessness and indifference (Rothstein 2006:11). However, the de facto result of these provisions has been to foster a laissez-faire, top down institutional attitude of benign neglect (Riddell, Tinklin and Wilson 2005; Center for the Study of Postsecondary Educational Supports 2000; Ross 1998). This is frequently reflected in the composition of college and university boards of trustees, planning or advisory boards, councils or committees, where persons with disabilities are
noticeably absent even though federal law requires that persons with disabilities be consulted when developing policies, applying for state and federal grants, planning alterations to existing structures, or constructing new facilities (National Endowment for the Arts 2003; U.S. Access Board 2001; U.S. Department of Transportation 2001). Rationalizations include common exclusion myths, such as persons with disabilities are not interested in participating, or that it is too difficult, time consuming, or expensive to include them, or that because their numbers are so low (due to discriminatory barriers) excluding them from processes that directly affect their lives is not an issue (U.S. Agency International Development 2010).

Though architecture is one of the key ways a culture manifests itself in the physical world (CETLD 2011), facilitating access and inclusion in higher education involves more than adapting buildings or offering accommodations. It is part of a broader process which must be achieved through a lasting transformation of the economic, institutional, and cultural forces that shape our society (Gleeson 1999). Access to college campuses and educational programs in all fields of study is problematic for people with physical disabilities. Yet barrier removal in and of itself is insufficient without addressing the broader societal value systems and relations that have historically served to stigmatize, marginalize, and discriminate against persons with disabilities.
Students in wheelchairs writing a response to the question on the blackboard—“What obligation has the state to the social outcast?” Architectural Press Archive/RIBA Library Photographs.
Chapter 2 – The Built Environment
Modernism and Eugenics; Social Production of Space and Place; Anthropology and Disability

*I believe in standardizing automobiles, not human beings*—Albert Einstein (Viereck 1929).

A university campus is like an archipelago of islands in the form of buildings and other structures surrounded by a sea of parking lots, pedestrian pathways and decorative landscapes—all of which are components of the *built environment*. “Built environment” is relatively new term that may be used to describe everything humanly created, made, modified, constructed, arranged or maintained throughout history (McClure and Bartuska 2007:4; Baker 2002:25; Lawrence and Lowe 1990:454). As such, the built environment may also be viewed as the physical expression of human needs, wants, and personal and collective beliefs. Cultural values and ethics underlie every decision made in shaping and reshaping the built environment. Sometimes these decisions enhance the life experiences of all persons equally. At other times they create physical and societal barriers that prevent persons with disabilities from participating in many of life’s activities.

The built environment has also played an active role in shaping people’s views of who and what is “normal” (University of Brighton 2010). Until the latter part of the 20th century modernism was the dominant philosophy in geography and architectural design, which Knox and Marston (2004) have described as a forward-looking view of the world that emphasized reason,
scientific rationality, creativity, novelty, and progress. Modernism affirmed the power of human beings to create, improve, and reshape the built environment with the aid of practical experimentation, scientific knowledge, and technology. This was expressed architecturally through an innovative and extensive range of architectural characteristics and styles based on the premise that an average or normal user could be statistically determined. These styles continued to be used in the construction of public buildings until the mid-1960s (Robinson and Foell 2003).

The concept of “average man” was first introduced by Adolphe Quetelet (1835) in A Treatise on Man, and the Development of His Faculties, in which he argued that average human traits could be statistically determined and grouped according to the normal curve. Previously, the idea of an average or normal person was unheard of, with all members of society ranked somewhere below a mythological, and therefore unattainable ideal (Davis 1995). Though Quetelet’s work began as a means of summarizing average characteristics of a human population, his writings also suggested that the intent of nature was to create an ideal-type of person, and that deviations from this ideal might be classified as errors (University of Minnesota 2010). Thus Quetelet’s ideas helped give strength to ideas of racial differences in Europe and had a powerful influence on social research in the mid to late 19th century.

**Modernism and Eugenics**

Eugenics, from Greek *eugenēs* meaning wellborn, originated in Europe and was based on the work of British anthropologist Sir Francis Galton who first coined the term in 1883 (American Anthropological Society 2007; Childs 2001). Like other influential and wealthy people of his time Galton was concerned by what he perceived as the “tendency of high civilization to check fertility in the upper classes” (Galton 1904). After analyzing the lineage of
eminent men in Europe, Galton became convinced it was their superior biological inheritance that determined their social position. Galton argued that by applying Mendel’s principles of genetic inheritance to human behavioral traits, just as animal breeders do for livestock, the human species might be improved and racial purity preserved. The results of Galton’s study were published in *Heredity Genius* in 1869.

Galton proposed encouraging the reproduction of large and thriving families “in which the children have gained distinctly superior positions to those who were their classmates in early life” (Galton 1904) thus increasing the upper classes by a process of selective breeding that he termed *positive eugenics*. Galton also introduced the concept of *negative eugenics* in which persons with disabilities and other abnormal undesirables, such as those originating from inferior cultures and unproductive members of the lower classes (which he classified according to civic usefulness) might be “quickly and kindly” (Galton 1904) removed from future generations through restrictive breeding practices.

Galton’s work coincided with a shift from the moral to the medical model of disability. The moral model, which viewed physical or mental impairment as a form of punishment inflicted upon an individual or family by some external force, was slowly replaced toward the end of the 19th century by the medical model of disability. The medical model (sometimes referred to as the biological-inferiority or functional-limitation model) viewed human difference as predominantly a medical or biological issue (Seelman 2004; Fawcett 2000; Mackelprang and Salsgiver 1999). According to this model the cause of disability was located within the body of the individual with the impairment. Therefore it was the individual, not society that needed to be fixed. The medical model also fostered the belief that persons with disabilities and other social
undesirables might be “cured” by professional intervention. However, when those cures proved to be elusive the focus quickly shifted to prevention.

In the United States the late 19th century was a time of unprecedented technological, economic, and cultural changes (Guterl 2001:15). With the closing of the frontier and the end of continental expansion, millions of African American and immigrant people found themselves concentrated in increasingly industrialized cities. From this background of widespread social, economic, and cultural confusion emerged a nationalist narrative of racial classification, competition between races, and a history of rising and falling civilizations. In this politically charged environment the concept of negative eugenics was quickly embraced by many progressives, sweeping across the Atlantic to the United States where its promise of solutions to a growing population of inmates in prisons, asylums, poorhouses, and orphanages gained support among many prominent figures and scientists of the time (Snyder and Mitchell 2006:74).

Through statistical, anthropometric and IQ testing the numbers of those identified as “defective” quickly grew to include immigrants, ethnic minorities and “promiscuous women”—though it was persons with disabilities who bore the brunt of the eugenics onslaught. As the numbers swelled the so-called “helping professions” flocked to participate in the identification, care, and training of those who were labeled “feebleminded” (Snyder and Mitchell 2006:73). Institutions for the incarceration of defectives soon proliferated, as did federal legislation aimed at curbing immigration (Lombardo 2002). The medical and natural sciences, public health, and the humanities and social sciences all competed for funding from philanthropic organizations that promoted eugenics. For example, between 1918 and 1940 the Rockefeller Foundation awarded nearly 55 million dollars to the social sciences, including psychology, sociology, and
The eugenicists soon realized that restrictive marriage laws and the warehousing of defectives would never be enough to break the cycle of genetic inheritance. This led to the introduction of compulsory sterilization laws adopted by over 30 states, beginning with Indiana in 1907, and followed by California and Washington State in 1909 (Kaelber 2009). The legitimacy of these laws, intended to “stop the cycle of hereditary transfer” (Snyder and Mitchell 2006:79), were upheld in 1927 in an 8 to 1 decision by the U.S. Supreme Court. Writing for the majority in *Buck v. Bell*, Supreme Court Justice Oliver Wendell Holmes infamously legitimized the eugenics pogrom, stating that:

> It is better for the entire world, if instead of waiting to execute degenerate offspring for crime or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind . . . Three generations of imbeciles are enough (University of Virginia 2009)

At the pinnacle of popularity in 1930s eugenics was taught in nearly 400 colleges and universities in the United States, including Columbia, Harvard, and the University of California. Many institutions, including Washington State University, continued teaching classes in Human Heredity and Eugenics (Zoology 61) into the 1950s (Jones 2007). In some states, compulsory
sterilization continued into the 1970s resulting in the sterilization of over 60,000 individuals in
the U.S.—the majority of whom were women and/or persons with disabilities (Kaelber 2009).

U.S. legislation also served as a template for similar eugenic laws and practices
implemented by Nazi Germany. For example, between 1934 and 1945 Germany sterilized
approximately 350,000 individuals under the Law for the Prevention of Progeny with Hereditary
Diseases (U.S. Holocaust Memorial Museum 2009). Nazi sterilization programs were later
augmented in 1939 by the secretive German T4 program that resulted in the systematic
euthanasia of an estimated 225,000 institutionalized mentally and physically disabled children
and adults. Today, the T4 program is widely recognized as the precursor for Germany’s broader
genocidal policies in which millions of Jews, Gypsies, Poles, homosexuals, Jehovah’s Witnesses,
Soviet prisoners of war, and political dissidents were murdered as part of Nazi Germany’s Final
Solution.

Of the more than thirty states that adopted compulsory sterilization laws, only seven have
offered formal apologies for their actions. Of those only one, North Carolina, is currently
considering compensation for the roughly 2,944 living victims of its state sponsored program.
According to Paul Lombardo, a professor at Georgia State University's College of Law, this is
probably not surprising considering that “sterilization was always a cost-cutting measure.
The argument was anybody who generates social costs shouldn’t be allowed to have children”
(Elder and Breen 2011). In North Carolina roughly 85% of the victims were women or girls,
some as young as 10, mostly poor and black—unlike the pro-sterilization members of Winston-
Salem-based Human Betterment League who were prominent, wealthy, white citizens, including
founder and hosiery magnate James Hanes (Begos 2011). Unfortunately, fiscal conservatism may still hold sway and questions of fairness may yet be pushed aside by simple economics.


Even the dead have often been forgotten or erased, such as persons with disabilities who perished in state run institutions like Northern State Hospital (NSH) in Sedro Woolley, WA. From 1913 to 1957, NSH interred over 1,500 patients in the hospital’s cemetery: a spongy parcel of ground with a high water table that required corpses to be weighted down to keep them from floating until the graves were closed (McGoffin 2011; Bourasaw 2006). Stones with the occupant’s initials were used to mark the graves, which were often moved and then randomly replaced to make it easier to mow the grass. From 1957 until 1974, when NSH closed, 204 patients were cremated and their remains stored in the hospital morgue in tin cans from the Hospital cannery with the deceased patient’s hospital number printed on each in grease pencil. These were later moved to the Hawthorne cemetery in Mount Vernon, WA and placed in the cemetery garage for storage until 1984.
After the manager complained to the local newspaper, which sparked public outrage, the unclaimed ashes were finally interred at Hawthorne. But the controversy surrounding NSH only got worse. When the hospital closed, anything judged to be of little or no value was simply left in the abandoned buildings or taken to the Whatcom county dump. This included the contents of the hospital’s anatomical museum; a small collection of human body parts used to demonstrate various forms of pathology to the hospital’s staff. When a dump employee uncovered the human remains another publicity storm ensued.

Northern State Hospital Cemetery grave marker.  
http://www.nwhikers.net/forums/viewtopic.php?t=7963153

About this same time the non-profit organization Norlum Foundation was formed by the hospital’s former director to raise funds for the redevelopment and restoration of portions of the site, particularly the superintendent’s mansion. However, most of the Norlum members showed little if any interest in restoring the cemetery. After about ten years of frustrated lobbying efforts by a small but determined group of local citizens a modest amount of capital funds was eventually approved by the state Department of General Administration (which owns the property) and the Department of Social and Health Services (whose predecessor agency operated
the hospital) to restore and enclose the property, provide for maintenance, and erect signs and a small memorial (Bourasaw 2006). 

Restored site if the Northern State Hospital Cemetery.
http://www.nwhikers.net/forums/viewtopic.php?t=7963153

Modernity and eugenics also played a significant role in the movement to legalize abortion (Dolgin 2003). In the early part of the 20th century pioneers of the birth control movement routinely cited race, poverty, disease, and physical and mental impairment as reasons to support their cause (Neumayr 2005). Comparing propagation of people with disabilities to social theft, Margaret Sanger (1922:132) wrote in The Birth Control Review that “funds that should be used to raise the standard of our civilization are diverted to the maintenance of those who should have never been born.” Since the 1970s American laws have increasingly supported the right of adults to negotiate their own realities and affect their own choices, including a women’s right to selective abortion. Unfortunately, rather than resolve the controversy over selective abortion the high court’s decision in Roe vs. Wade (U.S. Supreme Court 410 U.S. 113; 1973) resulted in a hardening of the lines of debate between the voices of modernity and tradition (Asch 2000). Thus, pro-choice and pro-life adherents have continued to adamantly disagree with seemingly little possibility of finding common ground.
Current disability rights critiques of selective abortion have attempted to reshape the debate in which choices are entertained by both individuals and society. In general, disability rights advocates do not oppose the right of prospective parents to undergo prenatal testing and to abort a fetus (Asch 2000). Their concern is that a society anxious to avoid the births of children with physical and mental impairments is a society unprepared or unwilling to provide for the needs of people with disabilities who are living in the present. “The concept of the geneticized-self endangers the basic human rights of persons with ‘bad’ genes since they are then defined outside of humanity and potentially outside the boundaries of moral responsibility” (Fitzgerald 1998). This argument was seconded by Andrew Imparato (Harmon 2005), president of the American Association of People with Disabilities (AAPD) and a person with a disability. “We’re trying to make a place for ourselves in society at a time when science is trying to remove at least some of us” (Neumayr 2005). Imparato was concerned this sends a message that being born with a mental or physical or impairment is a fate worse than death. “It is not a progressive value to think that a disabled person is better off dead.”

**Social Production of Space and Place**

While the eugenics movement has been labeled one of the bleakest periods in American history for persons with disabilities, the situation began to change by the late 1960s. Following the example of the civil rights movement, persons with disabilities began challenging the widely held myth that people with disabilities led tragic or lesser lives and were thus incapable of being educated, working, caring for themselves or contributing to society. In the U.S. this change began on the University of California, Berkeley campus in fall of 1962 when Ed Roberts, a person with quadriplegia was lifted from his wheelchair and carried up the inaccessible stairs of
Cal Hall. According to Roberts “It was a perfect day, a wonderful day, an exceptional day, the first day of class, the first day of my freedom, and the first day of my life as a self-sufficient person” (Shapiro 1993). “Helpless Cripple Attends U.C. Classes Here in Wheelchair” was the headline of the Berkeley Daily Gazette (Elinson and Yogi 2009).

Space and related concepts such as accessibility and mobility have always been profoundly important issues to persons with disabilities. Yet the spatial disciplines of architecture, urban planning, and geography traditionally took little account of the needs of persons with physical impairments or noticed how social and spatial process had disabled rather than enabled them (Gleeson 1998). This began to change in the 1970s as a small but growing group of geographers and social scientists moved away from epidemiologically orientated studies and began focusing on disability issues from the perspective of social theory (Park, Radford and Vickers 1998). Inspired by the writings of French philosophers Michel Foucault (1967; translated 1984) and Henri Lefebvre (1974; translated 1991) researchers began examining how public policy and the physical structures of society have created barriers for persons with disabilities (Unwin 2000:12; Imrie 1993). However, these few voices were largely subsumed by urban discourses on immigration, ethnicity, sex and gender, poverty, and criminality.

In his writings Lefebvre (1974; 1991:28) argued that human manipulation of space reflected societal interrelationships. His work was revolutionary because traditional Marxists regarded the built environment as little more than a means of production, which according to Henslin (2002:159) included instruments of labor, such as tools, buildings, infrastructure, etc. used in the production of a product. Lefebvre noted that space was not an inert, neutral, pre-existing given, but a dynamic, ongoing social negotiation (Lefebvre 1991.73). In addition to
being a means of production, space “is also a means of control, and hence of domination, of power . . . a social and political power one buys and sells” (Lefebvre 1987:30). Thus, according to Lefebvre, the question of control over spatial relations and design should be accorded the same importance to society as the struggle over other means of production (Gottdiener 1985:125).

Though Lefebvre’s book was a dense and complex text subject to many interpretations that were described as “walking across quicksand or trying to find the end of a rainbow” (Unwin 2000:14) Lefebvre’s and Foucault’s ideas were an immensely provocative source for thinking about the politics and production of space, as well as instrumental in placing space and the built environment on the academic map as a locus for social investigation (Baker 2002:29). These ideas were later expanded to include the concept of social justice and its application to spatial and geographical principles of urban and regional planning and design (Harvey 1973; Soja 1989). However, recognizing that space is more properly conceived of as abstract geometrics detached from material form and cultural interpretation, urban researchers began focusing on places filled with people, practices, objects and cultural representations as the locus of social, political and collective action (Gieryn 2000; Unwin 2000; Harvey 1996; Imrie 1993).

Anthropologist’s interest in studying urban built environments first emerged as indigenous peoples were becoming increasingly integrated into the urbanized world. This led to a shift within cultural anthropology from its exclusive emphasis on small groups to include the study of large, complex and industrialized societies. By the 1970s urban anthropology was being defined as a distinct group within the larger field of cultural anthropology focused on urban issues such as migration, kinship, and poverty (Al-Zubaidi 2010; Basham 1978). The Society for
Urban Anthropology (SUA) was founded in 1979, and by the 1980s urban anthropologists had expanded their interests to include many aspects of urban life. As a result urban anthropology gradually became more integrated into the discourse of the other social sciences than in traditional anthropology, though research trends continued to reflect a preference for the exotic, minorities, ethnic enclaves, and small-scale units (Zubaidi 2010).

The shift to urban studies was also accompanied by a change in ethnographic fieldwork methods, such as participant observation focused on creating close rapport with a small number of informants in rural settings. However, this was often difficult to achieve in an urban context. Focusing exclusively on small groups (such as tribes or other social units in traditional anthropology) can lead to a fragmentary picture of urban reality (Fox 1977). Therefore anthropologists needed to expand their scope and incorporate new skills, such as Critical Discourse Analysis (CDA).

CDA is an interdisciplinary tool used to systematically explore opaque as well as transparent structural relationships of dominance, discrimination, power, and control as manifested in language and other symbols (Wodak 1995:205; Blommaert and Bulcaen 2000). By combining CDA with participant observation urban researchers were provided with the means to focus on a subset of experiences related to a particular group of people within the larger social context (Baker 2000; Low 1999; Rotenberg and McDonogh 1993).

Because words are never neutral, one of the central attributes of the dominant discourse is its power to interpret conditions, issues, and events in favor of elites (McGregor 2004). Dominant discourses serve dominant social interests and are frequently employed to make unbalanced power relations and portrayals of social groups appear natural, normal, and self-
evident—when they are actually laden with prejudice, injustice, and inequity. Discourse, then, is always a terrain of struggle—seldom conducted on a level playing field (Fiske 1994)—where the words of those who are not in powerful positions are often dismissed as irrelevant, inappropriate, or without substance (Van Dijk 2001).

Lisa Peattie’s (1987) study of an urban development project in Venezuela is one example of urban anthropological investigation of what geographer Brendan Gleeson (1998) terms “marginalizing spatial discourse.” By examining the multiple interests involved in the urban planning process Peattie (1987:51) revealed how urban planners frequently disregard the desires and needs of the people who currently live at a location through a “top-down professional activity called design.” Central to Peattie’s research were the many problems associated with influential “bureaucratic outsiders” who envisioned the future site from an elite perspective to be used by imported urban dwellers of a similar social stature. Though the project’s designers were committed to providing lower income housing, they failed to understand what “lower income” actually meant. Therefore their designs were beyond the financial reach of many of the city’s resident population. According to Peattie (1987:3) the problem with such designs was that they are frequently envisioned as final outcomes, rather than as processes, with little or no involvement of the native underclass. Peattie summarized the situation by noting that the residents were in the present, whereas the city was in the future.

Similar outcomes have also been observed in places like Seattle, WA. Prior to construction of the 1962 Seattle World’s Fair the 57-year-old Warren Avenue Public Elementary School, with several programs for students with physical impairments, was demolished and its programs dispersed to provide most of the site for the World’s Fair Coliseum (presently the Key
Arena and home of the Seattle SuperSonics) (Thompson 2002). Also near the school, in an area known as the Warren Avenue Slum, over 200 of the Seattle’s oldest houses, apartments buildings, and commercial structures were razed to make way for the fairgrounds. City planners felt that redevelopment, in addition to economic stimulus, would further the city’s goal of reducing slum and blight around downtown (Findlay 1992). However, their arguments failed to make any inroads with the Seattle Archdiocese of the Catholic Church who flatly refused to sell or donate any properties that it owned in the Queen Ann area (Nard 1972).

Many former residents had fond memories of the neighborhood. “I wouldn’t have traded living in the Warren Avenue neighborhood for anything,” said Mrs. Friedli. “It had so many advantages. Industry was close by and [Elementary School] classes could walk down to visit the waterfront and go through the Washington Co-operative plant and bakeries” (Berger 2011). The destruction of a large swath of South Queen Anne caused Seattle residents to reconsider the wholesale demolition of so-called “blighted” neighborhoods in favor of large-scale civic and commercial projects. Many felt that Seattle was losing significant public memories as ethnic and
working class histories were erased, and that livable and diverse neighborhoods were something to be nurtured and preserved rather than problems to be erased by bulldozer. “There were cable cars on the Queen Anne counterbalance and the Civic stadium was on the auditorium site. Kids used to climb fences to peek at games. There was always something going on” (Berger 2011).

As local manufacturing has disappeared from U.S. cities culture has increasingly become the foundation upon which many of their economies depend (Zukin 1995). Art, artists and historic preservation are key players in the re-definition of the postindustrial urban landscape and increasingly serve the interests of a service-based economy by precipitating redevelopment of urban space. Indeed, artists are often the catalyst for gentrification and redevelopment of urban space by moving into former industrial areas. These activities in turn attract corporate and private entities interested in redeveloping urban places that have undergone decline, disuse, and daily occupation by so-called undesirables, such vagrants and drug dealers. “Their visibility in forms of the built environment, in public art, art galleries, museums, and studios emphasizes the moral distance from old, dirty uses of space in a manufacturing economy” (Zukin 1996:44).

Architects and designers often frame and define their products in ways that manipulate impressions. By employing architecture, landscapes, museums, public art, and sports and leisure opportunities they attempt to create interesting visual experiences that portray cities as world class institutions, foster civic pride and loyalty, and create a strong sense of community, thus establishing a competitive advantage over other cities for the purpose of attracting business and tourism. Symbolic images and representations therefore have real economic power. The production of place also depends on considerations of what and who should and should not be visible, concepts of order and disorder, and the interplay between aesthetics and function. In such
depictions those who may offend the dominant group sensibilities (Davis 1992) often disappear entirely from what Zurkin (1995:12) terms “landscapes of consumption.”

Many urban revitalization projects also include waterfront redevelopments in which former industry is presented as a form of cultural tourism (Sieber 1993). This is accomplished through the use of history as a marketing tool to promote spectacle and to create what Boyer (1993) calls “scenographic spaces” devoid of any concept of place. Boyer argues that architects often peddle nostalgic recreations of an imaginary past to urban planners “in need of saccharine historical fixes” in order to recapture a kind of simulated golden age before the industrial revolution (Baker 2002). Former sites of commerce and industry, such as downtown districts and waterfronts, are thus transformed using Victorian themes and pseudo-historical interpretive materials, while at the same time ignoring or erasing the historic contributions of different ethnic and socioeconomic groups (Low, Taplin and Scheld 2005).

Designers also employ interesting visual images and experiences, such as the quiet viewing of water, art, and open “natural” spaces (Griffith 1994). Even seemingly “neutral” aspects of urban life, such as recreational activities reveal who the intended users of these spaces are and usually feature ablest, middle class activities such as walking, bicycling, jogging, sailing, swimming, exercise, and athletic events (Sieber 1993:188). Thus the ideological function of “public places” manifests itself in array of spatial strategies, from recreational facilities that offer clearly defined ablest and elitist leisure activities attractive to only certain segments of the population, to public art that signifies and sanctifies urban space as “public,” despite the fact that only certain segments of the population are taken into consideration in the production of such places (Baker 2002).
Open or “green spaces” are therefore sites of potential confrontation. For example, Low, Taplin and Scheld (2005) studied five parks and beaches in New York, New Jersey and Philadelphia to uncover conflicts and divisions that can separate rather than connect people and their communities. Parks are vital public spaces that developers have discovered need to come first before buildings and even roads, where people of all ages, classes, abilities, races and persuasions should be able to mingle in relaxed settings while enjoying a variety of recreations. However, open spaces are not always safe or pleasant places. Strangers mingling in public places and fears of violent crime have inspired the growth of private police forces, gated and barred communities, and a movement to design public spaces for maximum surveillance. Thus open spaces often become grounds of conflict and division when made inhospitable to certain groups of people due to high entrance fees, usage rules that restrict minority activities, and restorations that focus only on historical or aesthetic values.

Multiculturalism and diversity imply sharing public space—streets, buses, parks and schools—with persons who are often visibly quite different, such as minorities, the poor, “street people,” and persons with disabilities (Zurkin 1995 viii). Because this seldom happens in real life, architects, urban planners, developers, and cultural institutions established to enhance their city’s reputation have frequently been challenged as elitist. Questions have also been raised over the blurring of distinction between public and private/commercial spaces, and the loss of public stewardship to the control of private interests (Zurkin 1995:24). Yet for all its potential application to disability studies, social production of space and place theory has seldom been applied to higher education.
According to Gleason (1998) Western societies have a long history of solidifying the connections between disability and the production of space and place and processes whereby the exercise of power largely determines who benefits and who loses from the creation of new places. In response to the growing literature on disability and its importance as a public policy issue many social scientists have adopted a more politically informed prospective that views the exclusion of persons with disabilities as an infringement of their human rights (United Nations 2006). Recent work has therefore sought to move beyond the general implications of urban design or public policy on accessibility issues to include the lived experiences, perceptions and political struggles of persons with disabilities and their efforts to organize and to create a sense of community and identity (Park, Radford and Vickers 1998; Nader and Maretzki 1974).

Facilitating barrier-freedom for persons with disabilities is more than providing fixtures or fittings or adapting part of a building or even the wider built environment. It is part of a broader process which, as Gleeson (1999:115) suggests, must be won through a lasting transformation of the political, economic, institutional, and cultural forces that shape public institutions, higher education, and society as a whole. Therefore, anthropologists and other urban researchers need to focus on developing research strategies that are both participatory and emancipatory, that seek to demystify the ideological structures within which power relations are located, and to assist people with disabilities in creating conditions for a process of self-definition, involvement, and the taking of political power for themselves (Imrie 1993; Oliver 1992; Nader and Maretzki 1973).

**Anthropology and Disability**
Those who have the good fortune to devote their lives to the study of the social world cannot stand aside, neutral and indifferent, from the struggles in which the future of that world is at stake—Pierre Bourdieu (Hiller and Rooksby 2005:7).

Though archeologists have been studying built environments since the founding of the discipline, anthropologists have been slow to recognize their significance for persons with physical impairments. While uniquely suited to such inquiry, anthropology’s engagement in disability studies has historically been marginal (Reid-Cunningham 2009:101; Klotz 2003:1; Hershenson 2000:151). Disability has often been perceived as too much within the purview of advocacy and identity politics to offer theoretical frameworks applicable in diverse contexts (Fjord and Manderson 2009). While feminist and racial discourses have produced substantial bodies of work on race, gender, sexuality and nationality, disability has seldom been included in these social groupings (Mitchell and Snyder 2000). Though the disability rights community has repeatedly emphasized the importance of including disability studies in university curricula since the 1970s (Linton 1998) there continues to be a conspicuous absence of disability content in multicultural courses, texts, and journals. Indeed, less than one percent of pages even mention disability, and much of the information presented has been shown to be both superficial and inaccurate (Neito and Johnson 2007; Sapon-Shevin and Zollers 1999).

Though anthropologists with disabilities are currently those most interested studying disability, they are frequently discouraged from focusing on a group to which they belong. Should they persist in doing so in a profession with a thinly veiled focus on exotic foreign travel and adventure they run the risk being marginalized and unemployable as academics (Linton 1998; Atkins 2004). Attending academic conferences, vital to future careers, is usually outside the financial reach of many students with disabilities (Peace 2010). These and other concerns
have led to criticisms that anthropology’s few contributions to the study of disability have consisted of overly medicalized studies of impairment, surprisingly clumsy cross-cultural afterthoughts, or the reflections of disabled anthropologists who became impaired after previously establishing their reputations in other topical specialties (Kasnitz and Shuttleworth 2001; Murphy 1987).

American anthropology’s first brush with disability appears to have occurred in the early part of the 20th century during the American eugenics movement (Degler 1989). During that period many physical anthropologists were strong proponents of eugenics and anthropometric testing which they employed to theorize correlations between human physique, temperament, intelligence, and race (American Anthropological Association 2011). Prominent supporters included Earnest Hooton, Curator of Somatology at the Peabody Museum for Archaeology and Ethnology in Boston, and Ales Hrdlicka, Curator of the U.S. National Museum (Smithsonian) and founder of the American Journal of Physical Anthropology. Opposing these views were cultural anthropologists, such as Frantz Boas and Alfred Kroeber, who were particularly well remembered for rejecting racist explanations for inequalities based on biological inheritance rather than historical, socioeconomic, educational, and political circumstances (American Anthropological Association 2007; 1998).

The problem facing Boas and his followers was twofold. On the one hand they adamantly opposed eugenic concepts of racial inferiority and superiority, which Boas labeled “Nordic Nonsense” (Baker 2004:14). On the other they needed to enter into a coalition with biological anthropologists to achieve Boas dream of transitioning American anthropology from a museum-based profession to an academic, four-field discipline (Kronfeldner 2007). To achieve these
goals Boas used the eugenicists' own tools against them, launching an aggressive anthropometric research program in which he measured growth and racial plasticity in immigrants' groups. This culminated in a major study conducted between 1908 and 1910 for the US Immigration Commission that indicated environment played a significant role in determining physical attributes, such as cranial size, which was commonly used to identify racial differences (Stocking 1974:190). The results of these studies undermined the eugenicist's racist arguments and formed the foundation for Boas' *The Mind of Primitive Man*, which was published in 1911.

While Boas and Krober's (1917) positions on eugenics and race were well documented, their position on eugenics and disability were ambiguous at best. For example, Boaz (1911), a strong proponent of anthropology's obligation to speak out on social issues, argued in *The Mind of Primitive Man* that differences of class and culture were the result of history, not biology (Degler 1989). Yet when commenting in *The Scientific Monthly* on applying eugenic principles to persons with disabilities, Boas (1916:478) was uncharacteristically subdued: “The attempt to suppress those defective classes whose deficiencies can be proved by rigid methods to be due to hereditary causes, and to prevent unions that will unavoidably lead to the birth of disease-stricken progeny, is the proper field of eugenics.” Though Boas was also credited with saying that without persons with disabilities societies would lose their adaptive capacities (American Anthropological Association 2010), his arguments were equivocal and subject to multiple interpretations. Regardless of intent, by placing the emphasis on ethnicity and race, the de facto result was that disability was segregated from eugenics debates within the discipline where it remained isolated and largely forgotten by American anthropologists for the next two decades (Couser 2005:123).
One of the earliest American anthropological studies of disability was a comparative analysis of Siberian and American indigenous attitudes towards epilepsy by Ruth Benedict (1934), a former student of Boas and an anthropologist with progressive hearing loss (Garza 2007). Benedict observed that many traditional cultures valued the trance states that occur with epileptic seizures and associated them with the respected roles of spiritual shamans. This differed from Western cultures where epileptic seizures were often considered “blots on the family escutcheon and as evidence of dreaded disease” (Benedict 1934:61). Benedict concluded that both normality and abnormality were culturally defined and that the perception, judgment and treatment of disabling conditions were culturally relative based on different values and interpretations of behavioral and social roles (Klotz 2003:3; Reid-Cunningham 2009:101).

Fourteen years later Jane and Lucian Hanks (1948) examined the societal factors that influenced the status of persons with disabilities from a variety of cultures, including Native American, Asian, Pacific, and African populations (Armstrong and Fitzgerald 1996:247). However their data may not have been comparable because it was derived from the fieldwork of others, thus their efforts had little impact on the discipline and disability studies continued to be marginalized until the 1960s (Klotz 2003:4; Reid-Cunningham 2009:101).

In addition to the polarizing effects of the eugenics movement, the neglect of disability studies by American anthropologists may also have been attributable in part to an increasing disdain by academic anthropologists for colleagues participating in applied research. This included working for the government or private enterprise that was common practice in the early years of anthropology when departments were small and teaching positions scarce (Baba and Hill 2006; Gardner and Lewis 1996; Bennett 1996; Chambers 1987; Kupper 1983). For example,
during the great depression many unaffiliated and unemployed “New Deal” anthropologists found applied work on projects centered on American Indians and reservation life (Stocking 1974). At the same time, due mainly to Boas’ efforts, anthropology in the United States became more entrenched in universities than in museums (Balée 2009) and new anthropology PhDs increased fivefold (Eggan 1963).

This division came to a head at the beginning of WWII when a number of noted anthropologists, including Ruth Benedict and Margret Mead, became disenchanted with academic colleagues they believed were more interested in abstract laws or principles than in helping to solve contemporary social problems. After the United States entered the war more than 90% of American anthropologists were involved in some professional capacity in applied work, with more than half devoted full-time to the Allied war effort (Balée 2009; Gardner and Lewis 1996; Van Willigen 1993). Sensing the time was right, the Society for Applied Anthropology (SfAA) was founded at Harvard in 1941 with the intent “to promote scientific investigation of the principles controlling the relations of human beings to one another, and to encourage the wide application of these principles to practical problems” (Arensberg 1947).

However, following WWII universities grew in size and scope due to an influx of returning veterans using the GI Bill and employment opportunities improved for anthropologists in academic institutions. This resulted in a significant realignment of anthropology toward full integration within university life, with less emphasis placed on practice. There were also lingering concerns that the anthropological effort may have been contaminated by the demands of the employer, such as the federal government in WWII (see Benedict 1946; also Project Camelot, Chile 1964) (McFate 2005). This left applied anthropologists in the ironic
position of being viewed as colonialist and elitist by their academically based colleagues because of their allegiance by paycheck to businesses, governments, and international agencies (Thompson 1976; Bennett1996).

Another issue that may have affected anthropology’s engagement in disability studies was the practice of outsider anthropologists acting as experts in describing and interpreting the internal workings of cultures other than their own. This was perpetuated by notion that professional anthropologists should conduct their fieldwork outside their own cultural group and language because insider anthropologists (like those with disabilities) were too enculturated to objectively make assessments within their own experience (Baba and Hill 2006: 189). This notion has been criticized as an elitist structure in which the researched are often viewed as somehow subordinate to the researcher in what Oliver (1991:10; Deloria 1988) describes as the “social relations of research production.” Thus a “criteria of what constitutes knowledge, what is to be excluded, and who is qualified to know” (Foucault 1971) is established, dismissing other forms of knowing, including other persons knowledge of themselves.

During the 1950s, Margaret Mead, a former student of Ruth Benedict and one of the founders of the Society for Applied Anthropology (SfAA) made a number of public comments that attempted to position persons with disabilities within the realm of Americans without disabilities. Mead (1953) argued that American National Character studies, which had been criticized by many scholars for their homogeneity and over-generalization, needed to include all types of Americans, including persons with disabilities in order to fully understand human nature. However, few anthropologists studied disability at the time (Edgerton 1967) and almost no one was interested in pursuing interdisciplinary venues (Klotz 2003).
By the 1960s attempts were being made by the U.S. Social and Rehabilitation Service to develop a more unified, cross-discipline, qualitative approach to the study of disability which had previously been dominated by quantitative analyses from social workers and medical specialists (Edgerton 1963:372; Gillman, Swain and Heyman 1997). Funding was provided for three national conferences (psychology 1959, sociology 1965, and anthropology 1968) to explore how the behavioral sciences might contribute to rehabilitation (Hershenson 2000: 151). Psychology with its focus on cognitive and behavioral therapy contributed the most with sociology making significant contributions in the areas of social definition (labeling theory) and social determination. However, of the three disciplines asked to participate in the conferences, anthropology’s contributions were the least evident (Chapple 1970).

One of the first anthropological attempts to understand the experiences of people with disabilities from their own perspectives was Robert Edgerton’s (1967) account of deinstitutionalized people living in the community with mild intellectual disabilities. At the time disability was still considered a personal rather than a social problem and most of the research was etic, scientifically “neutral” or detached descriptions of disabilities and their impacts on families. Still, anthropologists continued to focus on race, gender, and exotic others in foreign countries and Edgerton’s study had little impact. Though anthropology’s fascination with otherness and the thickness of the ethnographic stance should have been a boon to disability studies, this promise proved to be late in coming (Reid-Cuninghham 2009; Kasnitz, Switzer Fellow and Shuttleworth 2001; Linton, 1998; Frank 1986), and it was not until the late 1970s with an influx of returning disabled veterans from the Vietnam War and the advent of the disability rights movement that anthropologists began finally taking notice (Battles 2011).
Beginning in the mid-1980s there was a burst of interest in disability, primarily by medical anthropologists, though their main journal *Medical Anthropology Quarterly* made little mention of disability until well into the 1990’s (Reid Cunningham 2009; Shuttleworth and Kasnitz 2004). There was also a newsletter called *Disability and Culture* published by Louise Duval (1986-8) that generated considerable discourse on disability (Kasnitz, Switzer Fellow and Shuttleworth 2001). However, most medical anthropologists continued to employ a therapeutic theme that utilized medical model concepts of disease and illness to explain impairment, with an implied genetic mandate to cure people with disabilities, rather than the social minority model of disability embraced by disability rights activists to explain the cultural processes of disablement (Littlewood 2006).

At the same time other anthropologists like Gelya Frank (1986) and Joan Ablon (1988) were exploring the experience of disability in American culture from the perspective of persons with disabilities. In his 1986 study of congenital limb deficiency Frank developed a long-term relationship with his stakeholder that allowed for a deeper, phenomenological level of disclosure. Ablon’s (1988) research detailed the life histories of three families with dwarf children, their developmental and medical problems, school experiences, social worlds, and how the children fit into their family systems. Studies such as these generated more enthusiasm within the discipline for disability studies, and helped to begin moving anthropology away from a disease framework of disability towards a more ethnographic and human rights focus (Reid-Cunningham 2009; Shuttleworth and Kasnitz 2004).

The 1980’s also saw the opinion of application begin to change. With only 51 percent of new anthropology doctorates finding employment in academia, compared to 75 percent in 1972,
anthropologists working full time in higher education began focusing on training graduates for employment in nonacademic positions outside of the academy (Baba and Hill 2006: 190). However the term applied was still commonly associated with the use of existing knowledge rather than anthropological theory and thinking about knowledge in new ways. This also bore a troubling resemblance to the traditional, colonial role of native anthropologists trained by Western academics to do applied work within their countries of origin, while reserving theoretical anthropology for “hit-and-run” (Tierney 2000), university-based anthropologists who visit their cultures to make observations that enable them to do anthropology in the cause of science or theory (Baba and Hill 2006: 187). This practice has been criticized by both insider and Third World anthropologists, who counter that views from the outside are both narrow and culturally biased (Baba and Hill 2006).

Throughout the 1990’s anthropological interest in disability continued to grow with anthropologists focusing on specific types of disabilities while attempting to uncover the social or cultural factors that influence the experience of what it means to be “disabled” (Angrosino 1998; Becker 1980; Deshen 1992; Gleason 1989). Others have attempted cross-cultural interpretations of disability and studied the problems of universalizing Western biomedical practices (Edgerton 1970; Ingstad and Whyte 1995; Jenkins 1998; Manion and Bersani 1987; Nuttall 1998). Still others have reflected on their experiences as insider anthropologists with disabilities (Armstrong and Fitzgerald 1996, Murphy 1990; Shuttleworth and Kasnitz 1999). For example, Robert Murphy (1990), an anthropologist with paraplegia who noted that people with disabilities offend American sensibilities because their impairments interfere with their ability to achieve ablest American goals such as independence, self-reliance and personal autonomy.
Murphy also maintained that anthropologists with disabilities writing about disability are frequently marginalized and minimized in their field and that while theoretical perspectives of “the other” may provide important insights for anthropologists without disabilities, those with disabilities have particular strengths when working with others like themselves (Battles 2011; Reid-Cunningham 2009; Striker 1999).

Today, disability continues to be under-studied in anthropology, most notably in the subfields of archaeology, linguistics, and physical anthropology, with the bulk of disability studies concentrated in sociocultural anthropology (Battle 2011). Archaeologists in particular have been singled out for their ablest “Indiana Jones” inspired “stereotype of archaeology as a field discipline which may exclude disabled participants” (Fraser 2007; Stone and Walrath 2006). Despite anthropology’s tradition as a holistic, four-field discipline, chasms still remain between the adherents of science, social theory, and application (Gowland and Knüsel 2006), and a more integrated, interdisciplinary approach still remains to be developed. As Schacht (2001:28) has noted, anthropological engagement with disability is “at its best when it draws on more than one branch of anthropology in describing and analyzing the data.” Therefore applied anthropologists, archaeologists, linguists, cultural and physical anthropologists will need to reach across the subfields if anthropology’s engagement with disability studies is to reach its full potential.

Academic and institutional changes take time. However, students, staff, and faculty with disabilities have grown impatient. In 1998, Harlan Hahn, a University of Southern California, Berkeley (USC) professor of political science filed a lawsuit against the university to remove all barriers from campus that limited the mobility of persons with physical impairments (Woo
Hahn, who used a wheelchair and crutches, brought suit after missing a number of meetings because the buildings were inaccessible. Rather than asking for accommodation, Hahn insisted the university eliminate all the barriers throughout campus: a demand that the university found excessive. However, three years later the university settled suit, agreeing to set aside one million annually for barrier removal.

According to Sid Wolinsky of Disability Rights Advocates, the USC campus, considered by many as the birthplace of the disability rights movement, is “quite a model now for accessibility” (Woo 2008). Hahn, who died on April 23, 2008 at age 68, will be remembered as “a thinker and a fighter” because of his belief that accessibility was a civil and human rights issue, and because he “tackled real-life issues from a practical as well as a theoretical standpoint” (Woo 2008). “We wouldn’t have these laws without people like Harlan,” said Ann Crigler, USC chair and professor of political science (Johnson 2008).

Ed Roberts, former Director of California’s Department of Rehabilitation, friend and colleague of Hahn, and the first student with a severe disability to attend USC, Berkeley couldn’t have agreed more. According to Roberts (Diredger 1989:28), who passed away in 1995 at age 56: “If we have learned one thing from the civil rights movement in the U.S., it’s that when others speak for you, you lose.” On 20 July, 2010, California Governor Arnold Schwarzenegger proclaimed January 23 as Ed Roberts Day in honor of “the father of the disability rights movement” (Burris 2010).
According to the American Anthropological Society (2009) nothing human is alien to anthropology, and any aspect of humanity is a legitimate field of study. Yet, with few exceptions, anthropology has proven curiously indifferent to disability as a civil and human rights issue. The history of American anthropology and disability is not a thing of the past. It is part of the present with unresolved tensions that continue to reverberate. Thus “attention to disability rights should begin within the discipline itself” (Battle 201:111). Students with disabilities should be encouraged when they choose to study disability as graduate students, and accessibility issues, such as physical barriers to inclusion and ablest stereotypes (Holtorf 2005) that may affect students with disabilities recruitment or limit their opportunities to contribute to the discipline should be removed.
Chapter 3 – Constructing Disability
Access Legislation; Inclusive Design; Campus Design and Methods

You just don’t understand—Joseph P. Shapiro

Access Legislation

It is difficult to appreciate the impact of the built environment on Americans with disabilities without first considering how persons who are physically different have been treated socially, legally, and politically. Until the latter half of the twentieth century most Americans with disabilities were largely invisible to both the public and the government alike. Kept out of sight or confined to institutions such as nursing homes, asylums and homeless shelters, or restricted from public access by statutes such as ugly laws (Welch 1995:14), persons whose differences or appearance might offend the public’s sensibilities were mostly forgotten and dismissed. However, of all the many obstacles to inclusion faced by persons with disabilities the removal of physical barriers in the built environment has always been one of the most pressing issues (Ungar 2009:1).

It is a strange fact of American history that while some states were promoting the segregation and sterilization of persons with congenital disabilities, the federal government was slowly passing laws aimed at rehabilitating those whose disabilities were acquired. Acquired disabilities became politically visible to most Americans at the conclusion of World War I. Pressured to meet the needs of returning disabled veterans the federal government responded
with vocational rehabilitation legislation in the form of the Smith-Sears Soldier Rehabilitation Act (P.L. 65-178) of 1918, which was later amended after World War II, Korea, and the Vietnam Wars. While the purpose of the legislation was to compensate and reintegrate returning disabled veterans (though it should be noted that the perceived threat of widespread insurrection, rather than a grateful government’s beneficence was what brought about these changes) (Dickerson and Allen 2004) it also brought increased recognition and benefits for civilians. This resulted in the far less generous Smith-Fess Act (P.L. 66-236) of 1920 that provided funding for state vocational rehabilitation programs for civilians with disabilities (Parker, Szymanski and Patterson 2005:47).

These two separate rehabilitation acts, one managed by the federal government, the other by the states, distributed services to persons with disabilities unequally. For example, federal programs for veterans with acquired disabilities focused on vocational rehabilitation, prioritizing services to veterans with the least impairment, while providing compensation and pensions for those whose impairments were severe. This differed from state rehabilitation programs that prioritized services to persons with the most severe impairments, both congenital and acquired. Despite President Roosevelt’s efforts during World War II to introduce a more unified system, federal policies continued to perpetuate separate rehabilitation programs for veterans and civilians, with differing priorities; a practice that continues today. However, neither of these Acts nor their amendments addressed physical or societal barriers to accessibility. Instead, the entire focus was on management, vocational rehabilitation, and employment of individuals with clinical impairments (Welch 1995:15).

The first serious effort to address barriers to inclusion for persons with physical impairments in the built environment was a conference in 1958 sponsored by the President’s
Commission on Employment of the Handicapped, the National Easter Seal Society, and the American National Standards Institute (ANSI), a private standard-setting body that advocated development of voluntary standards for the design of accessible buildings (Welch 1995:15). As a result, standards were developed under a grant from the Easter Seal Foundation and published and distributed in 1961 under the title *Making Buildings Accessible to and Usable by the Physically Handicapped*. The document described the new standards in precise and practical terms as the minimum changes needed to remove barriers that were preventing persons with physical impairments from accessing both public and private buildings and facilities (Welch 1995:16).

These “voluntary” guidelines initially had little impact on designers and building owners. Most were either unaware of the standards or oblivious to the social benefits of implementing them. In 1965 the federal government stepped in, formally acknowledged that architectural barriers were an issue for persons with physical impairments, and established the National Commission on Architectural Barriers. When the Commission issued its report *Design for All Americans* three years later it highlighted lack of awareness and understanding by American businesses, public officials, and design and construction professionals, citing a survey of three thousand architects with almost seven hundred respondents, 35% of who reported that they were aware of the ANSI guidelines. The report also noted that most of the building industry manufacturers and suppliers were also unaware of the existence of standards, that none of the four major building codes included any reference to architectural barriers or their removal, and that many state and federal legislators believed there was little public interested in developing programs that addressed building access (Welch 1995:16).
The report also cited deficiencies in ANSI, including its failure to define the scope of application (facility types, building elements, and how many of each element), the use of vague and confusing language, and the need for more graphics to aid designers in interpreting the information. The Commission’s report concluded that, “the greatest single obstacle to employment for the handicapped is the physical design of buildings and facilities they must use” (Welch 1995:18). In spite of the Commission’s recommendations, existing ANSI standards were reaffirmed—without revision—and continued in use for another decade as the “pivotal document for the forging of federal and state laws” (Lusher 1989:647).

Congress finally responded to the Commission’s findings and arguments that expending public funds on rehabilitation was shortsighted without corresponding legislation to remove architectural barriers by passing the Architectural Barriers Act (ABA) of 1968. The Act required that all facilities designed, built, altered or leased with federal funds be fully accessible to persons with physical impairments (U.S. Access Board 2009), and designated three federal agencies to set compliance standards: the General Services Administration (GSA), the Department of Housing and Urban Development (HUD), and the Department of Defense (DOD) (Welch 1995:18; Hull 1979:67). Once again Congress expressed their belief that accessibility could be solved by educating the public and design professionals. However, several years after the ABA become law, compliance was still uneven and legislative initiatives to create federal standards for accessible design continued to languish.

While Congress and federal agencies investigated and debated, many state and local governments moved to fill the legislative void. By 1973 every state except Kentucky had enacted access legislation, with ten states expanding jurisdiction to privately funded buildings designed
for public use—though enforcement continued to be problematic at every level (Welch 1995:25; Lusher 1989:648). Congress eventually agreed that a single agency was needed to develop federal design standards and to enforce the ABA (U.S. Access Board) and drafted Section 502 of the Rehabilitation Act of 1973 (P.L. 93-112) which created the U.S. Architectural and Transportation Barriers Compliance Board (ATBCB). Congress was also clear in its intent that the primary functions of the Board were to focus on compliance, develop and maintain guidelines upon which the standards were based, and to promote access throughout all segments of society (U.S. Access Board 2009).

The Rehabilitation Act also included Section 504; the first statutory definition of discrimination towards persons with disabilities. Though limited to federal government, federal contractors, and public entities (such as public universities) receiving federal funds or participating in federally conducted programs and activities (U.S. Department of Labor 2009), and without the scope of the Civil Rights Act of 1964, Section 504 laid the initial groundwork for change. However, because 504 failed to address the issue of timely implementation it was not until 1979 that regulations were finally issued (Welch 1995:25). While none of the regulations directly addressed accessibility issues, each had implications for organizations that owned and operated buildings and were receiving federal funds.

The 1970s also gave rise to the disability rights movement and the beginning of a theoretical shift from medical and economic models of disability to a socio-political model focused on social and environmental factors that limited persons with disabilities full participation in life’s activities (Longmore 2003:103; Makelprang and Salsgiver 1999:43; Welch 1995:23). Patterned after the civil rights movement of the 1960s, the disability rights movement
began to have its agendas recognized in legislation, such as the Rehabilitation Act of 1973, that included a provision for the establishment of Centers of Independent Living (CIL). Initially envisioned as service centers staffed by expert professionals, the concept was redefined by the disability rights movement as a self-help and empowerment program to liberate people with disabilities from the traditional concept of dependency, particularly in living environments. Four core services were mandated at all CILs: advocacy, information and referral, peer counseling, and strengthening independent living skills. The Rehabilitation Act Amendment of 1992 additionally required CILs to place a majority of individuals with disabilities in decision-making positions on Governing Boards and staff (U.S. Department of Education 2010).

In 1982 the ATBCB issued its Minimum Guidelines and Requirements for Accessible Design which established the framework for Uniform Federal Accessibility Standards (UFAS) to be issued by four federal agencies: General Services Administration (GSA), Department of Defense (DOD), Department of Housing and Urban Development (HUD), and the U.S. Postal Service (USPS). Congress also passed the Air Carriers Act in 1986 that continued to expand the rights of people with disabilities to participate in every dimension of society, including all forms of transportation. Two years later, HUD finally issued its 504 regulations—eleven years after the model regulation had been issued (U.S. Department of Housing and Urban Development 2006).

1988 saw the passage of the Fair Housing Amendments Act, which expanded the protections of the Civil Rights Act of 1968 to include people with disabilities, and expanded the scope of accessible housing from entities that received public funds to both public and private sectors. 1988 was also the same year the first version of the Americans with Disabilities Act
(ADA) was presented to Congress, the final version of which was passed in 1990 and signed into law by President George Herbert Walker Bush (Welch 1995:27).

President George H.W. Bush signing the Americans with Disabilities Act into law.  
http://www.ecu.edu/cs-dhs/laupuslibrary/diversity/ADASigning.cfm

The ADA (P.L. 101-336) granted individuals with disabilities many of the civil rights and protections provided women and minorities under the Civil Rights Act of 1964 (Parker, Szymanski, and Patterson 2005:37) and prohibited discrimination on the basis of disability in employment (Title I), state and local government activities (Title II, Part A), public transportation (Title II, Part B), public accommodations (Title III), and telecommunications (Title IV). However, to be protected by the ADA an individual needed to have a disability as defined by the ADA as “a physical or mental impairment that substantially limits one or more major life activities; have a history or record of such impairment; or be perceived by others as having such impairment” (U.S. Department of Justice 2005). Also, the Act did not include temporary impairments or restrictions, which under the ADA generally did not qualify as disabilities (U.S. Equal Employment Opportunity Commission 1995).

The ADA also expanded the Access Board’s responsibilities and required that the Board issue minimum guidelines and requirements for accessible design. It also directed the
Department of Justice to issue regulations that included enforceable standards consistent with the minimum guidelines issued by the Access Board (U.S. Department of Justice 2008). In response the Access Board began updating the Minimum Guidelines and Requirements for Accessible Design in 1994 by establishing an advisory committee composed of members of the design and construction community, the building code community, state and local government entities, and persons with disabilities. After an exhaustive period of public comment the Board released its final publication in 2004: the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG). The Board’s publication of ADAAG (2004) was the culmination of a long-term effort to facilitate compliance and enforcement by eliminating inconsistencies among the Uniform Federal Accessibility Standards (UFAS), and between state and local building codes (U.S. Department of Justice 2008). Since 1998 the Access Board has amended ADAAG four times, including the addition of specific guidelines on state and local government facilities, building elements designed and built for children (1998), play areas (2000), and recreational facilities (2002).

Yet the struggle for inclusion was far from won. Because the ADA did not specifically list all of the impairments that were covered some legislators felt that the language of the ADA, if left alone, might be too broadly interpreted (U.S. Equal Opportunity Commission 1995). Under pressure from outside entities the EEOC began to issue guidelines that significantly narrowed the definition of “disability,” which were subsequently upheld by the U.S. Supreme Court in a number of high profile (and unpopular) decisions. In response Congress passed the ADA Amendments Act (P.L. 110-325) of 2008 which rejected the holdings of several Supreme Court decisions and portions of EEOC’s ADA regulations, and amended the language of the
ADA by clearly stating that *mitigating measures*, including assistive devices, auxiliary aids, accommodations, medical therapies and supplies (other than eyeglasses and contact lenses) have no bearing in determining whether a disability qualifies under the law (U.S. Department of Labor 2008). The changes also clarified the coverage of impairments that are episodic or in remission that substantially limit a major life activity when active, such as epilepsy or post-traumatic stress disorder. The Amendments Act was signed into law by President George Walker Bush, and became effective 1 January, 2009.

The struggle for access continues under the Obama administration with an increasing focus on higher education. On 29 June, 2010, the White House commemorated the 20th anniversary of the Americans with Disabilities Act by issuing a joint press release to college and university presidents from the Department of Justice and the Department of Education concerning the purchasing of electronic book readers that are inaccessible to students who are blind or have low vision. The letter cautioned that it was unacceptable for universities to use emerging technology without insisting that the technology be accessible to all students, and that “Requiring use of an emerging technology in a classroom environment when the technology is inaccessible to an entire population of individuals with disabilities . . . is discrimination prohibited by the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973” (The White House 2010).

**Inclusive Design**

Inclusive design (ID) is one of many terms currently in use by built environment professionals, the building industry, governments and higher education (Center for Evidence-Based Education 2009). ID originated in the U.S. and shares a similar background with other
terms such as universal design (UD) which grew out of the disability rights movement but came to mean designing environments for all people. ID is a process that results in inclusive products and environments that can be used by most people regardless of age, gender or disability. One of the primary purposes of ID is the reduction of physical and attitudinal barriers between people with and without disabilities. Early advocates of barrier-free design and architectural accessibility recognized the legal, economic and social power of a concept that addressed the common needs of people with and without disabilities, understanding that many of the environmental changes needed to accommodate people with disabilities might actually be of benefit to everyone (North Carolina State University, 1997).

In the context of higher education ID is still in an exploratory stage. Once a topic pertaining solely to the domains of architecture, interior, landscape, and product design (North Carolina State University, 1997) ID has been expanded to include student services, information dissemination, web page design, and instruction (Scott, Loewen, Funkes and Kroeger 2003:78). Many feel that by looking more holistically at what “inclusive” might mean in settings such as higher education many aspects of the educational environment could be designed from the start to be more inclusive of students with physical impairments. Unfortunately, the concept of ID builds-in the assumption that designing environments that work well for everyone is possible, which many architects dispute. Though others prefer the term ID, rather than “accessibility” because it removes the emphasis from persons with disabilities and focuses instead on designing appropriately for everyone (University of Brighton 2010), ID continues to be perceived as a specialty separate from common architectural practice.
In 2002 the Association on Higher Education And Disability (AHEAD) convened a think-tank to examine current status and future potential of ID in diverse areas of higher education and to suggest directions for scholarly activity in the field (Scott, Loewen, Funkes and Kroeger 2003:78). Participants included experts in ID, directors of disability services offices, college faculty, administrators of non-profit organizations, and staff from campus-based teaching and learning centers. The group also discussed the role of disability service providers in promoting ID and generated a list of recommendations for exploring and promoting the development of this approach as a tool in equalizing educational access.

The group concluded that their vision of infusing principles of ID in all campus environments would be achieved when people with and without disabilities were able to use many of the same designs. This would prevent persons with disabilities from being stigmatized for having special needs and allow them to save both time and energy negotiating physical and virtual access or navigating campus environments. Thus the criterion for “reasonable” accommodation would become moot and persons with disabilities would no longer have to constantly self-advocate for access. This would also allow the campus community to shift its focus from legally mandated accommodations to effective teaching and learning for all students (Scott, Loewen, Funkes and Kroeger 2003:81).

The group understood that no campus can be made completely accessible to every individual with a disability. However, the group also felt that good designs should acknowledge that disability and other aspects of diversity are an expected part of human existence (Scott, Loewen, Funkes and Kroeger 2003:82). They also concluded that the use of technology does not necessarily indicate that an educational environment has been universally designed. The
participants also identified administration and disability services as two of the most likely barriers to promoting an ID approach, citing administrator’s suspicions that ID would mean more work and higher costs. They also identified a general lack of buy-in and ownership of universal accessibility issues by both administration and disability services, and a preference for minimal legal requirements and responsibility.

According to Senge (1990) when a vision is embraced by a group “the gap between vision and current reality generates energy for change.” In order to promote change universities must begin to engage in thinking differently about educational access and learn to think outside the compliance box (Scott, Loewen, Funkes and Kroeger 2003:82). Inclusion implies welcome, whereas access only opens doors (University of Wisconsin 2008). Twenty years after enactment of the ADA, as many universities continue to improve access to campus buildings for persons with physical impairments, the focus needs to shift to second generation issues, like ensuring that persons with physical impairments can actually reach those accessible structures and gain access to their accessible elements (U.S. Department of Justice 2008).

**Campus Design and Methods**

Universities are different than most secondary schools and places of employment where people arrive and depart from a single, multi-use structure, wherein they remain throughout most the day. Unlike today’s sprawling campuses, most American universities were originally designed as compact and distinct academic districts with a central focus and well-defined perimeter. However, as campuses expanded beyond their original borders the spaces between the buildings were enlarged, walking distances increased and students (including persons with physical impairments) living and studying at the edges became increasingly isolated from the
shared activities at the university’s core (Burns 2001; Moule and Polyzoides 1977). This was compounded in the 1950s and 1960s by the phenomenal growth in student enrollment following World War II and the construction of an eclectic mixture of both modern and postmodern architectural designs, where style rather than overall planning usually dominated (Dober 1963:40). In effect, today’s average public university is an architectural mess—a far cry from Thomas Jefferson’s early vision of the “Academical Village” (Singleton 2009).

Jefferson understood that the quality of education and the quality of the physical environment were inextricably related, and that the educational enterprise should not be separated from the physical environment (Burns 2001). Therefore a campus should resemble a compact, well ordered community to prevent the fragmentation and isolation of constituent campus groups, thus encouraging the cross fertilization of ideas while increasing the possibilities for interdisciplinary relationships. Open space constituted a prominent, integral part of Jackson’s designs, which featured a central grassy common much like a traditional village mall. The concept of open space was expanded on by American landscape architects following the Beaux Arts approach to campus design, which dictated long vistas and placing architecturally noteworthy buildings on the highest campus ground to accentuate their aesthetic richness (Griffith 1994).

Prior to 1960s the amount of open space available for parking seemed limitless. However, universities soon realized the impossibility of meeting the parking needs of every person on campus, which in turn suggested the need for campus transit systems that would reduce vehicular traffic (Ohio State University 1961:77). This necessitated the construction of additional pedestrian and vehicular circulation routes and the relocation of residential and
parking facilities to the periphery of college campuses and/or constructing multistory vehicle parking structures, both above ground and below, closer to the campus core (Griffith 1994). Another motivation for reducing campus parking was to recapture parking lots and thus capitalize on potential academic building sites.

When pressures mount to create additional facilities universities are left with two distinct options: increase densities in the central campus through infilling, or find new land upon which to expand. However, many universities find outward expansion difficult if not impossible due to land assembly problems, high acquisition costs, or grassroots political and legal opposition from local community groups, such the Happy Valley, Sehome and South Hill neighborhood organizations that opposed Western Washington University’s expansion into their residential neighborhoods in 2005 (City of Bellingham 2005). The second option, infilling open spaces, also has its problems. Almost every campus contains one or more areas of sacred ground for which the mere mention of development will stir strong protest. Spaces that are considered sacred often symbolizes the university in ways that evoke strong emotions from students, staff, faculty, alumni, administrators, trustees and even state legislators who have been associated with them for many years. Such spaces therefore become inviolate and untouchable because the symbolism would be lost upon their alteration or destruction (Griffith 1994).

In order to preserve such places many universities have established the requirement of an open public forum prior to encroaching on these places to act as a deterrent to the loss of open space, particularly if vocal support shows that the college community values an open space more than the proposed new land use. Others have designated open space as a land use category, established open space reserves, or labeled certain places as open spaces in perpetuity with
height restrictions, ground area coverage and setback requirements, and impact statements (Griffith 1994; McClure and Bartuska 2007). In an attempt to recapture green space once occupied by cars and return to more pedestrian-oriented campuses, institutions have also closed streets and roadways in the central campus area and moved parking and public transportation to the campus’s periphery.

According to Urban anthropologist Gary McDonogh (1993:13) urban spaces labeled as empty, open or vacant suggest conflict. Such spaces “do not define a vacuum, or absence of urbaness, so much as they mark zones of intense competition.” The concept of open space reveals much about the creation of cultural categories, and when applied to campus places should be for anthropological investigation (Baker 2002). Open spaces evoke certain feelings in people that influence their actions and behaviors. In order to reveal the real meaning of spaces and places researchers must therefore deconstruct the terms that are used to describe them: “we must recognize and explore empty places as culturally created and socially meaningful zones rich in interest for our analysis” (McDonogh 1993:13).

McDonogh also suggests three possible meanings for emptiness that apply to campuses spaces: places of memory; intentionally fallow ground for future land speculation and development; and boundaries between the acceptable and unacceptable (McDonogh 1993:13). On a university campus, places of memory might include wooded and grassy areas filled with walkways, open plazas, decorative plantings, benches and installation art designed for circulation and quiet contemplation, or places for social gatherings, group activities, or sports and recreation. Such places are often the intersection of conflict and competition between opposing groups; those who consider such places sacred ground and those view them as fallow ground for
future land speculation and development. Forgotten and subsumed by ablest visions of the future and elitist discourses over campus open spaces are the physical and societal barriers to inclusion for persons with physical impairments, which for centuries have marked the boundaries between those persons society considers as acceptable or unacceptable.

These then are the locations for anthropological investigation and the topics of this thesis: *Barriers to Inclusion for Persons with Physical Impairments in Higher Education*—not within a university structures—but in the contested open spaces that surround them. For the purpose of this study two mid-sized Washington State public universities were selected; Eastern Washington University (EWU), and Western Washington University (WWU). EWU, with 10,750 full time students enrolled as of 2010, is located on a rise situated on 300 acres overlooking the downtown business district of Cheney, WA. WWU, with 12,313 full time students as of 2010, is located on 215 acres in Bellingham, WA, overlooking Bellingham Bay and the San Juan Islands.

Photographic and measurement data (using a tape measure and 48 inch level) were gathered from both locations over a two year period, recorded in a field journal, and verified for accuracy through telephone interviews with representatives from various departments. Background data was examined using critical discourse analysis from a bottom up perspective, and was collected from numerous sources, including books, journal articles, university archives, government publications, newspapers, magazines, online resources, unstructured personal interviews, and conversations with public figures acting in their official capacities.

*Discourse* is an interdisciplinary term used by anthropologists and other academics to analyze systems of thoughts, ideas, images and other symbolic practices. Though normally
associated with speech and written language, discourse extends to other human constructs such as architecture, artwork, transportation, recreation, and even the policies and programs of social institutions that reflect people’s perceptions of the world. Discourse generates certain kinds of knowledge and in certain contexts has the power to convince people to accept certain statements as “truth,” allowing specific types of people to gain degrees of social, cultural, and even political power.

Discourse also communicates knowledge about the people who speak it, their social position, and their relationship to the people around them (Van Dijk 2001). There are many ways in which certain kinds of knowledge are validated (or discredited) in our society through social institutions (Sturken and Cartwright 2001: 97). According to Foucault (1972:227), “Every educational system is a political means of maintaining or of modifying the appropriation of discourse with the knowledge and the powers it carries with it.”

Discourses can generally be subdivided. For example, one can speak of disability discourse as a whole, or one can talk about physical impairment as a subcategory of disability. All cultures are constructed out of numerous competing discourses. Some discourses dominate by shaping political and social institutions, while other minority discourses compete for power and influence. One of the central attributes of dominant discourse is its power to interpret conditions, issues, and events in favour of elites, who often view the discourse of the marginalized as a threat (Johnson 2003).

*Critical discourse analysis* (CDA) is a research method used to study the ways in which social power, abuse, dominance, and inequality are enacted, reproduced, and resisted by text, talk, and symbols in a social and political context. As with most dissident research, critical
discourse analysts take an explicit position and try to understand, expose, and ultimately resist social inequity (Thompson 2004; McGregor 2004). However, discourses do change over time, and once transformation happens the new rules can spread, transforming older discourses or forcing them out of practice. Therefore anthropologists must be aware of such changes while continuing to question the voices of those in power while striving to make the voices of disenfranchised and marginalized populations legitimate and heard.

In the spirit of reflexively it is appropriate to mention that the author is a 100% disabled military veteran turned anthropology graduate student who is intimately familiar with physical impairment in higher education—an insider so to speak. While it is possible that being an insider is grounds for bias, the author believes that the probability of this happening is low, and that the data presented in this thesis fit well within the theoretical framework of the social production of space and place. Therefore, despite the rubric that for insiders “too much is too familiar to be noticed or to arouse the curiosity essential to research” (Aguilar 1981:15) or the counter argument that “you have to be one to understand one” (Merton 1996:246), the author strongly believes that on a number of different levels being an insider has proven both useful and insightful in completing this research project.
In European countries there has been widespread debate on whether higher education policies should aim for equality of opportunity or equality of outcomes (Power 2006). Equality of outcomes means that after policy interventions, differences between persons with disabilities and those without are reduced, whereas equality of opportunity is where everyone receives equal support and assistance, allowing inequalities to multiply as individuals make what they can of their opportunities (Baldock, Manning and Vickerstaff 2003:75). At most public universities throughout the U. S. the latter is the rule. With very few exceptions the monetary policies (tuition, parking, recreation, and transportation fees) of most American universities treat everyone the same, regardless of disability, under the popular and often-stated rubric of “equal means the same.” Yet how such policies might adversely affect the participation rate of students with physical impairments has seldom been explored.

**Boards of Trustees**

As components of the built environment universities are like small cities with groupings of structures and landscapes of varying sizes and complexities clustered together for economic, educational, and social or cultural reasons (McClure and Bartuska 2007:6). Organizationally they
are bureaucracies governed by a hierarchical administrative system (President, Provost, etc.), organized into departments (academic affairs, business and financial affairs, environmental health and safety, facilities management, planning and budgeting, public safety, parking, etc.) with legislative and administratively fixed procedures and limited authority. At the top of the hierarchy are Boards of Trustees, appointed by the governor of the state with the consent of the Senate to six-year terms, and one student representative who is appointed annually for a one year period. All legal powers, authority, and responsibility for the operation of public universities in Washington State are therefore vested in their Boards of Trustees.

The vision and priorities of Washington’s boards of trustees are both personal and political and should be viewed as heavily dependent on personal experiences, academic backgrounds, and professional interests of their members. According to McClure and Bartuska (2007:242) academic institutions differ from corporations primarily in their mission. The stated purpose of most colleges is the pursuit of knowledge with an emphasis on democratic values and advocacy for social change, whereas corporations emphasize corporate image and reputation while focusing on increasing profitability. However, such distinctions become blurred when one views the composition of many university boards of trustees.

For example, at both EWU and WWU 85% of the members of their boards are current or former chief executive officers (CEO) or vice presidents (VP) of various corporations (Copacino+Fujikado Advertising, Nintendo, REI, Watermark, Boeing, Wells Fargo Bank, Coopers & Lybrand Accounting, Kauffman & Associates, Inc., McReynolds Associates, Inc., Inland Power & Light, and Heritage University), whose academic backgrounds include accounting, business, engineering, environmental studies, law, public administration, public
health, and education (Western Washington University Board of Trustees 2009; Eastern Washington University Board of Trustees 2009). Even the student members, whose academic interests include manufacturing and engineering technology, business, and public administration, reflect a strong preference for corporate structuring.

Very few members live close to the academic communities that they govern. For example, of the eight members of WWUs board of trustees, only three live in Bellingham, the city in which WWU is situated. The rest are residents of Seattle, over 90 miles away. This is strangely at odds with the concept of an ideal democratic community of scholars with a long tradition of shared governance that serves as both a “role model and antidote for society,” where commerce and business have very little influence on university planning and design (McClure and Bartuska 2007:242; Polyzoides 1997; Zwart 1994; Turner 1984).

As part of their powers, boards of trustees of regional universities are authorized to enter into contracts with persons, firms, or corporations for the construction, equipping, installation, repair, and renovation of buildings and facilities. These include administrative and educational facilities, dormitories, dining halls, student activity centers, recreational facilities, vehicular parking, etc. as codified in Revised Code of Washington (RCW) 28B.10.300 (Washington State Legislature 2009). Boards of Trustees also purchase or lease lands necessary for the construction of such buildings, or purchase or lease lands with buildings and facilities previously constructed or installed.

However, university boards of trustees, planning or advisory boards, and councils or committees seldom include persons with physical impairments even though federal law requires that persons with disabilities be consulted when developing policies, applying for state and
federal grants, planning alterations to existing structures, or constructing new facilities (National Endowment for the Arts 2003; U.S. Access Board 2001; U.S. Department of Transportation 2001). This is a problem because university policies and campus spaces “take form largely from the ways people experience their own bodies” (Sennett 1992:3). Therefore, as Harvey (2000) has suggested, campus administrators, planners, and designers without physical impairments immediately encounter the limitations of their own sensory world. Without personal experience or input from persons with physical impairments institutional practices tend to serve and to secure the interests of what Gleeson (1998) terms the able-bodied, “productive elites,” often leaving students, staff and faculty with physical impairments exposed to financial, social, and environmental risk (Imrie 2001).

For example, boards of trustees also set *service and activity fees*, which along with charges, rentals or other income derived from revenue-producing lands, buildings, and facilities, are used to pay part or all of the expenses incurred in acquisition, construction, installation, rental, repair and/or renovation of these properties. Service and activities fees include student activity fees, student use fees, student building use fees, special student fees, or other similar fees. These fees are charged to all full time students, including students with disabilities, registering at Washington State public universities (Washington State Legislature 2009: RCW 28B.15.04). However, the impact of these fees on students with physical impairments has seldom been explored.

**Accessible Parking Fees**

When students, staff, faculty, and visitors with mobility impairments arrive for their first day on campuses they are greeted with an unpleasant surprise—reserved parking for persons
with disabilities is not free. Unlike the free accessible parking provided to customers and citizens with mobility impairments by most businesses, municipalities, and state and federal agencies, public universities throughout the United States have been charging persons with mobility impairments the standard reserved rate for parking in International Symbol of Access (ISA) labeled spaces located on their campuses for more than three decades. While some universities, such as EWU offer discounted rates (others, such as Cornell University, actually charge persons with disabilities more), it is the rare exception (University of Kansas 2010) that offers persons with mobility impairments free accessible parking in spaces reserved exclusively for their use.

Washington State is no exception, and all public universities in Washington State charge persons with mobility impairments a fee to park in accessible parking spaces. This is surprising considering the demographic data on persons with disabilities. In 2005 Washington had approximately 934,000 residents 5 years and older who were persons with disabilities (Kine and Topolski 2006). This was 14.3% of the population, approximately the same prevalence recorded in the United States as a whole (Erickson and Lee 2007). Employment and income data on persons with disabilities in Washington also reflected national trends, with 62% unemployment and an average wage of $15,000 for those who were employed, compared to $39,300 for workers without disabilities (Harnett, Morris, and Stengel 2008:5).

Washingtonians with disabilities were are also more likely than non-disabled residents to have ended their education before graduating high school (20% vs. 8%), and half as likely to have graduated from college or completed post graduate training (17% vs. 33%) (Kine and Topolski 2006; U.S. Department of Education 2006; Northern Illinois University 2004; University of Kansas 2004). Though Washington had a high level of educational attainment
when compared to other states, residents with disabilities still faced the same consequences of disability as similar populations throughout the country, including restrictions in opportunity such as lower than average incomes, higher rates of unemployment, poverty, and lower participation and college completion rates.

To place the issue of disability parking fees in the proper perspective it is necessary to first define and identify the affected population. Of the 11% total undergraduate population of university students with disabilities, approximately 25% are students with mobility impairments (U.S. Department of Education 2006). Orthopedic mobility impairments are disabilities that result from congenital conditions, accidents, or progressive neuromuscular diseases, including conditions such as spinal cord injury (paraplegia or quadriplegia), cerebral palsy, spinal bifida, amputation, muscular dystrophy, cardiac conditions, cystic fibrosis, paralysis, polio/post-polio, stroke, etc. (Northern Illinois University 2004). Health-related disabilities, sometimes referred to as systemic disabilities may also affect mobility and include a large spectrum of chronic illnesses and diseases such as arthritis, diabetes, lung disease, porphyria, epilepsy, HIV, and multiple chemical sensitivities.

When compared to the total undergraduate population of persons with and without disabilities, students with mobility impairments comprise 2.7% of the total. However, the criterion for types of conditions that qualify an individual for state disabled parking privileges is surprisingly quite restrictive: cannot walk 200 feet without stopping to rest; mobility severely limited due to an arthritic, neurological, or orthopedic condition; inability to walk without using a brace, cane, another person, prosthetic device, wheelchair, or other assistive device; etc. (Washington State Department of Licensing 2010). The state also requires the verification of a
licensed physician, licensed physician assistant, or a licensed registered nurse practitioner. These requirements significantly reduce the affected population to less than one percent.

Additionally, some of this group may receive support for parking costs from sponsoring agencies (e.g. Vocational Rehabilitation; Veteran’s Administration, etc.). Others may not own a motor vehicle or may instead choose to carpool or use public transportation, or during periods of good weather, walk to classes depending on the individual nature of their impairment. If the affected community was to be expanded to include staff and faculty with state issued disability parking placards, the question arises “how much revenue would be lost by waiving disability parking fees?”

During academic year 2009 - 2010, WWU sold 25 academic ($5,962), 41 annual ($12,453), and 60 ($4,770) quarterly parking permits to students, staff, and faculty who possessed WA State disability parking placards for a total of $23,185 (Western Washington University Parking Services 2010). Academic permits include summer quarter, whereas annual permits are for fall, winter and spring. When divided by the total annual parking revenue of $2,045,710 from all permit sales, the proceeds from disability parking amounted to little more than .01%. Even after correcting for operating and non-operating expenses ($1,398,240), the net increase in assets (profit) from parking for 2009 was $647,470, which when added to previously accumulated profits brought the total net assets of Parking Services as of June, 2009, to $2,772,714 (Western Washington University Parking Services 2009). By dividing the 2009 revenue from disability parking ($23,185) by the total accumulated profits of Parking Services
($2,772,714), the annual loss of profit from disability parking, should fees be eliminated, would be reduced to less than .008%, which seems a miniscule price to pay for doing the right thing.

At EWU, the only university in the state of Washington to offer reduced rate parking to persons with mobility impairments, disabled permits are charged at the fringe-pricing rate of $36.00 per quarter, or $94.00 annually, for a discount of 57% off the core permit price (Eastern Washington University 2010). Annual permits include summer quarter parking, thus eliminating the need for academic-type permits. During academic year 2010 - 2011, EWU sold 27 annual ($2,538), and 84 quarterly ($3,024: estimated using fall quarter purchases from 2010) disabled parking permits, for a total of $5,562 in revenue (Eastern Washington University Parking Services 2010). Compared to the total revenue from the sale of 1284 annual ($282,317) and 1479 quarterly ($122,512: estimated) permits of $404,829, the revenue from disabled parking, even after correcting for a 57% reduction in disability parking fees, was approximately the same percentage (.01%) as WWU.

Using this simple comparison yielded some informative results. Not only was the potential loss of revenue from disability parking fees at both universities identified as a miniscule .01%, the finding that the percentage was the same at both universities, even though one offered a 57% reduction in fees, indicated that the participation rate of students, staff, and faculty with qualifying mobility impairments at EWU was more than double that of WWU. While it is impossible to attribute EWU’s higher participation rate of persons with mobility impairments to a single solitary factor, such as reduced disability parking fees, it is certainly a good beginning and food for further thought.
According to the Washington State Department of Licensing (2009) special parking privileges granted by Washington's Department of Licensing are not special treatment. They are intended to make it easier for persons with disabilities who have mobility impairments to park close to the entrances of buildings: a simple and obvious concept that most boards of trustees and designers of campus environments frequently overlook. The point is, for persons with mobility impairments, the choice of modes of transportation should be based on personal preference, rather than economic necessity. Considering the financial and educational realities for persons with disabilities it is difficult to understand why universities would continue to treat persons with mobility impairments the same as their nondisabled peers, and consider such treatment to be equal.

**Fallacious Arguments**

The argument that treating everyone the same is equal is based on the fallacious premise that treating some people differently is always unequal. Such arguments are actually a formula for unequal treatment because they fail to take into account the way in which policies that apply to everyone may actually have a disparate impact on minority groups, such as persons with mobility impairments (Volokh 2003). Most universities have accessible parking in reserved lots in close proximity to the entrances of buildings for the use of persons with mobility impairments. This means that some people *are* treated differently than others. But the different treatment helps persons with mobility impairments that have difficulty walking gain equal access to education. Conversely, most universities charge persons with disabilities the same fee to park as persons without disabilities. This means that everyone is treated the same. But the same treatment hurts persons with disabilities who have significantly lower incomes and disability related expenses
unlike their nondisabled peers. Why most state and federal legislators and university boards of trustees fail to understand this is an amazing thing indeed.

Were it just the loss of revenue, charging persons with mobility impairments to park in accessible spaces would be somewhat indefensible on the grounds that the loss of fees from accessible parking would impose an undue hardship on colleges and universities. Undue hardship is defined by the ADA (1990) as “significant difficulty or expense in relationship to the cost or difficulty of providing a specific accommodation” (U.S. Equal Employment Opportunity Commission 2002). The loss of .01% of total parking revenues could hardly be viewed as meeting these criteria, and as one might expect, this argument is seldom used. How then do universities rationalize charging persons with mobility impairments to park in accessible parking spaces?

The most popular argument is that free parking for some leads to an increase in abuse of disabled parking privileges by persons without disabilities. These arguments are fueled by stories of persons without disabilities borrowing a disabled parking placard from a friend or relative, or continuing to use a temporary placard after it is no longer needed or has expired, or obtaining a placard of their own under false pretenses (Estes 2008). Such stories enrage the public and fuel demands for legislative changes and increased enforcement. In such an environment persons with invisible disabilities often become suspect, and medical professionals are frequently accused of leniency and over diagnoses.

As is often the case in emotionally charged issues, important information is often overlooked or ignored. Although wheelchairs are popularly associated images of mobility impairment, only about 1.3% of adults with mobility impairments report the use of manual or
powered wheelchairs or electric scooters. Persons with mobility impairments may also use adaptive equipment such as walkers, canes or crutches. However, the majority of the 8.6% of people that report difficulty in physical activities such as walking, carrying, lifting or climbing stairs (Kine and Topolski 2006) do not require their use. Because articles in the popular press frequently fail to provide detailed information on the wide variety and types of mobility impairments, an uninformed public is left with the impression that anyone who can walk without the use of adaptive equipment must be cheating the system.

Misinformation and misdirected frustration are recipes for what psychologists refer to as blaming the victim. According to the just-world hypothesis, most people need to believe that the world is fair, that good people are rewarded and bad people punished (Wade and Tavris 1998:667; Learner 1980). People’s belief in a just world often leads them to make a dispositional attribution called blaming the victim. Though persons with disabilities are seldom directly implicated as the perpetrators of parking placard fraud, they are the population most adversely affected by policy changes, such as the elimination of free parking for persons with disabilities, aimed at curbing disabled parking placard abuse.

One recent example is the University of Nevada, Las Vegas (UNLV), which formerly allowed persons with mobility impairments to park free in accessible and metered spaces. Reacting to increased placard abuse by students without disabilities, UNLV established a new policy where students, staff and visitors who use accessible parking or metered spaces would be required to purchase a parking permit to accompany their state issued disability plates and placards. According to Tad McDowell, Director of UNLV Parking and Transportation Services, convenience, location and expense are some of the reasons that persons without disabilities abuse
accessible parking. “At any given time, about 40 percent of those [parking spaces] are filled with non-handicapped vehicles, which indicates the abuse,” McDowell said. “It’s so easy to look negatively at what we’re doing. But if you look at the truth, we’re doing this for our true customers” (Agpawa 2009). Though McDowell admits that persons with mobility impairments might object to the new policy, he said he believes it is the *fair solution*.

If McDowell’s argument is correct the new policy should reduce the incidence of abuse by eliminating the financial incentive for persons without disabilities to abuse the system. But as McDowell himself stated, convenience and location are strong incentives. The University of California, Santa Barbara, which charges persons with mobility impairments to park in accessible spaces, reported that placard abuse was on the rise—in spite of charging everyone the same fees to park and stiff penalties for placard abuse (under California law, offenders can face a maximum $3,500 fine for illegal use of placards) (Hirose 2007). Universities on the opposite coast of the United States, who charge everyone the same parking fee are experiencing the same phenomena. According to Nancy Dumais, Division Manager, State of Connecticut Department of Motor Vehicles, placard abuse is on the rise, and most of the abuse they have noted takes place on college campuses (Bertothy 2009).

If one follows the fallacious arguments that treating everyone the same is equal, and that charging everyone the same fee to park on campus will reduce the incidences of placard abuse—which has proven to be false—then the next step would be to move accessible spaces to less desirable or convenient locations, or better yet, eliminate them entirely. That should finally solve the problem once and for all. Unfortunately, for the ill-informed proponents of such measures the ADA will not allow this. Therefore, the logical next move would be to change the ADA—which
is precisely what the U.S. Supreme Court and the EEOC attempted to accomplish prior to Congress passing the ADA Amendments Act (P.L. 110-325) of 2008 (see chapter 1, Access Legislation).

By narrowing the definition of who qualified as a person with a disability the courts and EEOC hoped to artificially reduce the numbers of qualified persons with disabilities who were seeking accommodations, thereby reducing the numbers of litigants seeking redress and bringing relief to covered entities such as state and federal governments, businesses, and higher education. Congress, however, viewed these actions as an attempt to undermine the intent of the ADA and subsequently passed the ADA Amendments Act (2008) in order to reverse the trend. Like university policies that charge persons with disabilities to park in accessible spaces, the actions of the Supreme Court and the EEOC were difficult to define as overt discriminatory actions against persons with disabilities, yet the effect on persons with disabilities was the fundamentally the same; to deny them full participatory rights and facilitated access to society.

**Signs and Symbols**

The built environment includes human products such as graphic signs and symbols, like the ISA symbol, which is a globally recognized pictogram, or icon, used to identify reserved and widened parking spaces that represent purposely facilitated access for persons with disabilities (Ben-Moshe and Powell 2007). The ISA was developed within the context of a social-political model of disability that emphasized environmental, attitudinal and social policies as factors leading to disablement (Hahn 1985; Oliver 1990). As such, the ISA not only denotes purposely-facilitated access but also allows for the signification of abstractions like societal accessibility, democratic goals and full participatory rights of persons with disabilities. Requiring students,
staff and visitors with disabilities to pay a fee to park in ISA denoted spaces adds insult to injury by undermining the purpose and intent of both the ADA and ISA.

International Symbol of Accessibility (ISA)
http://www.access-board.gov/outdoor/nprm

According to Banning (1994:3; Porteus 1977; Wachs 1987) physical objects, such as official signs and symbols, “are socio-physical entities,” or what Zeisel (2006) terms “public messages” that reflect an organization’s values and beliefs. Official signs often contain unintended meanings and mixed messages, such as a welcome sign to visitors that also includes a warning that they may be searched while on campus—which many might view as anything but welcoming. Banning also believes that by studying such objects, including unofficial signs and graffiti which he includes in his definition of public messages it may be possible for researchers to gain an increased understanding of an organization’s behaviors and beliefs.

Reserved parking “permit required” signs at Eastern and Western.
Pictured above are two “official” reserved parking signs displaying the ISA icon denoting purposely-facilitated access for persons with mobility impairments at EWU and WWU. While both signs appear to be promoting accessibility and the full participation of persons with mobility impairments, they also contain a secondary text that informs persons with disabilities that physical accessibility at these institutions is not free. This sets the tone and serves notice to persons with mobility impairments that the “free ride” they have previously enjoyed at secondary institutions and as members of their communities is about to come to a screeching halt when they arrive on university property.

This effect is heightened and reinforced by some university’s policies, like those of the University of Washington (UW), that require students with disabilities already in possession of valid State of Washington issued disability placard or plate to submit a request in writing for accommodation to the Disability Services Office. Applicants must not only present their placard, but also the accompanying confirmation letter received with the placard to initiate a review. Applicants with mobility impairments are then issued a short-term disability parking permit at Commuter Services while their request for accommodation is screened (University of Washington 2009).

The intended audience of these messages is university staff and students with mobility impairments who may be dependent on the use of private vehicles to get to class or work. The general public, however, is mostly unaware of such policies because they seldom park on campuses, except when attending special university functions such as student enrollment, orientation, graduation, or sporting events. At such times most universities temporarily increase
the number of accessible parking spaces and suspend parking fees. This protects their public image while avoiding a rash of angry complaints. Because these messages are only intended for a captive, insider audience (faculty, staff, and students with disabilities) the general public remains blissfully unaware, which reinforces the public’s belief that universities understand the needs of persons with disabilities and are working in their best interests.

It is interesting to note that during the 1970s, before regulations enforcing Section 504 of the Rehabilitation Act (1973) were issued, public universities in Washington and other states were already looking for loopholes in the proposed regulations that would allow them to charge persons with mobility impairments a fee to park in accessible spaces. In Washington State the solution to this problem was RCW 28B.10.300, which gave university trustees the authority to determine parking and other fees. Ironically, during this same period, legislators in Washington and other states were aggressively campaigning to officially ban pay toilets under the rubric that “avarice and greed should not be allowed to outweigh physiological needs;” or as State Senator Henry so elegantly put it, “When Mother Nature calls, she shouldn’t have to call collect” (Oldham 2008). Pay toilets in Washington were officially banned in 1977 (Substitute House Bill No. 67), at the same time that RCW 28B.10.300 was last amended, and two years before the regulations enforcing Section 504 were issued in 1979.

Other examples of official signs with unintentional mixed messages include those that mislead or misinform. Below are two examples from EWU. The one on the left denotes accessible parking. However, the same post includes two other signs, one of which reads “NO PARKING LOADING ZONE,” the other “DRIVER MUST REMAIN IN THE VEHICLE.” Is it a reserved parking space, as the ISA symbol suggests, or is it a no parking drop off/loading
zone? At another location a post-mounted sign and a security sawhorse warn “DO NOT ENTER” and “NO PARKING BEYOND THIS POINT.” However, the road leads directly to Ed Chissus Field which has three accessible spaces and an accessible restroom. According to the Public Safety officer who granted permission to enter this area, Ed Chissus Field is referred to locally as “The Challenge Course” and doubles as the site of the city of Cheney Special Olympics. Without this “local knowledge” one would never have guessed or known.

Confusing and ambiguous signage and gravel access road to Eastern’s Ed Chissus Field. Photos by author 5/9/2009

Banning (1994:3; Ziesel 2006) also mentions that illegitimate signs or messages like graffiti frequently provide additional insight into prevailing attitudes on such complex issues as tolerance for diversity, and that failure to remove it sends a message regarding an institution’s values. Below are several examples of graffiti on reserved parking signs located on WWUs campus. The sign on the left, located on High Street at the North entrance to campus was attached to a pole with another sign that reads “VISITOR PARKING ONLY 15 MIN LIMIT ALL HOURS.” This nonstandard sign was also covered with graffiti. In the photograph on the right, the ISA sign located in front of the newly constructed Communications Building has
apparently been used as a billboard. In both cases the university failed to remove the graffiti promptly, and it remained on both signs for more than a year.

Confusing signs and graffiti. Photos by author 6/17/2008

RCW 28B.10.300 was adopted into law in 1977, two years before regulations enforcing Section 504 of the Rehabilitation Act (1973) were issued yet its impact on university students, staff, and faculty with mobility impairments has seldom been questioned. Eighteen years after the passage of the ADA (1990), which formally recognized the minority group status of persons with disabilities, people with disabilities continue to experience a higher risk of economic, educational and social disadvantage than do persons without disabilities. Yet in spite of years of demographic data as compiled by Washington State Department of Health the legislature has failed to amend RCW 28B.10.300 or bring university policies on disability parking into compliance with regulations that apply to other private and public entities throughout the State. If universities are genuinely concerned with increasing participation rates of persons with physical disabilities they need to clearly send that message, beginning with students on day one.
The time has come for students, staff, and faculty with mobility impairments to break free of this onerous and discriminatory fee.

ADAPT

http://www.adapt.org/freeourpeople/adapt25/
Adequate and accessible transportation has always been one of the primary needs of persons with physical impairments. However, before passage of the Americans with Disabilities Act (1990) it was not uncommon or illegal for public and private transit systems to discriminate against such persons. At the time few buses were equipped with wheelchair lifts and most transit terminals were inaccessible to persons with physical impairments (Johnson and Shaw 2001). Although progress had been made under the Carter administration, which mandated that buses purchased with public funds be equipped with wheelchair lifts, the election of President Regan in 1981 encouraged the American Public Transit Authority (APTA) to move swiftly to overturn or roll-back those regulations, arguing that each transit authority should decide how best to serve their own riders with disabilities. Reagan agreed, and lift-equipped buses became subject to “local option,” with most cities choosing inadequate and segregated paratransit systems for persons with physical impairments and the elderly.

In opposition, the American Disabled for Accessible Public Transit (ADAPT) was formed in 1983, and for the next seven years set out to change APTA’s segregationist policies by attending conventions, picketing, protesting, blocking doors, and demanding to be allowed to address APTA members. They also blocked Greyhound buses, San Francisco’s cable cars, and organized highly visible marches like the 1990 *Wheels of Justice* campaign in Washington, D.C.
Through well publicized acts of civil disobedience, such as the 1990 crawl up the steps of the U.S. Capitol and the occupation of the rotunda where 105 activists with disabilities were arrested for refusing to leave until their civil rights were guaranteed (Shapiro 1990), ADAPT drew attention to need for access legislation and generated public support. Six months later the ADA was signed into law by President Bush on the White House lawn, with implementation of regulations pertaining to accessible transportation the first changes to be required.

The movement was so successful that transportation was no longer considered to be an issue, and ADAPT and other disability rights organizations began looking for new challenges like independent living and Medicare/Medicaid reform (ADAPT even rebranded itself American Disabled for Attendant Programs Today). Today most buses have lifts or the ability to squat level with the curb, terminals are more accessible, and specialized transportation minibuses (paratransit) provide service to persons with special transportation needs (WSDOT 2009). The nation also moved on to other issues, such as protecting the environment by reducing the
consumption of fossil fuels; an environmentally friendly (and highly profitable) endeavor enthusiastically embraced by many colleges and universities today.

For example, WWUs Vehicle Research Institute (VRI) recently applied for a grant through the American Recovery and Reinvestment Act to transfer bio-methane technology to a fleet of buses running up and down the I-5 corridor in time for the 2010 Winter Olympics in Vancouver, Canada. Recipient of the 2007 Brilliant Award in the “Brilliant Innovations: Waste to Energy” category for its work in creating a vehicle powered by bio-methane from cow manure (Millage 2007), VRI had previously raised over $7,000,000 in grants from government, industry, and private individuals to complete its various projects that are environmentally friendly and generate economic value (Western Washington University Vehicle Research Institute 2009). According to associate professor of Engineering Technology and VRI director Eric Leonhardt, “It’s a sure thing that we’ll run a bus on bio-methane. Whether it’s here on campus or up and down I-5 depends on funding” (Ellred 2009).

Students, staff, and faculty with disabilities are just as concerned with protecting the environment as everyone else, and many are life-long environmentalists committed to developing alternate forms of transportation and conserving the earth’s resources through conservation and recycling. Yet their needs are seldom considered and they are rarely consulted in the development of new technologies and the implementation of public policies that may directly impact their lives. For example, the buses that VRI proposed altering would be leaving for Vancouver from Western’s Lincoln Creek Transportation Center (LCTC), which has been inaccessible to persons with mobility impairments since first opening in 2005. In spite of being funded with public monies from the Washington State Department of Transportation, no
evidence could be found suggesting that persons with disabilities were involved, consulted, or even considered during the planning or implementation phases.

This violated the intent of the U.S. Access Board (2002) and U.S. Department of Transportation (2001) guidelines that strongly encourage State and local governments and other public entities to involve citizens with disabilities in the transportation planning process and economic, environmental, and quality of life policy decisions that may affect their lives. People with disabilities can provide valuable input to all types of transportation projects, and their assistance is particularly critical to ensure that mobility and accessibility needs are adequately addressed. Still state and local governments and university planners continue to omit and ignore their input in the development of new products, facilities (LCTC), and programs, such as the Washington State Commute Trip Reduction program, which were funded with public monies.

**Commute Trip Reduction (CTR)**

The Washington State Legislature passed the Commute Trip Reduction (CTR) Law in 1991, incorporating it into the Washington Clean Air Act with the goals of reducing traffic congestion, air pollution, and petroleum consumption through employer-based programs that decrease the number of commute trips made by people driving alone. This was followed in 2006 by the Commute Trip Reduction Efficiency Act which required local governments in those counties experiencing the greatest automobile-related air pollution and traffic congestion to develop and implement plans to reduce single-occupant vehicle (SOV) trips (WSDOT 2009). Managed by the Washington State Department of Transportation (WSDOT), CTR also worked with major employers (100 or more employees) in the state’s ten most populous counties that are
required by law to participate in the program. Both WWU and EWU are major employers located in two of the affected counties, Whatcom and Spokane.

The methods CTR uses to accomplish its goals pose a number of problems for persons with physical impairments. For example, the Parking Policy Report produced by the CTR Task Force’s Subcommittee on Parking, Training, and Model Programs (1992:6) found that a local parking policy was critical to the success of CTR because of the close relationship between commuter behavior, parking supply, and cost of parking. As a result, the CTR Task Force (Section 5.0: Parking) made the following recommendations for local governments and major employers concerning parking supply, parking costs, site design, and revisions of existing sites. First, review parking policies and conduct parking demand studies. Second, adjust the parking supply by lowering the minimum-parking requirement. Third, pursue educational and incentive strategies to determine if CTR goals can be achieved. Forth, if education and voluntary incentive strategies prove ineffective, then reduce the parking supply and/or increase parking fees. However, there was no mention of persons with disabilities needs.

For university students with mobility impairments and/or low stamina, the use of personally owned vehicles (POVs), availability of accessible parking spaces, and properly constructed access routes are often the keys to personal safety and academic success. Students with disabilities routinely use their POVs as storage lockers for heavy textbooks and school supplies, carrying with them only those items needed for a particular class, then exchanging them for different items needed for the next class when they move their vehicle to a different location. Students with disabilities thus avoid many of the risks associated with carrying the ubiquitous, 15- plus-pound student backpack.
The U.S. Consumer Product Safety Commission (2001) reported that between 1999 and 2000, about 12,700 injuries were caused by student backpacks from a number of causes, including laceration to the head/face from tripping and falling, injuries to the hand while reaching for books in the backpack, fractures from the backpack falling on the user’s hand, wrist/elbow injuries, shoulder strains, and injuries to the foot/ankle, back, neck, hip, and leg (Wiersema, Wall, and Foad 2003). Another study found that wearing heavy backpacks, averaging 12% of a student’s weight, slowed walking speeds and disrupted perception of the environment. In that experiment, Schwebel, Pitts, and Stavrinos (2009) had 96 college students without mobility impairments or low stamina engage in 20 street-crossings within a virtual pedestrian environment. Half the crossings were completed while wearing a backpack; the other half without. The results suggested that participants wearing backpacks walked more slowly, missed more safe opportunities to cross, and experienced more simulated hits or close calls with traffic.

While reducing the parking supply and increasing parking fees may be an effective means of increasing student and employee participation in alternative forms of transportation, the impact of such policies on university students, staff, and faculty with mobility impairments, who rely on their POVs for a variety of valid reasons, needs to be examined. Forcing persons with mobility impairments to use busses, vanpools, carpools, bikes or walk while carrying heavy loads that have been shown to cause serious injuries to person’s without disabilities is questionable at best. That these and other issues have never been addressed by the Governor, the State Legislature, CTR, or WSDOT is quite disturbing.
The CTR Task Force also recommended designating reserved parking spaces for carpools and vanpools to accommodate and encourage High Occupancy Vehicle (HOV) commuting. This would be accomplished by increasing the code requirement for HOV-reserved spaces commensurate with increases in HOV demand resulting from CTR law implementation. According to the Task Force (WSDOT 2009) these spaces should be located “nearest and most convenient to building entrances” and should be posted as reserved for HOVs arriving between 5:30 and 9:30 a.m. What the Task Force appeared to have overlooked is how their recommendation conflicted with ADAAG (2002: Section 4.6.2) which states: “Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.” How both codes could be adhered to simultaneously at the same time in the same location remained a mystery.

**Transportation Fees**

In their zeal to protect the environment the proponents of CTR also overestimated the utility of re-educating persons with disabilities, many of whom are committed environmentalists yet require the use of POVs to simply get around. Reducing the parking supply also means reducing the required minimum number of accessible spaces, which circumvents the intention of ADAAG (2002) Section 4.1.2(5) (a) that was written under the assumption that most employees and postsecondary students, both with and without disabilities, commute by POV. Reducing accessible parking and raising parking fees and without considering the impact on persons with disabilities who rely on their POVs for mobility and are often the most impoverished and least employed segment of society (Cornell University 2007; The American Association of People

In keeping with Task Force recommendations, both EWU and WWU imposed mandatory transportation fees to cover the cost of purchasing student bus passes, which were then added to cost of tuition for students enrolled for six or more credits. As with other mandatory fees it does not matter if persons with disabilities benefit from programs in which they have no choice or voice. It does not matter if such programs disable or enable them. Like students without mobility impairments they simply have to pay or go away.

Western Student Transportation (WST) was developed after students approved an Alternative Transportation Fee (ATF) in April 2007. WST is responsible for representing and coordinating student transportation needs and services such as the Whatcom Transportation Authority (WTA) Viking Xpress Bus Pass and the WWU Late Night Shuttle (WWU WST 2009). The mandatory $25 per quarter fee is applied to the tuition of students taking six or more credits (voluntary for students taking less than six credits), increases by no more than 5% each year, and is scheduled for re-approval in 2012. By making the ATF fee mandatory, costs are kept low and services are available to all students. Thus the ATF fee is similar in nature to other mandatory fees, such as the $95 per quarter Student Recreation Fee.

From September 24, 2008 through June 13, 2009, bus rides were free for all EWU faculty and staff. However, students were still required to pay a small transportation fee. EWUs Board of Trustees approved a mandatory Student Transportation Fee of $6.50 to be added
to tuition each quarter beginning in January, 2008 (EWU STA 2009), and an agreement was reached between the university and Spokane Transit Authority (STA) that would allow students, faculty and staff to ride STA buses for free during the academic year by showing their Eagle Card while traveling on any bus route. The Board’s vote culminated a process that began when students voted 931 to 269 in favor of a mandatory fee of between $7 and $12. The Board, which had final say on the amount, felt that $6.50 would be sufficient to not only sustain the current level of service but would also provide a small cushion for other possible expenses. Eastern also implemented a Guaranteed Ride Home Program for employees experiencing emergencies, which was available free of charge two times per year.

**Park and Ride Lots**

State and federal grants play a pivotal in the success of CTR by encouraging and promoting alternative forms of transportation, such as busses, vanpools, carpools, bikes, and walking. According to RCW 47.04.170, WSDOT is authorized to enter into and perform agreements with federal agencies as may be necessary to secure federal grants, loans, or other assistance on its own behalf or on behalf of other public or private recipients for public transportation purposes. This includes, but is not limited to bus transportation, specialized transportation services for the elderly and persons with disabilities, and ride sharing activities (Washington State Legislature 2009). Both EWU and WWU are current recipients of WSDOT managed grants.

State and federal transportation grants come in a variety of different forms, from a comparatively modest $49,000 in start-up funds from the Department of Transportation’s Trip Reduction Performance Program for WWUs Campus Commuter Challenge (Anderson 2008), to
millions of dollars in state and federal funds managed by the WSDOT Public Transportation and Rail Division. The Washington State Legislature increased the state’s role in public transportation by adopting Substitute House Bill 2124, that established the Office of Transit Mobility within WSDOT. It also created the Regional Mobility Grant Program, including $20 million to support projects across the state that increase connection and coordination of transit and improve efficiencies on transportation corridors through public transportation (WSDOT 2009).

The Regional Mobility Grant Program also aids local governments in funding projects such as park and ride lots that enhance the efficiency of regional corridors in moving people among jurisdictions and modes of transportation (WSDOT 2009). WWWUs Lincoln Creek Transportation Center (LCTC) park and ride, which includes facilities for transit pick-up and drop-off and free parking for approximately 600 vehicles, is one such project. Located one mile east of the university’s campus on a 7.78-acre site (formerly a drive-in theatre), LCTC is a collaborative effort between Whatcom County, the City of Bellingham, and WWU. The university had previously considered constructing a centrally-located, on-campus parking facility, but the project was put aside by the Board of Trustees due to high costs and local neighborhood concerns. Attention was focused instead on two other projects: a campus shuttle and a park and ride site no more than a 10-minute bus ride from campus that would provide parking for 500 to 800 automobiles, offer security to drivers and their vehicles, and be operational by the fall of 2005 (WWU Board of Trustees Minutes 2005:5).
After determining the best site was the Lincoln Street property, WWU engaged in a three-year lease/purchase agreement with an option to buy, and a request was made to earmark $2 million from the Federal Transit Administration (FTA) as the first in a series of installments to pay the total $12 million project. With the help of U.S Senators Patty Murray and Maria Cantwell and U.S Congressman Rick Larsen, WWU secured a $1.9 million earmark and began pursuing a Regional Mobility Grant for an additional $5 million to complete the development of LTC (WWU Board of Tustrees Minutes 2005:5). Success of the project would be measured by a reduction of vehicle miles driven by faculty, staff, and students and a corresponding reduction in greenhouse gases (Western Washington University 2009).

Moving ahead with the project, WWU completed Phase I in which the LCTC property was cleared, lighting and emergency phones were added, and transit passenger platform stations were built. Phase II involved an environmental analysis by Huxley College of the Environment and the completion of a preliminary design by Transpo Group (2008). Phase III involved the purchasing of the property for 2.59 million in 2006 (Finney 2006; University Communications 2007) and a restoration project to realign a portion of Lincoln Creek back to its natural channel to create wetlands and habitat for wildlife and improve downstream water quality. Restoration also included the installation of an 80-foot steel pedestrian bridge made from a recycled railroad car, interpretive signage, and extensive native landscaping. Students from Huxley College of the Environment assisted in the planning, water quality monitoring, and other project work, which was completed in 2007 (Western Washington University 2006).
According to WWU architect David Willett, though WWU did not have the monies to construct a parking structure, pave LCTC, or build the proposed visitor center with restrooms, bicycle racks, or a latte stand, it did have the funds for Huxley College of the Environment to begin working on restoring the creek. “It’s a drainage ditch right now,” said George Pierce, Western vice president for business and financial affairs, “Restoring the creek will make a park-like atmosphere” (Finney 2006). “As Western continues to expand and erect new facilities, space for parking on campus will be eliminated, so the Lincoln Creek Park and Ride becomes an asset,” explained Maureen McCarthy, community relations and marketing manager for Whatcom Transportation Authority (Finney 2006).

Maintaining LCTC is one of parking services largest operating expenses (Cochran 2008:1), though it was difficult to see when looking at the undeveloped lot. According to Randy Stegmeier, director of parking services and chief of campus police, “if paving were to be done in the next few years, the first lot to be paved would be LCTC,” adding that “putting in the storm water detention vaults and then getting permission from the city to pave those areas” would be required before such a project could begin. Stegmeier also stressed that new and returning
students don’t need a car to get around Bellingham. “Freshmen do not need a car here,” he said. “They get a bus pass and the transit system here in Bellingham is so good that it makes it very easy to get around” (Cochran 2008:1).

While ecologically correct and aesthetically pleasing, prioritizing stream restoration and constructing a pedestrian “bridge to nowhere” with inaccessible gravel approaches (see above) was a violation of U.S. Department of Transportation (2001: Section 3.5) guidelines for prioritizing resources. According to U.S. DOT, accessibility improvements should be made before other types of improvements, such as landscaping, because accessibility improvements are required by law. Accessibility should be an integrated topic within pedestrian design guides, and every design specification should be consistent with the needs of people with disabilities. U.S. DOT also notes the if accessibility is not prioritized and integrated into the design guide it will continue to be addressed as an afterthought, which is precisely what happened with LCTC.

Since opening in 2004, LCTC has provided free parking for over 550 vehicles, including 11 so-called accessible parking spaces for persons with mobility impairments. While the number of accessible spaces complied with ADAAG Section 4.1.2.5.A (U.S. Access Board 2002), the condition of spaces violated both Washington Administrative Code Section 52-40-1107 and ADAAG guidelines for the construction and signage of accessible parking spaces. For example, according to ADAAG 4.5.1, the surface of accessible parking spaces and access aisles shall be “firm, stable, smooth, and slip resistant”—which is a far cry from LCTCs pot-holed, muddy, graveled, cracked and broken asphalt, and frequently flooded so-called disabled parking spaces and access aisles of LCTC (see below).
Other violations included the slope, which is easily measured using a tape measure and 48” level, and the access route (U.S. Access Board 2002: 4.6.3 & 4.3.2) which should have connected the spaces to an accessible transfer station (constructed by the city). According to ADAAG, accessible parking spaces and access aisles shall be located on a surface with a slope not to exceed a one inch vertical drop in 48 horizontal inches. The slope of the disability spaces in LCTC was 3 in 48. Access routes from accessible parking spaces must also be at least three feet wide with a firm surface that is stable and slip resistant and, if crossing traffic lanes, be marked with a crosswalk. However, as can be seen in the pictures below, LCTC’s access route from the spaces to the bus transfer station was a loose-graveled, pot-holed, muddy, unmarked, inaccessible and unsafe obstacle course.
Degraded accessible spaces and access route with no ISA signs.

Signage was another concern. According to ADAAG (U.S. Access Board .4; IBC 1107.3) “every disability parking space shall be identified by a sign, centered between 3 and 5 feet above the parking surface, at the head of the parking space.” Signs shall include the International Symbol of Access (ISA) and the phrase “State Disabled Parking Permit Required.” A review of commercial websites indicated the average cost of purchasing a 12 x 18 inch aluminum Reserved Parking Sign was $19.00 (ComplianceSigns.com 2009), or a total of $209.00 for all 11 signs. Toss in a metal pole, some bolts, and a bag of cement and the total would have come to about $30 per sign, or about $330 to correctly identify all 11 of LCTCs accessible spaces.

Over years of neglect LCTCs improperly spray-painted disability parking spaces and ISA symbols had been allowed to degrade to the point of obscurity. Without the proper signage that was never installed the spaces were difficult to identify. Therefore enforcement and ticketing of disability parking violators (RCW 46.16.381) by WWUs Department of Public Safety was absolutely nil. This was verified by a phone call to Public Safety during which the author reported multiple un-placarded violators, only to be informed by Public Safety that there was
nothing they could do, citing the lack of proper signage as their reason. When asked if that meant there were no accessible parking spaces in LCTC, Public Safety agreed that must be correct.


Public Safety’s statement identified a dilemma. According to ADAAG (2002) Section 4.1.2 (5) (a), the minimum required accessible parking spaces for LCTC is 11. RCW 46.61.581 additionally mandates that parking spaces or stalls for persons with disabilities shall be indicated by a vertical sign with the international symbol of access, whose colors are white on a blue background, as described under RCW 70.92.120. Failure of the person or entity owning or controlling the property where such parking spaces are located to erect and maintain ISA labeled signs is a class 2 civil infraction under RCW 7.80 for each parking space so designated, and carries a maximum penalty of $125 per space, per day until the problem is corrected. If multiplied by 11 the penalty would equal $1,375 per day, and if further multiplied by the years that the problem has gone uncorrected the potential liability for WWU would be enormous.

When individuals show a lack of concern toward the expectations and rules of society and the rights of others such behaviors are often interpreted as indicative of a sociopathic or antisocial personality disorder (DSM IV TR 2000). However, when a university engages in
similar behaviors toward persons with mobility impairments it is apparently considered inconsequential and trivial. WWU could have avoided the whole situation by simply moving the spaces to a different location, as per ADAAG 4.1.2 (5), where equivalent or greater accessibility in terms of distance from an accessible entrance, cost, and convenience was ensured (ADAAG 2002). After all, WWU had done this before with other lots, such as 7G, 14G, 3R, 18R, 16CR and the upper and lower C lots, whose nonexistent required accessible spaces had apparently been moved to areas closer to the university’s core. However, WWU would then be faced with the sticky issue of charging persons with disabilities to park in the spaces that had relocated from a lot in which parking for all was free. Rather than address these issues, WWU chose instead to allow LCTCs accessible parking spaces to slowly disappear.

The Numbers Game

The City of Cheney, in which EWU is located, has less than 100 employees. This would exempt it from mandatory participation in CTR were it not for EWU. EWU and the City of Cheney report to, and receive direction from Spokane County which was assigned jurisdiction by the Office of General Administration in Olympia that administers the CTR program for the state (Eastern Washington University 2009). The primary goal of the Cheney and EWU program was to reduce the number of single occupancy vehicles driven by full-time employees working 12 consecutive months who arrive at work between the hours of 6:00 and 9:00 AM. Of the 1200 employees at Eastern, only about 500 are affected by CTR, with approximately 249 currently registered in the program. The CTR bill was amended in 1997 to include a proposed reduction of 35% by 2005, with a $250 per day penalty to be assessed to noncompliant employers who were
not making a good faith effort.

EWU encouraged its students and employees to participate in the program by increasing their use of public transportation, car and vanpools, bicycles, and walking. However, unlike WWU, EWU did not develop plans for a park and ride lot of its own, relying instead on a network of preexisting off-campus lots scattered around Spokane County (Eastern Washington University 2009). This was surprising considering that EWU had a preexisting paved lot that seemed perfect for this purpose. The Red Barn lot (P-18), located on the southwest edge of campus at the intersection of Washington and Seventh Streets was the second largest parking lot on EWUs campus. Conveniently situated along bus route 65 with weekday service every 30 minutes (1 hour on weekends), the lot also included a small covered bus stop for protection from the elements (see below).

![Seventh Street covered bus stop and Red barn, lot P-18 accessible parking spaces. Photos by author 5/9/2009.](image)

Though normally underused Lot P-18 contained the third largest concentration of accessible parking spaces on EWUs campus (8 spaces), all of which fronted the so-called Red Barn building that housed the university’s police department (see above). This seemed odd considering that none of the 30 police employees were persons with mobility impairments
(police employees park in a fenced off lot behind the Red Barn). When asked why so many accessible spaces surrounded the Red Barn, the police department responded that the spaces must be intended for students with disabilities who live in Student Family Housing. However, Student Family Housing, which was a considerable distance from the Red Barn, already had 8 accessible, “no permit required” spaces spread throughout the complex.

<table>
<thead>
<tr>
<th>Total Parking in Lot</th>
<th>Required Minimum Number of Accessible Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 25</td>
<td>1</td>
</tr>
<tr>
<td>26 to 50</td>
<td>2</td>
</tr>
<tr>
<td>51 to 75</td>
<td>3</td>
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<tr>
<td>76 to 100</td>
<td>4</td>
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<tr>
<td>101 to 150</td>
<td>5</td>
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<tr>
<td>151 to 200</td>
<td>6</td>
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<tr>
<td>201 to 300</td>
<td>7</td>
</tr>
<tr>
<td>301 to 400</td>
<td>8</td>
</tr>
<tr>
<td>401 to 500</td>
<td>9</td>
</tr>
<tr>
<td>501 to 1000</td>
<td>2 percent of total</td>
</tr>
<tr>
<td>1001 and over</td>
<td>20 plus 1 for each 100 over 1000</td>
</tr>
</tbody>
</table>

U.S. Access Board 2002: ADAAG Section 4.1.2.5 (a).

If the Red Barn spaces were unnecessary for Student Family Housing, what then was their purpose? The most likely explanation was to fulfill ADAAGs minimum accessible spaces requirement. According to ADAAG Section 4.1.2.5 (a) accessible spaces shall be provided in each parking area in conformance with the table listed above (U.S. Access Board 2002). In small lots containing less than 100 spaces, the percentage of required accessible spaces is 4%. However, as the size of the lots increase the percentage of required accessible spaces decrease. For example, in lots with between 101 and 200 total spaces, the percentage drops to 3%, and then continues to decrease until reaching 2% in lots with over 500 spaces. The reason for the higher percentage of accessible spaces in smaller lots is that small lots are usually located close to
building entrances, whereas larger lots are normally situated in peripheral locations a considerable distance from core areas. This is why ADAAG recommends moving peripheral, large lot spaces to different locations where equivalent or greater accessibility is ensured (U.S. Access Board 2002). So why was this not done, and why is parking relocation such an issue? According to Caesar (2005) “Many are hired, but not all can park. At least not all can park close to the building where they need to go,” which may be why many universities play the numbers game and resist the relocation of disability spaces to more accessible locations in smaller lots closer to the core. Caesar argues that college parking is fundamentally hierarchical and often reveals how order is central to campus life. For example, most core lots are normally reserved for senior administrators, faculty, and staff, and are considered one of the perks employees value most about their institution. Faculty and staff work hard for many years to earn these special privileges. Therefore, it is understandable (if not right) that some might resist increasing the number of accessible spaces in restricted lots reserved exclusively for their use.

Occasionally, discriminatory attitudes manifest themselves monetarily, as in the case of Cornell University which charges persons with mobility impairments more to park on campus than persons without disabilities. When contacted by phone and asked to provide an explanation for their policy, Cornell’s parking services responded that persons with disabilities are required to pay more because Cornell’s accessible parking spaces are located in restricted lots “conveniently” close to building entrances: implying that accessible parking is special privilege, rather than a right. However, parking services departments do not determine policy or parking fees. Those decisions come from the top, including the Governor, legislators, and politically appointed university boards of trustees, which makes the problem both local and systemic.
Students with disabilities are not the only ones affected by discriminatory attitudes and policies. In a 2000 Disability Survey Report conducted by the Faculty Association of the University of British Columba, Canada (Hood et al 2000), association members were surveyed concerning their experiences with disability and conditions that limited their ability to do their job, or required accommodation to do so. The results indicated that for persons who clearly needed work accommodations the rates of fully successful accommodation ranged from 50-55% for most conditions, with 37% of respondents reporting only partial success. The researchers also found that persons with acute disease or visible disabilities were more likely to seek institutional support, whereas those with chronic, less visible conditions relied mostly on non-institutional remedies. The most common institutionally supported accommodation was modification of duties, which few could afford, such as workload reductions. Non-institutional strategies included the use of rehabilitation services and devices, shifts in personal expectations, or simply “making due.”

Many respondents maintained that the university environment made it difficult to acknowledge disability and to request accommodation. Academic culture rewards those with demanding schedules and high performance, encouraging many to hide their disability out of concern for their financial and professional futures. Respondents also pointed to widespread ignorance about what it means to live with a disability, and spoke of being disadvantaged by persons without disabilities because of their lack of understanding of the consequences of their attitudes and actions, such as referring to needed accommodations as “special treatment” (Hood et al 2000).

Judging by the evidence, many of the barriers to full participation experienced by
university students, staff, and faculty with disabilities appear to be systemic. According to the U.S. DOT Federal Highway Administration (2009) public transportation policies should be reexamined by State and local governments and programs developed that provide resources for constructing and maintaining an accessible transportation and pedestrian network. The debate over public transportation is far from ended. Before state and local governments and university boards of trustees start spending the approximately $9.5 billion funds from the American Recovery and Reinvestment Act (ARRA) they may wish to reexamine their transportation policies and priorities. They might also wish to recall the embarrassment and discomfort experienced by federal, state, and local officials in response to ABATE’s Wheels of Justice protests. Rather than be the target of the next disability rights campaign they should be the vanguard of persons with disabilities struggle for inclusion.
Most people enjoy the natural world, even in smaller parcels like university campus landscapes, and when the weather is good people want to enjoy its beauty and sensory richness. University landscapes hold great potential for recreation, conversation, reflection, observation, and meditation (University of Wisconsin 2008). However, even the most beautiful campus landscape is lost to a person preoccupied with keeping their balance; experiencing the discomfort of crossing a heavily textured surface; or struggling to get their wheelchair’s wheels out of a crack. Navigating a university landscape can also be challenging for persons with low vision for many of the same reasons. Mobility and sensory access is highly important to enrichment of the college experience. However, unpleasant experiences can easily outweigh the potential benefits of “natural” beauty. It is therefore essential that universities ensure that their landscapes are adequately constructed to work for everyone.

Architectural barriers in higher education are often related to a university’s design. While most students, faculty and staff may arrive on campus by walking, biking, mass transit, or personal vehicles, once they are there most of them move around on foot (McClure and Bartuska 2007:242). Unlike secondary schools or many places of employment where students and/or employees usually remain in the general vicinity of a single building for most of the day,
universities require students to move frequently from place to place, often traveling considerable
distances several times a day for full participation (Rothstein 2006:430). This may involve
sleeping in one location (residence hall, apartment, or home) and eating at another, attending
classes in three or four different buildings, going to the library and administrative buildings,
visiting student and recreational centers for social and extracurricular activities, and on weekends
attending athletic or cultural events in stadiums, arenas, or auditoriums both on and off campus.

For persons without disabilities getting around a large university campus can be
challenging, rushing from one end of campus to another to get to class on time. Commuting and
inadequate parking are other often cited as examples of common campus inconveniences.
However, for students with mobility or vision impairments or low stamina such experiences can
be nightmares. According to Rothstein (2006:430), “Many campus structures were built before
the Rehabilitation Act and other architectural barrier requirements were enacted,” and though
some have since been altered, or in the case of new construction designed from the ground up to
conform to the technical requirements of ADAAG (2004), the landscapes that surround them are
often complex and confusing mazes of interconnecting, multi-surfaced pedestrian pathways,
stairways, and decorative landscape features. “The result, while not due to intentional
discrimination, is that college campuses are often inaccessible” (Rothstein 2006:430).

Decorative Surfaces

When designing college campuses most landscape architects understand that landscapes
should be accorded the same respect as buildings, and that most buildings are subordinate to the
spaces in which they participate (McClure and Bartuska 2007; Sensbach 1991). The strategy for
designing a coherent campus also depends on the recognition that campuses should be user-
friendly to pedestrians, including those with mobility impairments (Polyzoides 1997). Though many campuses in the U.S. began their existence with a comprehensive plan to guide their physical growth, most have since sprawled beyond their original compact and easily identifiable cores. This expansion was fueled by a postwar explosion of construction between 1950 and 1975 to accommodate the influx of returning WWII, Korean, and Vietnam War veterans. During this period more structures were built on college campuses in the United States than in the previous 200 years (Chapman 1994; Rush and Johnson 1998). As a result of this expansion and an eclectic mix of architectural styles many campuses lost their architectural consistency.

During that period individual projects were frequently conceived within narrow stylistic ranges resulting from a false sense of continuity by employing imageries of romantic pastoralism or unique historical heritage (Bridger 1996), or at the opposite end of the spectrum architects were allowed to introduce projects expressing their deeply personal styles (Polyzoides 1997). In both cases, obsession with style—on the one hand narrow, on the other without limits—precluded the possibility of producing campuses that were a collective form of buildings, open space, and landscapes. The result was often an inaccessible campus in a confusing state of physical and visual disarray. Nevertheless, most college administrations have tried to retain those physical characteristics they believe mark their campuses as special places, including the use of decorative and textured paving materials such as bricks, cobblestones, and concrete pavers.

*Surface* is defined as the material on which a person walks or wheels in the pedestrian environment, and the type of material used often determines how difficult an area is to negotiate for persons with mobility impairments (U.S. Department of Transportation 2001:4.3.9). Though esthetically pleasing, the use of decorative or textured paving materials in pedestrian
environments is strongly discouraged by the U.S. Access Board (2002), the U.S. Department of Transportation (2001) and the National Endowment of the Arts (2003). Decorative and textured pavements increase the amount of work required for mobility and create a bumpy, vibrating ride that is uncomfortable and painful for persons in wheelchairs, or for persons pulling wheeled backpacks, briefcases, and laptop bags. Damaged or loosely spaced pavers create grooves that catch wheelchair wheels, and bricks, cobblestones, and concrete pavers have a tendency to buckle creating sudden changes in surface level. This creates a tripping hazard for all pedestrians, particularly for persons with mobility impairments. Decorative or textured surfaces also make it difficult for pedestrians with visual impairments to identify detectable warnings such as truncated domes, which provide critical information about transitioning from the sidewalk to the street (U.S. Department of Transportation 2001: 4.3.2.4)

Wheelchair can easily get stuck between decorative surface materials (left). Small changes in level present a tripping hazard (right). U.S. Department of Transportation 2001: figure 4-33; National Endowment of the Arts 2003.

At WWU decorative pavements were in use everywhere, from the bricks of the older areas of campus like Red Square, Haskell Plaza, and Wrights Triangle and their connecting walkways, to the brick-like cement pavers used in the recent construction of the plazas and
walkways surrounding the new Wade King Recreational Center, Communications Facility, Academic Instructional Center, and Academic Instruction West (Western Washing University Campus Map: appendix D). WWUs campus generally flows from its original north campus high point to the new south campus low point, with plans for further expansion down the eastern slope to a new waterfront campus that would connect the university to Bellingham Bay. According to a draft proposal submitted by the university’s waterfront development consultant STRATUS (2009) water—eddies, pools and currents—are prominent themes in WWUs relationship with its environment. WWU at the Waterfront should recognize these existing campus characteristics and continue their cascade down the hill to the Waterfront, with bricks and water employed as the unifying elements.

The City and the Port of Bellingham joined forces with WWUs board of trustees in 2002 forming the Waterfront Futures Group (Western Washington University 2010) and began studying the potential of redeveloping Bellingham’s former industrial waterfront. Later that spring an Academic Waterfront Planning Committee was appointed, and in 2008, WWUs Board of Trustees approved the development of an Inter-local Cooperation Agreement between WWU and the Port of Bellingham allowing for the creation of a “development entity.” However, nowhere in the Waterfront Character Study (STRATUS 2009) submitted to the board of trustees in May of 2009 was there mention of persons with mobility impairments or accessibility issues. While this may seem odd at first considering the Waterfront Character Study Consulting and Facilitation Team was composed of professional architects, planners, and consultants, it may not be as surprising as one might think.
According to Hunter (2000) many university-trained landscape architects have been taught to use their skills to hide or diminish the visibility of those persons society considers unsightly. They have also been conditioned to frame the ADA as restrictive legislation and government interference, rather than as a positive opportunity for the social integration and inclusion of persons with physical disabilities into landscapes. Many architectural schools themselves are inaccessible, and design professionals frequently view people with disabilities as a user group, rather than potential peers and colleagues (Ostroff and Hunter 2003). Professionals and students with disabilities have complained of barriers in architectural education and professional practice including fatigue caused by long hours and lack of time for rest, inadequate access caused by stairways, building level or location, inappropriate height or size of drafting boards and desks, lack of elevators or lifts, inaccessible parking, and lack of time given to complete tasks.

Hunter (2000) believes that by showing how landscape architecture has served society in isolating and removing persons with disabilities from the landscape, prejudicial design practices may be reduced, and new forms of inclusive design might be fostered. While it is impossible to conclude that Los Angeles based STRATUS was attempting to bury the concerns of persons with physical impairments under a cascade of sparkling water and a ton of decorative bricks, it is certainly food for thought. Hunter might be right, or it may simply be a matter of marketing a product to clients who care more about continuity, unifying themes, and nostalgia for imaginary representations of the past (Sieber 1991) than for the welfare of pedestrians with and without disabilities.
For example, according to Glenn Smith (2009) of the independent student newspaper *The Western Front*, WWU’s Red Square is the centerpiece of campus, complete with a steady flow of foot traffic, the Sky-viewing Sculpture, and a massive fountain built atop a shifting peat bog that causes Red Square’s sinoper bricks to lift and shift, often tripping unwary students in a hurry between classes. Smith cautions that “when walking through the center of Western’s campus students should beware of the tripping monster lurking at random places underground, which pushes up bricks just when a person’s foot is about to pass over” (Smith 2009).

As can be seen in the above photographs, the bricks of Red Square require constant maintenance. The shifting nature of the unstable ground creates a “rolling effect” which is difficult for persons, both with and without disabilities to negotiate even under the best of conditions. Rain, snow and ice worsen the problem by making the bricks slippery, as does the “fine blowing mist from the fountains 11 gushing jets that shoot water upwards of 15 feet into the air” (Smith 2009). Decorative landscaping, like the trees that line the periphery of Red Square add to the problem by pushing from beneath the surface and tipping the bricks as they...
grow, and leaves dropped from their boughs in the fall hide obstructions. Heaving and settling due to frost, and buckling brick surfaces also cause changes in level that trip pedestrians and cause manual wheelchairs to catch their wheels, bringing the occupant to an abrupt halt. People who are blind or have low vision may not anticipate changes in level, such as a buckling brick surface that increases their risk of trips and falls (U.S. Department of Transportation 2001: 4.3.2).

According to Smith (2009) the original design of Red Square, constructed in 1964, called for a complicated system of pathways separated by patches of grass connecting the core area buildings similar to EWUs Central mall. According to Craul (1999; U.S. Department of Transportation 2001: 4.4) tree roots are one of the most common causes of cracks and small changes in surface level. Therefore, walkways should not be installed close to trees that will hamper their natural trunk and root growth. Trees need a minimum of 48” x 48” planting area, and if improperly planted or maintained, can be very problematic in pedestrian environments. When planted too close together without grates or grass, trees will not get enough water. When
water is limited tree roots tend to push through the surface and spread outward, rather than downward, looking for new water sources.

When trees do not get enough water they spread their roots and break the surface of walkways. U.S. Department of Transportation 2001: Figures 4-41, 4-1, 4.39.

Nowhere was this more apparent than on the pedestrian walkway located between Haggard and Bond Halls that was extensively damaged by tree roots. This same problem also affected the accessible route from the parking lot closest to the Wilson Library complex, that contained 4 accessible parking spaces located on the southwest side of Haggard Hall. Though located conveniently close to the library entrance, the Haggard Hall disability parking spaces were also surfaced with brick, as were the access road and walkway leading to High Street and the WTA bus stop in front of the library. Rutted and damaged from vehicle traffic, their surfaces were uneven and difficult to negotiate.
Root damaged pedestrian walkway between Haggard Hall and Bond Hall. Photos by author 4/13/2009.

Rolling effect on Haggard Hall disabled parking spaces (right) and tilted and missing bricks on access route to library (right). Photos by author 6/3/2008 & 4/13/2009

EWUs *Pathways to Progress* was another example of landscape planning conceived within a narrow stylistic range (Polyzoides 1997) that ignores U.S. Access Board (2002) and U.S. Department of Transportation (2001) guidelines for designing for all abilities. Considering EWUs strong academic focus on disability issues, such as its Center for Disability Studies & Universal Design (Mackelprang 2009) its affection for turn-of-the-century ambiance and decorative brick pavers seemed somewhat out of step the U.S. Access Board and DOT’s pedestrian surfaces guidelines. Landscaping and the installation of brick pavers began in October, 1997 during the construction of EWUs central mall in the area between the JFK library, Patterson Hall, the PUB, and Tawanka Commons (Mutschler 2005). This was soon followed by a proposal in 1998 from the mayor of Cheney to link downtown revitalization with the university’s Department of Urban and Regional Planning, that eventually culminated in the formation of Pathways to Progress (Eastern Washington University Board of Trustees 2006).
Pathways to Progress is a private, nonprofit downtown development corporation and community-based partnership between the city of Cheney and EWU, with a mission to “develop, strengthen, and sustain the social, historic and economic vitality of downtown Cheney” and to facilitate the formation of a “town and gown” relationship between the city and the university (Eastern Washington University Board of Trustees 2006). In September of 2001, Pathways to Progress announced its joint, unifying plan to connect the campus to downtown with sidewalks made of decorative pavers (Eastern Washington University Board of Trustees 2006; Mutschler 2005). Phase one of the capital improvement project included the removal of existing cement sidewalks and their replacement with decorative brick pavers, as well as the installation kiosks, antique lighting, and decorative landscaping. Funding for the one million dollar project came from the community, private businesses, the city of Cheney, and EWU and included a matching grant from the Washington State Department of Transportation (Soennichsen 2002). Phases two and three of the project called for the renovation of F and G streets in a similar manner. According to EWU President Stephen Jordan, “One of the goals of the Pathways project is to
make the whole area around campus and in downtown Cheney more pedestrian friendly. We think the changes will be phenomenal in just a few years from now” (Soennichsen 2002).


President Jordan’s words contrast sharply with the U.S. Access Board’s (1999:3.2.4) position that “specialty paving’s are not suitable for sidewalks.” Although some textured surfaces may provide useful cues to pedestrians who are blind when used as borders and edges of walkways, irregular surfaces such as cobblestones and bricks are not easily traversed by pedestrians with or without mobility impairments who may catch a wayward foot. Decorative pavements have also been implicated in triggering painful spasms in wheelchair users due to repeated jarring, the effects of which are compounded by the buildup of ice and snow on walkways during periods of winter weather (Li et al 2010). For these reasons the U.S. Access Board Design Guide for Accessible Rights-of-Way (1999) and the Washington State Department of Transportation (WSDOT) Design Manual M 22-01.05 (2009:1510.05.2.A.1) both recommend that surfaces of pedestrian routes be constructed of salted, or broom-finish cement or asphalt concrete that are firm, stable, slip-resistant, and smooth.
Responding to the growing popularity of the use of decorative surfaces in the construction of walkways and plazas, the U.S. Access Board (2001) sought to expand existing guidelines by adding a new section (XO2) to the Minimum Requirements for New Construction. The change would have required the addition of a 60” reduced vibration zone, or pedestrian access “path within a path,” to sidewalks and plazas constructed of textured materials. The intent was to create an unobstructed, smooth, and navigable path aligned to be as direct and free of meanders as possible for pedestrians using wheelchairs or other mobility aids who might experience pain or difficulty traversing rough or jointed surfaces. XO2 was vehemently opposed by the Brick Industry Association (BIA), the Interlocking Concrete Pavement Institute (ICPI), and the National Concrete Masonry Association (NCMA) who aggressively promote bricks and pavers to architects, developers, cities, and universities in search of a decorative “old-time look” (Neighborhood Access Group 2005).

In support of its lobbying effort the BIA, ICPI, and NCMA approached the University of Pittsburgh, Human Engineering Research Laboratories (HERL) to conduct a study to investigate the interaction of segmental pavement surfaces with manual and electric powered wheelchairs. The project was intended to show that “interlocking concrete and segmental brick surfaces are capable of producing equivalent or less vibration [than smooth cement surfaces] when traversed by wheelchairs” (Neighborhood Access Group 2005; Smith 2001). In its study HERL compared six sidewalk surfaces: one made of poured cement, two of clay pavers, and three of concrete pavers (Cooper et al 2002; 2004). Not surprisingly, considering the researchers sponsors, HERL came to the counter-intuitive conclusion that “there was no difference in the amount of work required to transverse any of the surfaces” and that peak acceleration and vibration were actually
lower on textured surfaces than on smooth poured concrete (Smith 2001; Cooper et al 2002; 2004). Thus, according to HERL, most common types of segmental paving were acceptable for pedestrian access routes.

The problem with HERL’s study and the claims made by BIA, ICPI, and NCMA that textured surfaces lower vibration and increase acceleration, was that it contradicted other claims by BIA, ICPI, and NCMA that changing the surface material or texture of roadways through the selective use of brick or cobblestone slows vehicular traffic by increasing vibration, vehicle motion, and tire noise (Interlocking Concrete Pavement Institute 2007). To strengthen this claim, ICPI’s flagship publication, The Interlocking Concrete Pavement Magazine (2007) cites another publication, Traffic Calming: State of the Practice (Ewing 1999) by the Institute of Traffic Engineers that lists textured pavements as a traffic calming tool. Even the U.S. Department of Transportation (2001), Section 9.2.4 agrees that “Textured pavements do reduce travel speeds.” But because they are difficult for bicyclists and some pedestrians to negotiate, DOT recommends that “due to negative impacts on pedestrians and access, the installation of large areas with textured pavement at intersections should be avoided as a traffic calming tool.”

Despite conflicting claims the BIA, ICPI, and NCMA lobbying efforts were successful and XO2 was deleted from the final draft of the Architectural Barriers Act (2004). On August 20, 2009, the U.S. Department of Transportation even went so far as to add the following update to Section 4.3.1.4 (Decorative Surface Materials) of its website: “Since this report was published in 2001, new resources and new construction and maintenance techniques have been developed to improve brick and other paver installation.” Though DOT did not alter its stance on decorative surfaces, readers were linked to the BIA, ICPI, and NCMA websites for “Information about best
practices for installing paving systems.” Why DOT took such an unprecedented action is difficult to explain.

The use of decorative pavers by universities, in spite of these controversies, may be tied to American academia’s longstanding obsession with constructing Euro-American images of sophistication and antiquity through architectural landscape design. Beginning in the nineteenth century, the same period in which many colleges and universities were being established in the U.S., Andrew Downing (1815-1852), an American designer of country estates for wealthy industrialists published *A Treatise on the Theory of Practice of Landscape Gardening Adapted to North America* (1844; McClure and Bartuska 2007:222), in which he proposed adopting principles of landscape gardening derived from aristocratic models in the Old World to places in the U.S. (McClure and Bartuska 2007:222). These themes were also embraced by Frederick Olmsted (1822-1903), who is credited with founding the discipline of landscape architecture in North America, and enthusiastically applied by he and his colleagues to university campuses—a practice that continues today.

Rather than embracing architectural imagery, the academic leadership of universities should encourage the traditional notion of a campus as a teaching instrument and an expression of the community whose purpose is aimed toward the society as a whole (Polyzoides 1997). All individuals have the right to fully participate in both their community and higher education. If they do not do not have a safe, comfortable, and convenient pedestrian system persons with mobility impairments become isolated and are unable to participate in everyday activities. Given the broad influence of environmental factors on an individual’s level of function, professionals who design or construct pedestrian environments have a significant influence over whether
individuals with disabilities will use and enjoy the environments they create (U.S. Department of Transportation 2001:2.3).

American universities and college landscape architects obsessed with artificial recreations of antiquity might consider taking a second look at the real Old World for guidance in designing for accessibility. The University of Dublin, Trinity College, founded in 1592 and ranked 49th in the top 100 world universities (Trinity College Dublin 2009) recently had its decorative cobbles removed and replaced with smooth cement walkways as part of its Cobblestone Reduction Program to improve accessibility for persons with mobility impairments. Though the Dublin City Council objected to the proposal as too disruptive to the character of the university, the college responded that “While it is acknowledged that the existing cobble finish adds a particular character to Front Square, it is noted that they are not of a truly historic character, in that according to current research they were only laid in the past 50 to 60 years” (Lucheroni 2008). Leave it to the Irish, another historically oppressed people, to call it like it is.

Walking with the Artists

Former U.S. President Franklin D. Roosevelt, a person with a mobility impairment once said that “Art is not a treasure in the past or an importation from another land, but part of the present life of all living and creating peoples” (Beilenson 1982). In order for persons with disabilities to participate in the arts they need access to the physical environment of the activity, access to products, and be able to participate in activities. Access to cultural programs is a legal requirement of the Americans with Disabilities Act (1990) and Section 504 of the Rehabilitation Act (1973), and cultural organizations, both public and private, must comply with the Section 504 regulations of all agencies providing them with direct or indirect federal monies. Indirect
federal financial support includes pass-through money and sub grants. Though funds may come from state or local government and arts or humanities councils, such organizations are actually passing on federal funds.

Programs include any activity that a cultural organization makes available to the general public, such as outdoor exhibits and tours. Areas, items, and information included in tours should be available to everyone, and routes should meet all the ADA requirements for accessible routes or pathways (National Endowment for the Arts 2003). Persons with mobility impairments and wheelchair users should be able to move along the tour route without encountering steps, curbs, rough or uneven surfaces, or other barriers to mobility. Docents and tour guides should receive ongoing training in appropriate interaction with persons with disabilities and offer assistance when requested (Majewski 1987). Persons with disabilities from the community and/or advisory committee should be asked to help evaluate programs and offer their assistance in training docents and tour guides.

WWU is understandably proud of its Outdoor Sculpture Collection featuring major international, national, and regional artists responding to the natural and built environment. The nationally famous, public art collection is exhibited throughout the entire campus and integrated in the design of campus buildings, quadrangles, lawns, and playing fields (Western Gallery 2009). Though architects played an important role in the selection of artists and the installation of their pieces in the early phases of the public art program, by 1970 a new draft of the art committee restricted the architect’s role, shifting responsibility for decisions concerning potential artists, general concepts, and appropriate sites to the curator and the

As early as 1957, WWUs board of trustees decided to include, whenever possible, the acquisition of works of art in the budgets of new construction. Half of the permanent works come from WWUs own art allowance, with major gifts from the Virginia Wright Fund and the private collection of Virginia and Bagley Wright, with matching grants from the National Endowment for the Arts (NEA) and a percent-for-art funds from the Washington State Arts Commission (WSAC) (Clark-Langager 2006). As a recipient of federal financial assistance, WSAC is subject to compliance with the ADA and other applicable federal and state laws, as are the grantees that receive federal and state funding. As part of the application process and grant contract agreements grantees must give assurances that they will comply with all applicable Federal and State laws, rules, and regulations regarding the use of public funds (Washington State Arts Commission 2009).

It was therefore surprising, considering the NEA and WSAC funding requirements, that the Western Gallery and Washington Art Consortium websites made no mention of accessibility. Nor was accessibility referenced in the transcript of WWUs Walking Tour with Artists (Clark-Langager 2006) that contained details of the tour route, as well as excerpts of interviews with the collection’s artists. For example, the transcript provides the following directions for reaching
George Trakas’s *Bay View Station* sculpture: “walk to the far end of the concrete wall of the [College of Fine and Performing Arts] plaza which looks out over Bellingham Bay . . . follow the wall to the right and continue down the set of steps at the end of the wall. At the foot of the steps, cross the driveway, pass the fenced in utilities, and walk onto a small concrete pad with rectangular benches (Clark-Langager 2006).

According to Majewski (1987:53; National Endowment for the Arts 2003) tour routes should always include detailed information on distances, length of tour, and barriers such as textured or gravel surface materials, curbs and stairs, steep grades, narrow spaces, and cross slopes. The availability of assistive devices such as elevators, wheelchair lifts, ramps, and signage and the location of accessible restrooms, water fountains, and rest stops should also be included. Walking Tour with Artists earned a low grade in this regard by failing to mention the existence of an accessible elevator in the Performing Arts Center (PA) (appendix 4) that connected to a lower-level doorway which exited directly onto the smoothly paved and shaded sculpture viewing area (see below).

Inaccessible stairway leading to George Trakas’s *Bay View Station* and the Performing Arts Center lower level exit leading to the art center’s accessible elevator.

Another example of unnecessary exclusion of persons with disabilities was Nancy Holt’s 
*Rock Rings* (1977) sculpture which was located within feet of the back wall of the newly 
constructed Academic Instructional Center (AI) (appendix 4). To view Rock Rings one must 
climb a steep, grassy knoll or descend a curved, gravel path from the AI parking lot. Soft 
surfaces such as sand and gravel are difficult for all users to negotiate, presenting particular 
hazards for those using wheeled devices such as bicycles, strollers, or wheelchairs not designed 
for outdoor terrain (U.S. Department of Transportation 2001). Therefore redesigning the 
approaches to Rock Rings to meet ADA accessibility standards should have been a priority in the 
new construction budget of the AI facility. However, on the recommendation of Western 
Gallery, the gravel pathway and the area surrounding the *Rock Rings* sculpture was left 
unchanged.

![Image of a person in a wheelchair on a soft surface]

Soft surfaces are difficult for people with mobility impairments to negotiate. 
U.S. Department of Transportation 2001: 4.3.2.4.
Despite what some might believe outdoor sculptures and historic landscapes are not exempt from ADA Accessibility Guidelines (U.S. Access Board 2002; National Endowment for the Arts 2003). Public entities covered by Title III of the ADA must remove architectural barriers wherever such removal is readily achievable, which is generally defined as “easily accomplishable and able to be carried out without much difficulty or expense” (U.S. Access Board 2002). New construction or alterations create opportunities to provide access to persons with disabilities and areas of secondary importance, such as pathways should be identified, particularly where accessibility modifications will not destroy a landscape’s significance. People with vision and mobility impairments should also be included in site assessments that identify accessibility barriers such as surface materials, widths and slopes, and path of travel restrictions. Identifying features that do or do not contribute to accessibility is essential in developing a sympathetic circulation pattern that addresses all potential user’s needs (National Endowment for the Arts 2003).
Stadium Piece was another example of WWU ignoring new construction rules. A large stepped structure by Bruce Nauman, Stadium Piece was situated on a grassy knoll in the center of the newly constructed plaza between the Academic Instructional Center (AI), Academic Instructional West (AW), and the Communications Facility (CF). Designed as an interactive sculpture that resembles an up and down stairway, Stadium Piece was intended to be walked on, and under, and climbed upon (Clark-Langager 2006). Originally rejected by the University of New Mexico, the sculpture seemed to fit WWU because of its close proximity to the athletic fields, track, and the Wade king Recreation Center. According to the artist: “I knew that there was going to be new construction, so trying to imagine Stadium Piece in relationship to whatever configuration new buildings around it would eventually take…that was interesting to me. How it would change its function as the campus changed” (Clark-Langager 2006).

Bruce Nauman’s Stadium Piece fronting the new Communications and AI buildings. Photos by author 7/2009.

However, like all works of art, Stadium Piece is subject to multiple interpretations. While many persons without disabilities might accept it without question or concern, persons with mobility impairments might view it as a socio-physical monument to ableism (Porteus 1977; Wachs 1987; Zeisel 2006) reflective of the university’s values and beliefs (which may be one of 120
An ableist society is one in which individuals without disabilities are viewed as the norm. In such a society public and private places, education programs, and services are often designed to serve “standard” people, thereby excluding many persons with disabilities. Rather than question the ableist status quo, Stadium Piece embraced and reinforced it, playing upon ablest, middle class values to deliver its message. Even Nauman seemed to recognize these latent values incorporated in his sculpture, and why it might be inappropriate if it were installed in a more inclusive, non-ablest centric venue. “A university is a little bit of a special situation because it is not like putting something in the middle of a downtown plaza or a shopping center where you really are dealing with an enormously diverse audience” (Clark-Langager 2006).

Perhaps what WWU needed was a different kind of artist to appropriate and modify the sculptures message. Ben Bostock (2007) is a master of appropriation art. Using a yellow, life-size, ISA symbol of facilitated access, Bostock makes accessibility statements with his *Access Denied* sculptures. “My sculptures look at access and disability in the built environment. My aim is simply to get people talking about disability, using symbolism not as a design element that dictates to us what to think, but as an object that provokes thought in context” (Bostock 2007).

One can almost visualize one of Bostock’s sculptures positioned atop Nauman’s sculpture; or emerging from the Performing Arts Center’s elevator to view Trakas’s Bay View Station; or overturned on the gravel pathway leading to Holt’s Rock Rings. Considering the diversity of both “natural” and “built” environments for him to work with at WWU, the Western Gallery should extend an invitation to him to exhibit his work on WWUs campus.
If a government or public institution does not communicate a welcoming environment the community’s perception of the organization will not be positive. Such was the case in 1988 when a group of Los Angeles based disability rights activists made national headlines by protesting the lack of curb cuts along the world famous Hollywood Walk of Fame (Lathrop 2009; American Disabled for Accessible Transportation 1988). After five years of requests to the city to install curb cuts went unanswered, 40 sledgehammer wielding members of American Disabled for Accessible Transportation (ADAPT) converged on what they referred to as Hollywood’s “Walk of Shame.” Chanting “Walk of Shame” and “We will roll.” The protestors then began hammering the curbs. Within two weeks the city agreed to install curb cuts and resurface the sidewalk to protect against slippage. Two days later, when ADAPT descended on Union Station in Hartford, Connecticut, the district director of Greater Hartford Transit complained “People don’t have to come at us with sledgehammers,” to which one ADAPT member responded, “We’re equal citizens and we’re tired of waiting” (American Disabled for Accessible Transportation 1988).
“Accessibility begins as a mandate to serve people who have been discriminated against for centuries; it prevails as a tool that serves diverse audiences for a lifetime” (Smithsonian Institution 1996). Every person in America, including those with disabilities, should be able to participate in arts and humanities programs (National Endowment for the Arts 2003). Cultural organizations should be inclusive in all aspects of their activities and where necessary be willing to restructure existing programs or create new activities in which people with disabilities may participate in an integrated and inclusive environment. And colleges and universities should be at the forefront of efforts to make this happen.

**Home Sweet Home**

Leaving home for college is a time of anticipation, some anxiety, and wonderful new discoveries. For most students college it is as much about finding out who they are, being “on their own,” living independently for the first time in their lives, and interacting with new and interesting people as it is about acquiring a degree. College is where students socialize and
develop friendships that form some of the most satisfying, diverse, and long-term personal and professional relationships of their lives, where they often meet their future partners, and where they form many of their core attitudes and beliefs about other people and the world around them through the dual processes of education and socialization.

According to Coakley (2004:98) socialization is an active process of learning and social development that occurs when people interact with one another and become acquainted with the social world in which they live. Socialization is not a one-way process through which people are molded and shaped. Instead, it is an interactive process through which people actively connect with others, synthesize information, and make decisions that shape their lives and the social world around them. The importance of socializing postsecondary students to their new environment is one reason why most colleges and universities provide residential living facilities for students on or close to campuses. Though EWU and WWU do not require newly arriving freshman students to live on campus, they highly recommend they do so because students who live on campus “are more likely to feel connected, stay in school, and persist to graduation” (Eastern Washington University 2010).

Socialization is particularly important for postsecondary students with physical impairments. Because people of all ages with disabilities tend to socialize less than persons without disabilities (Kessler Foundation and National Organization on Disability 2010) and because close contact between persons with disabilities and those without helps to lessen negative social attitudes about persons with physical impairments while increasing their social desirability (Fichten and Amsel 1986), colleges and universities should be making a concerted effort to integrate students with physical impairments into all aspects of campus life. This
includes campus dorms, which are one of the primary locations on campuses where opportunities for socialization between students occur. However, for persons with severe physical impairments (like disability rights movement founder Ed Roberts, who was forced to live at USC's Cowell Hospital) most dorms at most American universities are inaccessible.

Prior to passage of the ADA there were eight universities in the United States that provided the necessary residential services for students with severe physical impairments, such as personal care and meal assistance, lift-equipped buses or vans, and wheelchair repair. Today there are four; the University of California, Berkeley, Wright State University, the University of Illinois, and the University of Pennsylvania (Tiedemann 2008). While all colleges and universities are required to comply with the ADA, most simply set aside dorm spaces similar to hotel rooms for students who use wheelchairs in otherwise inaccessible facilities in locations at the periphery of the university’s core areas. Thus the utility of these so-called wheelchair accessible dorms, combined with the fact that few universities provide assistance with the personal activities of daily life, is questionable indeed.

In a study of dorm living that measured the availability of wheelchair accessible dorm rooms, Singh (2003) discovered that only 2% of over 300 institutions surveyed facilitate dorm living for students who have mobility impairments, and that only a small proportion of the sampled institutions had wheelchair accessible dorm rooms or other accessible residential facilities and services specifically designed for students with mobility impairments. For the purposes of the study, accessibility was determined by access to residence halls, laundry facilities, bathrooms, dining rooms, fire exits, on-campus repair of mobility equipment such as wheelchairs and crutches, help in the recruitment and training of personal care assistants, and 24
hour availability of an on call nurse in the residence hall—the same types of services one might expect to find in most community assisted living facilities for persons with disabilities and the elderly—of which there were more than 1,276 facilities in the U.S. as of 2007, with over 839,746 accessible residential units (Stevenson and Grabowski 2010).

According to WWU (2010) campus living allows students to extend their learning beyond the classrooms, make lifelong friends, and develop a deeper understanding of the world beyond academia. Students living in university residences enhance their college experience in diverse and inclusive communities that foster civic engagement, active learning, effective citizenship, leadership and social responsibility supported by an attractive, high quality and sustainable campus environment—all within a ten-minute walk to the campus core. WWU provides over a million square feet of living space for up to 4,200 of its 12,313 full time students. However, the university also feels that some residential buildings are more appropriate than others for students with sensory or mobility impairments, mobility aids, service animals, durable medical equipment, or certain medical conditions—which translates as segregated dorms.

Even when wheelchair accessible dorm rooms or apartments are provided, for example WWU’s Burnam Woods (which is open year round and currently houses the university’s only residential student who uses a wheelchair), they are often isolated from other residences and common rooms and located a considerable distance away from the university’s core areas, dining halls, and medical facility. While Burnam Woods’ wheelchair accessible apartment did have two reserved parking spaces for persons with disabilities, the configuration was somewhat disturbing. Situated on the slope of a steep, wooded hillside overlooking the Bill McDonald Parkway, one
space had a 5:48 cross slope which would make it difficult for a wheelchair user or mobility impaired person to negotiate, while the other space had a shear, right side drop-off that would make it difficult, if not impossible, for a person to exit from that side of the vehicle without tumbling down the hill.

The 5:48 cross slope was especially troubling. ADAAG (2002) Section 3.5 defines cross slope as a “slope that is perpendicular to the direction of travel,” which according to U.S DOT (2001:4.2.2) makes it difficult for wheelchair users and other pedestrians to maintain their lateral balance while working against the force of gravity. Wheelchair users traveling on a cross slope must also use more energy to travel in a straight line to offset the force that directs them sideways. Not only do cross slopes cause wheelchairs to veer to the side, they also force people using crutches or canes to turn sideways in order to keep their base of support at a manageable angle. The impacts of cross slopes are additionally compounded when combined with steep grades and uneven surfaces. Another problem entering or exiting a vehicle is that most vehicle’s doors are heavy and become increasing more so when a vehicle is parked on a severe cross slope, like Burnam Wood’s uphill space. Thus keeping one’s balance while simultaneously struggling to open or close a heavy car door would be challenging for anyone, whereas doing so on crutches or while attempting to deploy a wheelchair or other mobility aid would be nearly impossible under such adverse conditions.
WWU listed three other wheelchair accessible dorms on its website. However, only one, Edens Hall, built in 1921 was equipped with wheelchair accessible showers. According to WWU Residential Services, one of the rooms at the Fairhaven Complex was also scheduled for ADA renovation at an approximate cost of $100,000. However, residential services seemed to feel this amount was an excessive and unnecessary expense considering the university only had 1 student out of 4,200 residents who used a wheelchair.

This topic came up again during an informal conversation with Tim Douglas, former mayor of Bellingham, WA. According to Douglas, when the city began installing curb cuts in the 1990s he received 200 to 300 complaints a week from citizens who could not understand why the city was damaging perfectly good sidewalks and wasting taxpayer monies to install curb cuts. After all, they informed Douglas, they had lived Bellingham all of their lives and had never seen a person in a wheelchair using the sidewalk. “I tried to explain to them that the reason they had never seen a person in wheelchair on the sidewalks was because the sidewalks were inaccessible. No matter what I said, they just didn’t get it” (Interview 2009).
WWU was currently constructing a new residence hall; the 25 suite, 100 bed $14.3 million Buchanan Towers East with ADA compliant, wheelchair accessible, ground floor level rooms. Though slated to open in 2010, due to construction delays Buchanan Towers East did not expect to start accepting students until fall quarter of 2011 (Cox 2010). When complete the facility would include a bicycle repair shop (that might conceivably have doubled as wheelchair repair facility, though this possibility had not been considered by residential services). The new facility would also be closer to the Fairhaven dining complex and the university’s medical facility, with a bus stop conveniently located in front of the building. However, in keeping with WWUs “green theme” parking of all types, including accessible parking, would be limited.

At EWU “cost, convenience, and commute time, study demands, employment opportunities and social life” were some of the reasons stated for students to consider living on campus (Eastern Washington University 2010). However, with residential accommodations for only 2,000 of its 10,750 full-time students, competition for dorm rooms was fierce. EWU also had three Family Housing complexes for married or unmarried students with children which included accessible parking. Pearce Hall, which was not wheelchair accessible, was located next to the JFK Library and was primarily for incoming, first year students. While most of EWUs on campus residence halls were inaccessible it did have a new facility, Brewster Hall, with three wheelchair accessible four bedroom suites.

Located in downtown Cheney and serviced by city busses, Brewster Hall was a considerable distance—straight uphill—from the university campus. While a welcome addition for persons who use wheelchairs and require accessible showers, Brewster Hall’s remoteness
was an issue. A better solution would have been to renovate Louise Anderson Hall, which was located on level ground in the center of campus adjacent to the main plaza. However, when the two-story Louise Anderson Hall was remodeled between 1999 and 2000, the university board of trustees decided not to install the required ADA updates, which would have included an accessible elevator. Why the university would choose to house students with mobility impairments in a remote, off-campus area rather than remodel an existing structure in and accessible location was a mystery. Perhaps, like the citizens of Bellingham who complained to Tim Douglas, they just didn’t get it.

When suitable, integrated dorms are unavailable on college campus students often turn to rental housing in the local community. However, for students with physical impairments this can be an especially challenging ordeal. For example, in a 2005 study funded by the U.S Department of Housing and Urban Development (HUD), Office of Policy Development and Research designed to determine the extent of housing discrimination based on disability, researchers found
that persons with physical impairments face more frequent and adverse treatment in local rental markets than both African Americans or Hispanic applicants (Austin Turner, et al 2005). The study also found that persons with hearing impairments were discriminated against approximately 50% of the time when using a telephone-operator relay (TTY) to search for rentals, and were unable to obtain any information from rental housing staff in 26% of their inquiries; though other minorities were always able to obtain at least some information. Even when leasing agents did accept TTY calls, users received significantly less information than hearing customers about the application process.

Persons with mobility impairments were no exception. Both wheelchair users and persons with hearing impairments faced discrimination about one third of the time when they visited rental properties in person, about the same percentage as African Americans or Hispanics. Yet persons with physical impairments were substantially more likely to be denied opportunities to inspect the units. Also, nearly 20% of housing providers with on-site parking refused to make the reasonable accommodation of providing designated accessible parking spaces for persons with mobility impairments, which violated HUD’s guidelines for residential parking spaces and garages. According to HUD (2006) if a resident requests an accessible space above the 2% percent already reserved, an additional accessible parking space shall be provided.

Under its authority to enforce Section 504 HUD has conducted hundreds of compliance reviews of recipients of HUD funds, which includes housing operated by states or units of local government, including residential housing on public university campuses. According to former HUD Secretary Alphonso Jackson: “We would all like to think we have made more progress in
educating landlords [and universities] about the Fair Housing Act, but this study paints a
different picture” (Austin Turner, et al 2005).

Ironically, many activists with disabilities feel the same way about educating HUD. On
21 September, 2010, hundreds of ADAPT protestors converged on the Robert C. Weaver Federal
Building in Washington, D.C., blocking the main entrances and demanding that the Obama
administration and HUD follow through on their promises to provide affordable, accessible,
integrated housing to persons with disabilities (American Disabled for Accessible Public
Transportation 2011). ADAPTs’ list of demands included: increasing the minimum percentage of
accessible rental units from 5% to 10% (including an increase of units for persons with sensory
disabilities from 2% to 4%); increasing the availability of Section 8 housing subsidy vouchers for
both young people with disabilities and seniors in nursing homes who want live independently in
their own communities; and scheduling a meeting between ADAPT representatives and current
HUD Secretary Shaun Donovan to personally affirm his commitment to these reforms.

When HUD representatives balked at scheduling a meeting between Secretary Donovan
and ADAPT, the protestors moved from the building entrances to the parking structures and the
street, blocking HUD employees from exiting the premises at the end of the workday. Though
many were arrested, others quickly surged forward to fill the gaps, overwhelming the police with
their numbers. Shortly thereafter HUD agreed to ADAPTs demands and a meeting was
scheduled for October 15th. However, before the meeting HUD announced it was awarding $33
million through its Rental Assistance for Non-Elderly Persons with Disabilities Program “to
public housing authorities across the country, with the goal of funding some 4,300 rental
assistance vouchers to promote independent living for the disabled” (U.S. Department of Housing and Urban Development 2010).

Thus far most colleges and universities have avoided similar confrontations with grassroots disability activists like ADAPT. Yet many may be experiencing more scrutiny than they suspect regarding their compliance with ADA and HUD. According to Cynthia Magnuson, U.S. Department of Justice, Civil Rights Division the review process is “not random” (Jaschik 2006). Institutions are selected for reviews because Justice is “aware of certain problems.” If Justice starts looking more closely at colleges, says Sheldon E. Steinbach, vice president and general counsel at the American Council on Education, he believes that urban institutions and older colleges will be “particularly vulnerable,” and that “many institutions could be facing very large bills to pay for changes” (Jaschik 2006).

Enforcement by the government can be vigorous. Attorney Teresa Kitay, a speaker, consultant, and trainer on fair housing and disability issues advises her clients on three points: (1) become familiar with the ADA and Fair Housing Authority (FHA) accessibility requirements,
(2) make sure architects are familiar with the law’s requirements, and (3) be sure they have adequate insurance (Ward 2006). Despite these warnings, old habits die hard. According to William Peace:

I do not think much has changed since I left Columbia with a PhD in hand in 1992. American universities, especially the more prestigious schools, consider any so called reasonable accommodations unseemly. There are many reasons for the resistance to access for students with a disability. Cost, ignorance, and a total lack of commitment are the three primary reasons institutions of higher education resist making campuses inclusive (2010)

When Peace’s (2011) son recently applied to college he and the other parents were told at orientation that the university campuses that they visited were diverse. Big, bold, colorful pictures of young men and women from every ethnic group engaged in physical activities abounded. However, not once did he see a picture of a student or professor in a wheelchair depicted in any of the admissions brochures. Several of the campus tours were not accessible, and it was suggested he remain behind while his son took the tours with other students and their parents without disabilities. Peace likened these experiences to racial segregation, though he was positive that no ethnic minority person would have been treated that way: “Would they have suggested black people stay behind? Not a chance” (Peace 2011). Peace viewed these deeply disturbing experiences as a sure sign that many colleges and universities still have a long way to go towards understanding and respecting persons with disabilities. Always the professor, Peace suggested that a good place to start might be a class on disability rights.
Sports and recreation programs for persons with disabilities are not a new concept. But they continue to be underutilized as a means of fostering inclusion and well-being for students with disabilities (United Nations 2008). Even when efforts are made to promote inclusive participation, sports and recreation programs often become areas in which discriminatory attitudes and practices toward persons with disabilities are perpetuated. Sports and recreation programs can be useful tools for transforming public attitudes and for empowering students with disabilities through the acquisition of new physical and social skills, and postsecondary institutions can be powerful agents when promoting inclusive programs because their strategic position in many communities allows them to influence numerous people both with and without disabilities. However, without a comprehensive understanding of what accessibility, accommodation, and inclusion really mean, and without basic steps to foster understanding, knowledge, and communication about how to adapt sports and recreation programs appropriately, divisiveness and prejudicial attitudes will continue to exist, and might actually be exacerbated.

**Fees and Programs**

Campus recreation programs are common components of higher education. Yet few are designed to meet the needs of students with disabilities even though the overall percentage of students with disabilities at colleges and universities has steadily increased (Horn and Berktold
According to the National Intramural Recreation Sports Association (Palaestra 2006) over 80% of college and university students in the U.S. participate in various recreational sports programs. However, when undergraduate students with disabilities were interviewed 90% reported never attending organized campus sporting events (as participants or as spectators), and 88% reported never utilizing their university’s recreational facilities (Hodges 2000). After researching why participation rates by students with disabilities were so low, the U.S. Department of Health and Human Services (HHS) concluded that significantly lower participation rates may be related to environmental barriers, including architectural barriers, organizational policies and practices, discrimination, and social attitudes (2000; Rimmer 2005). Therefore HHS recommended that public institutions begin evaluating which environmental factors enhance or impede persons with disabilities’ sports and recreational participation.

Sports and recreation centers have increasingly become part of the college landscape as universities seek to attract more students by offering ever-fancier facilities and frills (Weinberg 2005). Yet despite the low participation rates of students with disabilities at these facilities, public universities in Washington State continue to charge all students a mandatory recreation fee to help pay for facilities and programs that many students with disabilities do not want or cannot use. For example, at WWU the quarterly recreational fee was $95.00, which between 2008 and 2009 generated approximately $3.7 million to help defray the annual bond payments and maintenance/operations fees of the new Wade King Student Recreation Center (Shepard 2009). At EWU all students were charged a $65.00 per quarter recreation “contribution” to help pay for the construction of the new University Recreation Center (Eastern Washington University 2009). While the new recreation centers were for the most part model examples of
accessible structures, access refers to more than the buildings themselves, and includes programs, information, and the accessibility of the landscapes that surround them.

For example, many university programs are not accessible in terms of program activities and staffing. In a survey of 81 public and private colleges and universities (51 public, 29 private), 99% offered recreational programs such as fitness/wellness instruction, intramural sports, and aquatics activities that were available to the entire university community (Palaestra 2006). However, only 19% of the respondents had recreation programs specifically designed for persons with disabilities. Also, less than 11% employed a recreation professional whose primary job was to provide programming for persons with disabilities, and 62% did not have an emergency plan that included persons with disabilities. Not knowing how to assist a person with a disability can be one of the biggest obstacles for fitness trainers and staff (North Carolina Office on Disability and Health 2008). Yet training for student employees and professional recreation staff related to accommodating persons with disabilities was found to be relatively low, and student volunteers usually did not receive any form training (Palaestra 2006).

Students, staff and faculty with disabilities may be more likely to participate in campus sports and recreation if they know what programs are being offered and what types of accommodations might be available. Knowledgeable, well trained, and experienced employees can assure that appropriate accommodations are made, thus encouraging participation by persons with disabilities. Though EWU and WWU both had websites listing programs such as fitness/wellness instruction, intramural sports, aquatics activities and sports clubs, neither university had disability specific programs. In fact there was no mention of disability what-so-ever on their websites. While EWU did provide some disability awareness training for its
employees and professional staff (WWU did not), neither university employed a programming specialist for persons with disabilities or had a disability-specific emergency plan.

**Recreational Centers**

It is frequently assumed that most newly constructed sports and recreation complexes in the U.S. are accessible because the ADA stipulates how campus facilities should be built (Palaestra 2006). However, serious consideration is seldom given to designing for accessibility outside the structure itself. Accessible parking and access routes are often considered low priority additions; sometimes postponed for many years after that facility has opened. This has not prevented some universities, like WWU, from charging students with disabilities a mandatory recreation fee for facilities they cannot access. According to the U.S. Access Board Guidelines for Buildings and Facilities (ADAAG 2002), accessibility begins with parking, access routes, curb ramps, etc. and works inward—not the other way around—as many campus architects and university planners seem to think is proper. As a result of access planning and construction in reverse, some ill-conceived and hastily painted lines and accessibility signs, added whenever a university finally gets around to it, are what frequently suffice.

WWUs *Wade King Student Recreation Center*, constructed in 2002, offered “numerous opportunities for students to raise or keep their current fitness level” (Western Washington University 2008). Amenities included a swimming pool, climbing wall, and a variety of weight and cardio equipment. The center also offered swimming lessons, personal trainers, and fitness classes ranging from aerobics to pilates to Brazilian Jiu Jitsu. Students automatically become members upon registration and payment of Western’s mandatory $95.00
per quarter recreation fee. Faculty, staff, spouses, dependents and partners may also purchase memberships for $104.00 + tax. Affiliates and alumni pay $134.00.

Until fall of 2009 there were no accessible parking spaces at the Wade King Student Recreation Center. All patrons, including persons in wheelchairs and those with mobility impairments were directed to park across the street from the facility in C lot (Campus Recreation Services 2009). C lot, which is located on the south side of College Way, is a graveded parking lot containing 779 regular and metered parking spaces marked by oblong cement wheel-stops. However, because of the surface composition of C lot there are no accessible parking spaces: a fact that appeared to have been overlooked by all. When the Recreation Center’s employees were contacted by telephone and asked where a student in a wheelchair should park, the staff responded, “Park in C lot.” However, once the difficulty of propelling a wheelchair over an irregular and unstable surface was explained, the center’s employees were at a loss to suggest an alternative. Instead, the staff recommended the caller contact Parking Services, who proved to be equally clueless and confused. A search for further information on the Parking Services and Facilities and Management websites proved to be equally fruitless.
Accessible parking had previously been available directly in front of the center’s main entrance in the former Public Safety/Mail Services lot 19G. However, this lot had been closed and fenced off due to construction of the new Academic Instructional Center and Academic Instructional West. Thus the closest paved and accessible spaces were over a ½ mile away at the bottom of a steep hill in the Fairhaven Residential Complex, or a single accessible space located a ¼ mile away at Parks Hall. Yet despite the exterior inaccessibility of the Recreation Center from 2002 to 2009, WWU continued to charge students with mobility impairments the mandatory recreational fee.

Lot 19G blocked by construction, and accessible spaces that became available in 2009.
Another problem with the Wade King Student Recreation Center, besides its walkways and plaza surfaced with decorative cement pavers, was the building’s main entrance. People with disabilities should be able to arrive on a site, approach the building, and enter as freely as everyone else (Adaptive Environments Center 1995). However, rather than embracing the principles of universal design and constructing a facility without steps that everyone could use, WWU’s campus planners and designers choose instead to construct a circuitous ramp for persons with mobility impairments in what amounted to a form of architectural apartheid.

Step-free entrances benefit most people under a wide variety of circumstances and should be approached by a smooth, flat, or gradually sloping path preferably no steeper than 1:20, but not more than 1:12 (Center for Universal Design 2010). Even the National Endowment for the Arts (2003) recommends removal of stairways and re-grading to ensure universal access to the primary entrance of historic properties. Designing and constructing a building from the ground up, with today’s access guidelines and regulations, that intentionally and unnecessarily separates persons with disabilities from persons without disabilities adds weight to Hunter’s (2000)
argument that many university-trained architects continue to isolate persons with disabilities through prejudicial design practices that ignore newer forms of inclusive design.

Primary entrance with stairs (left), and same entrance with a re-graded landscape (right). National Endowment for the Arts 2003.

Stewart Oneglia (2002), Chief Coordination and Review Section, Civil Rights Division cautions that even where a public entity fully complies with ADAAG in constructing new facilities or altering existing ones, if an individual with a disability is unable to enter a facility where a program, service or activity is offered, a public entity, such as a university, is still required to make the program, service or activity offered in the facility accessible. Program accessibility may impose stricter standards than those required for new construction because all individuals must be equally served. If programs cannot be relocated to more accessible sites, as appears unlikely considering the numbers and types of activities offered at most recreational centers, a university should waive its mandatory fee. In instances where fees were collected, like at WWU while the Wade King facility and its programs were not accessible to persons with mobility impairments for more than seven years, those fees should also be refunded.

EWU had also recently constructed a multi-purpose University Recreation Center (URC) which opened on 8 May, 2008 (Eastern Washington University 2008). Amenities
included an indoor running track, gymnasium, ice rink, climbing wall, and dining facility. Unlike Western’s Wade King Student Recreation Center, EWUs designers also included an integral parking garage with four covered, ground-floor, accessible parking spaces for persons with mobility impairments. According to EWU (2009), the $26.3 million dollar project was a partnership between the university and its students, with annual operating costs to be drawn from the university’s general operating budget. However, unlike at WWU, the $65.00 per quarter recreational fee did not go into effect until the entire project was complete.

Though EWU included safe, enclosed, and accessible parking in the design of its new Recreation Center, the facility was not without its problems. Due to ventilation issues in the parking garage a large wall-mounted ventilator had been added to the wall above one of the four accessible parking spaces (see below). Though the spaces and access route were clearly and properly marked, the ventilation fan protruded 44 inches from the wall at a height of 68 inches, which posed a danger to persons with visual impairments. According to ADAAG (2008:Section 4.4.2) “objects projecting from walls with their leading edges between 27 inches and 80 inches above the floor shall protrude no more than 4 inches.” If vertical clearance is reduced to less than 80 inches, a barrier to warn blind or visually impaired persons shall be provided.
Appendix 4.4.1 of ADAAG (2002) explains that most people with severe visual impairments use a cane as a mobility aid, sweeping it in an arc that touches points outside both shoulders (touch technique), or holding it diagonally across the body in a stationary position with the tip just above the ground at a point outside one shoulder and the handle extending to a point outside the other (diagonal technique). These techniques allow persons with vision impairments to detect most obstructions in their path. Because the ventilation fan had no such barrier a visually impaired person using a cane would be unlikely to detect it using the diagonal or touch techniques. While EWUs covered parking was a well-conceived and welcome amenity for persons with mobility impairments, access for persons with mobility impairments should not be gained at the expense of safety for persons with vision impairments.
Further inspection also revealed a different type of obstruction: a shockingly clueless, permanently mounted bicycle storage rack bolted to the ground in the center of the accessible route to the building’s parking entrance. ADAAG does not distinguish between parking lots and garages. Sections 4.3.3 and 4.3.4 of the ADAAG (2002) clearly states that the minimum clear width of an accessible route shall be 36 inches. If an accessible route has less than 36 inches clear width then a passing space of 36 inches shall be provided. As the above photo shows, the addition of the bicycle rack reduced the width of the accessible route to about 12 inches on either side. Therefore the rack should have been relocated or removed.

Boating Facilities

WWU also had a boating facility called Lakewood, which included a 4,000-square-foot log facility with a boathouse, meeting lounge, locker rooms, and a manager’s apartment. Located on Lake Whatcom approximately 7 miles from WWUs main campus the
facility maintained over 60 watercraft ranging from sailboards to one-person Lasers, two-person Alphas, rowboats, canoes, and kayaks. Beginning, intermediate, advanced, and instructor sailing classes and private lessons were being offered through the Physical Education Department. The facility also had a sand volleyball court, picnic tables and BBQ's, hiking trails, and a Ropes Challenge Course (Western Washington University 2009).

Parking at Lakewood was in a graveled lot on the hillside above the facility. To access the lower area, a graveled pedestrian pathway was provided with wood and gravel stairs, or one could walk down a steep, one-lane asphalt road that terminated at the boathouse. There were two disabled parking spaces at Lakewood; one in front of the equipment shed connected to the parking lot by a graveled driveway; the other next to the boathouse at the bottom of the one-lane asphalt road. Access to the equipment shed space, which was signed “Parking for Crew Building Only,” was blocked by a large sailboat trailer and a heavy (about 60 lbs.) removable metal post. Therefore, the only usable accessible space at Lakewood was the one at the bottom of the hill.

The boathouse space had a number of problems, including a 6:48 cross slope and no access aisle and was frequently blocked by boat trailers and assorted maintenance equipment. It also did not have a standard reserved parking sign and was signed instead with a hand-painted placard that read Handicap Parking. This was ironic considering the condition of the space and the World Health Organization (1980) definition of handicap as “a limitation of function imposed by the beliefs of the community.” While the space was relatively easy to get into, the way to egress it was to back out and turn around, which was both difficult and potentially hazardous. In order to do so a driver would have to release his or her brake, execute an uphill left 90 degree turn with their visibility blocked by a large hedge, followed by an immediate 90 degree turn to the right into a graveled area cluttered with boat trailers. The only other alternative was to back-up the entire length of the narrow asphalt road.

The space was also cluttered with lumber, improperly stored landscaping tools, and other potentially unsafe debris. Though the author had previously advised Lakewood’s manager of
these dangers several times over the space of several years, the problems were never corrected. As a result, on one of the author’s visits the wheelbarrow pictured below fell against the author’s car when he opened the door, denting and scratching it. When the author sent an email to WWUs Office of Financial Management seeking information on how to file a claim, his email was ignored. As of this writing the debris has still not been removed and the author has not been reimbursed.

“Handicap” parking sign and improperly stored wheelbarrow that damaged the author’s car. Photos by author 5/22/2009.

Though Lakewood rents personal watercraft and offers sailing lessons it did not have an accessible boat slip. The Access Board (2009) defines a boat slip as “the portion of a pier, main pier, finger pier, or float where a boat is moored or used for embarking or disembarking.” On piers like those at Lakewood where individual boat slips are not identified, each 40 feet of boat slip edge along the perimeter of a pier is counted as one slip. The total length of Lakewood’s piers, including both stationary and floating portions, was approximately 422 feet. Therefore, according to ADAAGs guidelines, Lakewood had 11 boat slips. ADAAG (2002) Appendix
15.2.3 states that facilities with between 1-25 boat slips are required to have at least one accessible slip. However, Lakewood had none.

ADAAG (2002) Appendix 15.2.2 also states that at least one continuous, unobstructed, accessible path shall be provided to connect buildings; boarding piers at boat launch ramps, boat slips, and spaces within a boating facility. This includes fixed and floating piers connected to shore by variable-sloped pedestrian walkways called gangways, which are normally equipped with sloping metal plates at the end called transition plates. Gangways without transition plates are required to have landings at the end. Also when the slope of a transition plate is greater than 1:20 (5%) a landing must be provided that complies with ADAAG requirements for accessible ramps.

The Lakewood facility had two uncluttered gangways connected to floating piers, neither of which was accessible to persons with mobility impairments. As pictured below, the northwest gangway had a steep access ramp and no landing or transition plate at the other end. Instead it simply rested on the floating pier. Though the southeast gangway had transition plates, the angle was far in excess of the 1:20 (5%) maximum slope allowed by ADAAG. Because the slope of the transition plate exceeded 5% and the rise was more than 6 inches, handrails should also have been provided as required (U.S. Access Board 2009).
WWU has had plenty of time to improve access to the Lakewood facility, which was originally named *Normalstad* and was purchased by WWUs board of trustees in 1921 for $800, with the boathouse and cabin later added to the property in 1935 (University Archives and Records Center 2009). Lakewood has undergone numerous alterations and repairs since that time, yet it is still inaccessible to persons with mobility impairments. With so many popular classes and programs being offered at Lakewood by WWUs Physical Education department, such as kayak touring, sailing, racing, sailing instructor training, club sports, the Associated
Student’s E.D.G.E. program, and the Viking Junior Sailing Camp, it was surprising that the university had not as yet been challenged by some student, staff, or faculty member with a disability, or that it had not at least made some token effort to improve accessibility for everyone on its own.

Section 504 of the Rehabilitation Act (1973) Subpart E (Postsecondary Education), Sections 104.43 and 104.47 prohibits public colleges and universities that receive federal financial assistance from excluding persons with disabilities from physical education, athletics, and recreation programs or activities, including nonacademic services such as intercollegiate or intramural athletics, clubs, or social organizations (U.S. Department of Justice 2005). If WWU intends to continue offering these programs at Lakewood it should consider bringing the facility into compliance with the applicable ADAAG guidelines (U.S. Access Board 2004; 2009). If the university does not there is always the distinct possibility that some student, staff, or faculty member with mobility impairment, like the late, great Harlan Hahn, or the U.S. Department of Justice will step forward to lead the way.

**Segregated Programs**

Most of EWUs *Sports and Recreation Center* was built in the mid-1970s. Located on the outskirts of the campus west of Washington Street, the complex includes the Physical Education Activities and Physical Education Classroom buildings, Woodward Field, the Jim Thorpe Fieldhouse, the Special Events Pavilion, the Aquatics Building, Tennis Courts, Ed Chissus Field, and playfields 1, 2, and 3. The initial project consisted of five phases—physical education classroom/offices, activities building, Fieldhouse, special events pavilion, and
swimming pool with other amenities being added over the years. Utilized by the Seattle Seahawks as its preseason training camp for most of the team’s existence the complex is considered one the finest multipurpose facilities on the U.S. West Coast (Eastern Washington University 2009).

Parking for the Sports and Recreation Center was in three large lots surrounding Woodward Field, lots P-9, P-12, and P-RH. These lots contained a total of 28 accessible parking spaces, including 3 additional spaces at Ed Chissus Field, which accounted for 35% of the total number of accessible parking spaces on EWUs campus. Of the 28 accessible spaces in lots P-9, P-12, and P-RH, all but two (93%) surrounded the Woodward Field stadium which was located on the opposite side of lot P-9 from the other buildings of the Sports and Recreation complex. Because there was no connecting sidewalk or accessible route from Woodward Field to the Sports and Recreation Center, persons with mobility impairments would have to travel through lot parking lot P-12 to reach the complex’s other buildings.

Crossing parking lots is dangerous for persons in wheelchairs, on crutches, or for those using walkers (State of New Hampshire 2008), and about 1,500 persons in wheelchairs are injured or killed annually in incidents involving motor vehicles (U.S. Department of Transportation 1997). Because wheelchairs are built low to the ground they are difficult to see. Thus they may not be as visible to motorists as a person who is walking. Person with less obvious or invisible disabilities are also at risk because vision, hearing, or breathing impairments may cause them to move slowly, thus increasing their risk of being struck by vehicles when forced to travel through parking lots and in roadways (Johnson 2005). For these reasons the U.S. Access Board (2002: Section 4.6.2) stresses that in parking facilities serving multiple buildings,
like in EWUs lot P-9, accessible parking spaces shall not be grouped around a single structure, like EWUs Woodward Field, but instead should be dispersed so as to be located close to the multiple buildings entrances.

Accessible parking around Woodward Field’s lower entrance, lot P-9 (7 spaces).

Of the two accessible spaces not surrounding Woodward Field, one was located at the extreme southeast corner of lot P-9 facing the Physical Education Activities and Physical Education Classroom buildings and was equipped with a built-up curb ramp. Curb ramps provide access for people who use wheelchairs who would otherwise be unable to reach the sidewalk because of the barrier created by the curb. Built-up curb ramps are not permitted in the access isles of accessible parking spaces and must have tapered sides with a maximum slope of 1:10 so there are no drop-offs along the edges and (U.S. Access Board 2002; U.S. Department of Transportation 2001). Because the curb ramp in question did not have tapered sides and extended into the access aisle, access to the ramp would be blocked were a vehicle to be parked in the space, thus defeating both the purpose of the access aisle and ramp (below left).
The second accessible space was located in the northwest corner of lot P-9 at the end of a restricted access drive leading to the Special Events Pavilion (above right). This space was less than 100 feet from the lower entrance to Woodward Field, yet there was no connecting sidewalk; the absence of which created a barrier to pedestrian movement. A movement barrier is anything that restricts an individual’s ability to physically move along or within an environment, such as a sidewalk design (or lack thereof) that exposes a user to potential hazards (U.S. Department of Transportation 2001). Because there was no sidewalk there was no buffer zone to separate the pedestrians from motorists. This posed a significant safety problem, as graphically demonstrated by the broken curb cut in the photograph above.

The bleacher and security fence on the south side of Woodward Field was another movement barrier. Placed parallel to the sidewalk that circumnavigated the stadium, the bleacher extended backwards into the parking lot and was surrounded by a security fence. This fence blocked the sidewalk, effectively isolating the 5 accessible spaces in lot PR-H (below left). With the sidewalk blocked, persons with mobility impairments would have no choice but to enter the
parking lot and walk around the bleachers to reach the stadium’s main entrance. However, no access route was provided nor were there any advisory or warning signs advising pedestrians of their predicament.


The upper lot P-12 contained the largest concentration of accessible parking spaces on campus (above right). The spaces were also “free” and no parking permit was required. However, as the saying goes, “One usually gets what one pays for,” which for a person with a mobility impairment using one of the 14 spaces in lot P-12 meant a prohibitively long walk around the stadium to the north, or a steep and potentially hazardous decent to the oval drive of the Special Events Pavilion (below left). Though the pedestrian walkway was surfaced with asphalt and had railings on both sides, it was unlighted, extremely steep, and had a midpoint intersection with no signage warning that the right hand fork terminated abruptly in an uncut curb. Providing accurate information to pedestrians about the conditions they will encounter enables them to make informed decisions about which routes of travel are most appropriate to their abilities (U.S. Department of Transportation 2001). Information should also be conveyed in
more than one format, such as graphics, written signs, and detectable warnings for people with vision impairments (Peck and Bentzen 1987).


Pedestrians benefit from information about sidewalk conditions. U.S. Department of Transportation 2001: 11.5.

Both the Physical Education Activities and Physical Education Classroom buildings and the Special Events Pavilion had long, clear curbs with good lighting and recessed curb cuts in front of the building entrances for use as bus and van loading zones. While these areas would have made excellent locations for accessible parking spaces, of which there were none, even as passenger loading zones they did not conform to ADAAG (U.S. Access Board 2002). In areas with passenger loading zones a minimum of one passenger loading zone complying with Revised
Draft Guidelines 412 (U.S. Access Board 2005) shall be provided for every continuous 100 feet of loading zone space or fraction thereof. Accessible passenger loading zones also require an access aisle that is 240 inches minimum, measured parallel to the vehicle pull-up area, and 60 inches minimum measured perpendicular to the vehicle area, and is the same level as the vehicle area (U.S. Access Board 2002). While the building did have a single curb cut in front of the entrance, it was not in compliance with any of these standards.


In 2005, EWU added 8 new outdoor tennis courts adjacent to the practice and playing fields on the southeast side of the Sports and Recreation complex (below). The courts were used by the Eagle tennis teams and for activity classes at Eastern and Cheney High Schools, as well as for general recreation. While the facilities met all of the ADAAG accessibility requirements for court sports (U.S. Access Board 2009) there was no way to reach them or the athletic playing fields without walking more than a mile. Though an access road connected the courts to Washington Street, it was restricted to service vehicles only. And while there was more than
adequate space available to install accessible parking spaces in the paved area between the tennis courts and the Jim Thorpe Fieldhouse, this had not been done.

There was also new construction at Ed Chissus Field, located behind the Special Events Pavilion. Ed Chissus Field had sublevel dugouts and bleacher-type spectator seating for approximately 300. Used primarily for baseball, intramural soccer, and javelin competition, the area also included an accessible restroom and three oddly constructed “accessible” parking spaces combining gravel with cement extensions that served as access aisles (see below). While a novel, if not recommended approach, the gravel parking strips could pose a hazard to a person using a motorcycle (persons with mobility impairments do ride motorcycles) if the kickstand were to sink into the gravel, causing the motorcycle to collapse. This might also encourage riders to seek alternative solutions, such as parking illegally on the cement access aisle for added stability, thereby risking a fine of $250.00 (Washington State Legislature 2009: RCW 46.16.381(8)). Loose gravel from the parking also littered the walkways, posing a tripping hazard and an obstacle to wheelchair travel.
While the restrooms were accessible, the sublevel team dugouts were not. According to ADAAG (2002) where provided fixed team or player seating areas must contain the number of wheelchair spaces and companion seats required, based on the number of seats provided (but not less than one space), with ramps and accessible routes connecting team or player seating areas and areas of sport activity. These features could and should have been added during the new construction but were obviously overlooked. This seemed to place an unintended emphasis on persons with physical impairments as *spectators*, rather than as *participants*.


http://www.access-board.gov/recreation/guides/sports.htm#Team
Ed Chissus Field was also the location of EWUs new challenge course. Similar to WWUs E.D.G.E. program, the challenge course was a series of cables, ropes and obstacles and/or wooden boards stretched between or attached to trees or other support systems (Eastern Washington University Challenge Course 2008). Supervised by the Physical Education, Health and Recreation Department, which offers an 18-credit certificate in challenge course management, the program combines teambuilding and leadership skills with physical fitness and educational concepts (Eastern Washington University Eaglegram 2008). Constructed with partial funding from Camas Path, one of the Kalispel Tribe’s programs to promote educational opportunities for tribal youth, the course includes activities such as warm-ups, games, group initiatives, climbing challenges, and “trust falls.”

For persons with physical impairments a challenge course experience can provide a unique opportunity for personal growth and self-awareness, promoting independence through the testing of new abilities. Unfortunately few challenge courses are designed for people of all abilities, or managed by faculty, staff, or students with even a rudimentary understanding of physical impairments or possible course adaptations (National Center on Accessibility 2010). According to Martin and Fulton (1999) the time for universal concepts and inclusion in challenge courses has arrived. Not every course can meet every inclusion need. However universities can easily incorporate a number of ID concepts into their challenge course activities. Low elements can be adapted using additional spotters, making minor construction changes, or by utilizing specialized equipment.

For example, the tension traverse element can be made accessible by the use of a cable chair with outriggers to help stabilize a seated participant. Mazes can be built with wide chutes to
accommodate wheelchairs. Obstacle courses can be equipped with ramps and tracks of various inclines and declines, swinging tracks and platforms, ridged tracks, platform teeter-totters, or a Burma-bridge with an attachable mat. Even high elements can be modified or universally designed to accommodate wheelchair users and other persons with physical impairments. As Brian Bost, president and CEO of the Easter Seal Society of the Inland Counties, CA remarked after observing over 400 participants using a universally designed challenge course, “personal self-confidence and self-esteem went so high it was off the charts” (Martin and Fulton 1999).

In addition to the challenge course, Ed Chissus Field is also the site of Eastern Regional Special Olympic Spring Games. In Special Olympics games athletes with mental and cognitive impairments compete in physically challenging events where everyone is welcome and the focus is on participation. All are considered winners and receive prizes for their efforts. EWU students, staff and faculty have a long history of involvement with Special Olympics programs, particularly the athletics department which recently partnered with Special Olympics of Spokane. Previously situated at Spokane Community College (SCC), the Special Olympics moved to EWU in 2008 (Davis 2009). According to EWU Athletics Director Bill Chaves, the partnership has given EWUs 325 student-athletes an opportunity to connect and mentor athletes with disabilities. “Our University as a whole already supports this special endeavor, but this will allow us as a unit to create a bond with these special athletes” (Eastern Washington University Athletic Department 2009).
One problem with EWU’s challenge course and the use of its facilities for the Special Olympic Games is both programs are designed for people who conveniently fit into preexisting athletic programs, facilities, and ablest “educational concepts” without requiring expensive accommodations or alterations. Another issue is that “cultural immersion experiences” (Nieto and Johnson 2007) such as “mentoring” Special Olympians perpetuates stereotypes of persons with disabilities as being child-like and helpless. According to Storey (2004; Bernabe and Block 1994; Block and Malloy 1998; Devine, McGovern and Hermann 1998) many persons with developmental disabilities are quite capable of participating in both competitive and noncompetitive sports without mentoring. Placing them in segregated programs, rather than reducing prejudice, may actually reinforce negative stereotypes regarding persons with disabilities (Smart 2001). Segregated activities and programs also drain valuable resources out of more inclusive sports and recreation programs that try to accommodate as many different types of impairments as reasonably possible.

Even the United States Olympic Committee (USOC) has seen its share of controversy over segregated sports. On 6 October, 2008, the U.S. Supreme Court refused to overturn a lower court’s dismissal of a suit that would have required the USOC to afford Paralympic athletes equal access to certain support programs, including health insurance, training services, facility priority, and monetary medal incentive programs that are available to Olympic and Pan American athletes (Moorman 2009). In rendering their decision the 10th circuit court concluded that the Paralympics was a separate program from USOC, therefore USOC was not required to provide services. Since there was nothing in the eligibility criteria for USOC’s program that excluded athletes with disabilities from competing in the Olympic Games, no act of
discrimination had occurred. In writing his dissent Judge Holloway disagreed, arguing that USOC’s eligibility criteria were a proxy for discrimination, as evidenced by USOCs testimony that provided only four examples of athletes with disabilities competing in the Olympic or Pan American games in the past 100 years.

“It’s obviously disappointing,” said Tony Iniguez, U.S. Paralympic wheelchair racer and a party to the suit, “but it’s not going to end here. We’ll look at other ways to continue the fight, either through legislation or pressuring the USOC to keep moving forward” (Schwarz 2008).

Though the case was decided in USOCs favor, the litigation appeared to have a positive result, with USOC nearly tripling funding for Paralympic athletes from $3 million in 2004, to 11.4 million in 2008. According to Darryl Seibel, the USOCs chief communications officer, “As has been the case since U.S. Paralympics was first established in 2001, we will continue to seek new opportunities to expand our support for Paralympic athletes and sport” (Schwarz 2008).

There was also the recent case of Oscar Pistorius, the 2004 Paralympic gold medalist and a double-amputee runner who was barred in 2008 from competing in the Beijing Olympic Games by the International Association of Athletics Federations (IAAF). Pistorius uses two carbon fiber
prosthetic racing blades, which the IAAF argued “has a demonstrable mechanical advantage when compared to someone not using the blade” (Casert 2008). Basing their decision on an International Olympic Committee (IOC) rule adopted the previous summer prohibiting the use of any technical aids deemed to give one athlete an advantage over others, the IAAF maintained that their decision had “nothing to do with Oscar Pistorius’ athletic merits. What is important is to ensure fair competition” (Casert 2008).

“That’s a huge blow,” said Pistorius’ manager, Peet Van Zyl. “He has been competing in South African able-bodied competition for the past three years. At this stage it looks like he is out of any able-bodied event” (Casert 2008). The IAAF’s ruling was subsequently overturned in 2008 by the Court of Arbitration for Sport (CAS), which concluded that the IAAF had not provided sufficient scientific evidence that Pistorius’ prostheses gave him undue advantages, and that should he achieve an Olympic-qualifying time, Pistorius should be allowed to compete. Commenting on the CAS ruling, IAAF President Lamine Diack stated, “The IAAF accepts the decision of CAS and Oscar will be welcomed wherever he competes this summer. He is an inspirational man and we look forward to admiring his achievements in the future” (International Association of Athletics Federations 2008).
Segregated programs are an inherently flawed method of measuring interest and participation of persons with physical impairments in sports and recreation (Rimmer 2005). If a person with a disability visits a college campus only to realize that many of its sport and recreation programs are inaccessible or segregated they may simply strike it from their list, thus lending strength to the inclusion myth that lack of participation by students with disabilities indicates lack interest (U.S. Agency International Development 2010). According to Ken Walden, an attorney for Access Living in Chicago, “a common refrain at many institutions is that no one with a [physical] disability has ever been in their sports and recreation programs, so why integrate?” (Cohen 2006).

The ADA (1990: Title III) requires postsecondary fitness and recreation facilities to be architecturally accessible to people with disabilities in areas such as parking and access routes. Yet many facilities continue to fall short of ADA standards in these common areas (Rauworth 2006; Cardinal, Bradley and Marc Spaziani 2003). Yet even when required accommodations are provided and ADA standards are met universities still continue to fall short of full inclusion.
Sports and recreation programs could and should be designed where opportunities and resources are fully accessible to as wide range of abilities as possible. Still, many universities and regulatory agencies continue to view segregated athletic programs as the norm (Storey 2004; Dattilo 2002). And most postsecondary institutions continue to dismiss or exclude persons with physical impairments from policy development and planning, even though they are the primary experts on their own needs and are those who are best equipped to diagnose problems and offer potential solutions for their own inclusion (United Nations 2008).
Chapter 9 – Conclusion

We know that equality of individual ability has never existed and never will, but we do insist that equality of opportunity still must be sought—Franklin D. Roosevelt

Whenever William Peace (2009) teaches classes at some point he asks his students the same basic question: “Has anyone in this class ever had a professor that used a wheelchair?” Over the last 15 years not a single student has answered yes. Peace attributes this to an “utter lack of progressive attitudes” on the part of school administrators, staff, and faculty when it comes to disability—though when viewed from a historical perspective, as discussed in chapter 2, the opposite may actually be the case. If persons with disabilities have learned anything from modernism and the eugenics movement and the events of the last century it is to be wary of so-called progressive values and agendas that seldom include persons with disabilities or work in their best interests. As Ed Roberts (Diredger 1989:28) said: “If we have learned one thing from the civil rights movement in the U.S., it’s that when others speak for you, you lose.” Yet how are the voices of students, staff, and faculty with physical impairments to be heard when they are excluded from participation at every turn?

Viewed from a historical and theoretical perspective of space and place some of the overlying issues confronting many colleges and universities emerge; in particular the ongoing struggle between the forces for expansion or preservation of campus spaces. Today’s colleges and universities are faced with two equally difficult choices; group all academic disciplines
together in the central campus and incur the loss of prime, open spaces or expand outward as facilities’ needs increase. Both of these discourses have potentially disabling consequences for students, staff, and faculty with physical impairments and involve the elimination or reduction of disability parking and the closure of roads in the university’s core areas and a corresponding increase in distances due to the relocation of parking and residential facilities to the university’s periphery. Add to this mix a recessive economy and deeply entrenched and uninformed cultural attitudes and beliefs about disability and inclusion and you have a recipe for disaster.

Despite state and federal access standards many universities consistently ignore even the simplest of exterior solutions, allowing existing accessibility features to degrade to the point of rendering them unrecognizable or useless. Little attention is often paid to the location or utility of these features and even in new construction compliance with state and federal accessibility guidelines is often minimal at best. Open spaces, preservation, art, and ascetic appearances are often given precedence over function and accessible designs, as evidenced by the extensive use of decorative paving materials in pedestrian circulation routes despite government recommendations to avoid their use. These preferences are reinforced by architects employing history as a marketing tool to establish a venerable campus identity, foster pride and loyalty, stir alumni and donor sentimentalism, and create a strong sense of community through simulated turn of the century architectural continuity.

Access to higher education for persons with physical impairments carries a cost, which conflicts with the popular American myth that all persons are created equal. Disability and diversity are valued only so long as the cost of inclusion is kept low, as reflected by a preference for low cost accommodations (that are of little benefit to persons with physical impairments),
and fiscal policies that treat everyone the same without considering the unequal costs of disability related expenses. Policies are implemented by “bureaucratic outsiders” such as state legislators and business orientated boards of trustees who are seldom members of the disability or campus community and whose primary concern is profit. Marketing strategies designed to attract more students usually follow ablest middle class prescriptions of a non-impaired user community engaged in sports and recreational activities such as walking, bicycling, jogging, sailing, swimming, exercise, and attending outdoor campus events. These depictions reveal who the intended users of campus spaces are, and through the use of such images historical inequities between students with physical impairments and those without are cleverly glossed over with an aesthetically pleasing veneer, in which persons with physical impairments often disappear entirely from what Zurkin (1995: 43) has described as “landscapes of consumption.”

Lax enforcement of existing access regulations and shifting priorities such as energy conservation, open space preservation, and the development of green technologies all contribute to the invisibility of disability related issues. Building and landscape architect’s contempt for the ADA and access codes they consider to be a nuisance, as reflected in the common practice of accessibility planning in reverse, contributes to the problem, as does visualizing the future campus in sketches and building plans that are often conceived without visiting the site and determining how those spaces are already being used and by whom, and who is not included. Because campus planners and designers are focused on green technology, sustainable building designs, and non-impaired users of the future they rarely pause to consider how such designs might adversely affect persons with physical impairments already attending classes and working in an inaccessible present.
When questions arise concerning disability rights and higher education Peace (2011) is often asked “come on, how bad is it?” To which he responds “pretty damn bad.” Peace then quotes statistics and uses many of the same arguments presented in this thesis that show just how bad it is. According to Peace most persons without disabilities assume the ADA eliminated all disability based discrimination and access problems in higher education a long time ago. But like most students, staff, and faculty with physical impairments, he knows that those problems have not been solved and that without a solid commitment to enacting further changes claims of diversity and inclusion and “those little blue wheelchair signs all over the place” are essentially meaningless. Even the federal government concedes that many problems still exist. In the words of U.S. Secretary of Education Arne Duncan in commemorating the 20th anniversary of the Americans with Disabilities Act; “I acknowledge we still have work to do and renew my commitment to ensuring that individuals of all ages and abilities have an equal opportunity to realize their full potential” (U.S. Department of Education 2010).

Peace (2011) and many others also believe that “academic tradition and tight budgets, a one two knockout punch regularly used to exclude people with disabilities, are poor excuses” and that highly educated and well salaried top administrators and faculty who teach and work at colleges and universities should be able push for changes and find solutions for barriers to inclusion for people with physical impairments in higher education. This is where multidisciplinary urban studies based on well-established theories of space and place can be brought to bear. This is important because space and related topics such as mobility and accessibility profoundly affect the lived experiences of students, staff, and faculty with physical
impairments, and because these topics have received so little attention from anthropologists and other urban researchers or those in the spatial disciplines of campus planning and design.

An inclusive campus is a university-wide responsibility, from administration to architecture to academics. Students with physical impairments need more than physical access to classrooms and other campus structures and all people should be able to experience their campus equally and fully in the same venues. Design strategies can make higher education and employment more welcoming and accessible to everyone if universities can commit themselves to disability as diversity—because diversity is important and should be more than a marketing ploy. Disability should be included in classes, discussions, and training on diversity and persons with disabilities should be a visible presence in campus planning, including positions of authority and power when designing facilities, landscapes, and campus programs. Campus policies, procedures, and practices should be regularly reviewed for barriers to inclusion, and though some accommodations may always be necessary they should never be the norm. Until this happens campus buildings might be made accessible, but getting persons with physical impairments to them and into accessible college programs will always be an issue.
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WWU IMP Land Use Map

WWU Campus Map