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Accessibility and Public Services - Part 1: The Case for Access

Annie Bélanger
Grand Valley State University, belange1@gvsu.edu

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Column Editor: Annie Bélanger, Dean of University Libraries, Grand Valley State University, Allendale, MI, USA belange1@gvsu.edu

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Contribution Author: Annie Bélanger, Dean of University Libraries, Grand Valley State University, Allendale, MI, USA
@annie_belanger

ABSTRACT:
Libraries serve an important role in accessing information, delivering services, and fostering a sense of community. Libraries must ask whether they are serving all of their community members equitably. People with disabilities need to be able to access the libraries fully. This article first provides an overview of accessibility-related legislative history in the US, Canada and Ontario, and Australia to contextualize its impact on services to people with disabilities. The medical and social models of disability are explored. Lastly an overview of the history of libraries and accessibility cements the moral, ethical, and legal reasons to serve people with disabilities.

Keywords: Libraries, Accessibility, Models of Disability, Disability, United States, Canada, Australia

Introduction

Libraries and Librarians serve an important role in accessing information and services as well as fostering a sense of community, serving as a third place. In fulfilling this important role, Libraries must ask whether they are serving all of their community members equitably. People with disabilities need to be able to access the libraries, which include spaces, programs, collections, and other resources. As Libraries consider meeting the needs of people with disabilities, they

must address this need in a way that preserves self-dignity and independence as well as ensuring equal opportunity of access for these library users.

In considering how users with disabilities interact with the library, it quickly becomes evident that accessibility permeates all aspects of our public-facing work. Often, users can experience barriers in attempting to enter the library, in navigating the space, in interacting with the service desk, in accessing their patron records, and in attending library programming. The need to be accessible exists in every aspect of workflow development and application for user services and support. Many more colleagues than the manager need to be involved in the development and application of library guidelines, practices and procedures that support accessibility. In an era where inclusion is increasingly affirmed as a desirable state by libraries, accessibility therefore becomes the responsibility of all engaged in service provision, whether they are public facing or not.

When Libraries seek to enable accessibility for all, they reduce the need for accommodations. When libraries employ universal design, it leads to a reduction of barriers. It is still important to acknowledge that sometimes accommodations are still needed, and in some countries are protected as a human right. In considering accommodations, the needs and preferences of the users with disabilities should be centered in our approach.

The need to provide accessible services stems from moral, ethical, and legal obligations. In the moral sense, if we uphold the dignity of all humans, then providing services to people with disabilities becomes more than a mandate to avoid discrimination. Hyland (1987) stated that "discussion of disability needs to be located within a clearly defined moral framework if the rights of disabled people as members of the community are to be translated into society's duties in respect to those rights." (163) Ethical obligations are premised on the ethical ground that people with disabilities are full humans in their own rights within the wider society that often view them as lesser. The ethical grounds approach argues that inclusion of people with disability should be "a pressing issue for all because everyone can be disabled by trauma and because in societies in which life expectancy is long everyone may expect some impairments in old age". (Cengage, Para.1) In the British Commonwealth and the US, Libraries often need to offer accessibility support as mandated by the government. However, in some cases, the legal mandate serves as a bare minimum. This legislation-based minimum standard approach may lead to more access while not leading to true accessibility, inclusion, and equity in accessing the library.

In this article, I will first provide an overview of accessibility history in the US, Canada and Ontario, and Australia in order to outline major disability related legislation in parts of the world post WWII which has impacted the way we approach services to people with disabilities. I will then articulate the difference between the medical and social model of disability and its relationship to services to people with disabilities. Lastly, I will provide an overview of the history of libraries and accessibility. In part 1 of this article, I am interested in cementing the moral, ethical, and legal reasons to approach library service development through a universal design lens in order to advance services for people with disabilities. In part 2, I will explore how to plan with accessibility in mind as well as practical daily actions to advance accessibility.

Accessibility History

Alongside the US Civil Rights movement of the 1960s and 1970s, there was a disability movement that took place that continues to reverberate today. After the Second World War, many governments had to contend with a significant increase in people with disabilities. The scale of impairments created by the war made it unpalatable and untenable to simply relegate people with disabilities to government managed homes, institutes, and prisons. In 1975, the United Nations issued the Declaration of Rights of Disabled Persons. The declaration outlined key rights for disabled people and encouraged member countries to enact legislation and promote initiatives to safeguard these rights and opportunities. The declaration was hailed by the growing number of disability rights activists. As articulated below, major legal changes related to disability started in the 1970s and continued to evolve. These changes followed an arc of outlawing discrimination, increasing supports and regulations for ensuring this, towards a growing commitment to accessibility.

United States

In 1973, President Nixon passed the Rehabilitation Act that prohibited discrimination on basis of disability by federal programs. This legislation came as a result of activism to replace the Vocational Education Act of 1917 and the Soldier's Rehabilitation Act of 1918. It was the first act to address the notion of "equal access for individuals with disabilities through the removal of architectural, employment, and transportation barriers. It also created rights for persons with disabilities through affirmative action programs." (Wilcher, 2018, para. 4) Before the Rehabilitation Act was enacted, few looked beyond the medical needs of people with disabilities, much less recognizing them as having civil rights.

The Americans with Disabilities Act, commonly referred to as the ADA, became law in 1990. This was a landmark US legislation signed into law by President George H. W. Bush. It was intended to define and protect the civil and human rights of people with disabilities. The ADA as a civil rights law prohibits discrimination against individuals with disabilities. Its scope included all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA is divided into five titles (or sections) that relate to different areas of public life: 1) Employment, 2) Public Services: State and Local Government, 3) Public Accommodations and Services Operated by Private Entities, 4) Telecommunications, 5) Transportation. (U.S. Department of Education Office of Civil Rights, 2006) Libraries are generally impacted by section 1-3.

In 1998, Section 508, which we think of as web accessibility, was passed to make access to information to those with disabilities comparable to access for others. To this day, libraries and library vendors are working to meet the requirements of Section 508 through the Web Accessibility Content Guidelines. Advocacy by libraries has been critical in seeing improvement in web accessibility by library vendors.

Lastly, a 2013 court case set the precedent for what 'accessible' meant within the US context. "A person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent use of ease. As fully, equally, and as independently as a person without a disability." (Office of Civil Rights, 2013, para. 3)

Canada and Ontario

Early on, Canada's support for people with disabilities was heavily influenced by the advances in the US. In the 1970s, the Canadian government enacted its first law giving rights to people with disabilities. The Canadian Human Rights Act states that all Canadians have equal rights regardless of sex, race, nationality, and disability. While this first step did not articulate what equal treatment might look like, it did set the stage for further advancements in the support of people with disabilities.

The provincial governments were left to make further legal advancement to define equal treatment through legislation and regulations. Most provinces adopted provincial human rights codes in which they defined disability. These definitions do not articulate how discrimination is prevented.

Ontario is heralded as the province that made the boldest commitments, seeking universal access for all Ontarians with disabilities by 2025. The Accessibility for Ontarians with Disabilities Act, commonly referred to as the AODA, set out "to develop, implement and enforce standards for accessibility related to goods, services, facilities, employment, accommodation and buildings. The target date for reaching this goal is no later than January 1, 2025." (Accessibility of Ontarians with Disabilities Act, Introduction para. 1, n.d)

The AODA created five standards to enhance accessibility in daily living:
1. Customer service standard to remove barriers for people with disabilities so they can access goods, services or facilities.
2. Information and communication standard to help organizations make their information accessible to people with disabilities.
3. Transportation standard to make it easier for everyone to travel in the province.
4. Employment standard to make hiring and employee support practices more accessible
5. Design of public spaces standard to help organizations make new and redeveloped outdoor public areas accessible.

Libraries are impacted by the following standards: customer service, information and communications, employment, and at times, design of public spaces. The AODA regulations set out prescriptive standards that libraries are to meet with multiple deadlines. The act required organizations, including libraries, to establish policies, practices, and procedures that provide clear guidelines to librarians, staff, volunteers, and any third parties to provide library services and resources. It required libraries to articulate the use of assistive devices to access services

and resources, outline a policy and best practices for communication with people with disabilities that centered the user, and how to interact with support persons and service animals.

While the details provided to advance accessibility is notable, the AODA also set out core principles that should be upheld as organizations seek to meet the requirements. The principles - independence, dignity, integration, and equality of opportunity for people with disabilities - align well with the mission and values of libraries towards self-sufficiency, engagement, and lifelong learning.

- Dignity: Policies, procedures and practices that respect the dignity of a person with a disability are those that treat them as users who are as valued and as deserving of effective and full service as any other user. They do not treat people with disabilities as an afterthought or force them to accept lesser service, quality or convenience.
- Independence: The ability to have freedom to do things in your own way and at your pace. This means that a staff member should not hurry or take over a task from a user with a disability if they prefer to do it themselves in their own way.
- Integration: Services that allow people with disabilities to benefit fully from the same services, in the same place, and in the same or similar way to other users.
- Equal opportunity: The ability to have the same chances, options, benefits and results as others. This means users with disabilities should not have to make significantly more effort to access or obtain services as compared to other users.

Australia

After the Second World War, Australia established the Commonwealth Rehabilitation Services, which began the formalized offering of services for people with disabilities. (People with Disability Australia, n.d.) In 1986, the Disability Services Act was passed, recognizing disability rights advocacy as a programmatic area in its own right. .(People with Disability Australia, n.d.) In 1992, the Australian Government passed the Disability Discrimination Act. It made it unlawful to discriminate against a person, in many areas of public life, including employment, education, getting or using services, renting or buying a house or unit, and accessing public places, because of their disability. In 2008, the Australian Government ratified the United Nations Convention for the Rights of Persons with Disabilities. This was a pivotal moment, which led to Australia's greatest efforts yet.

In 2010, Australia embarked to move towards accessibility through a National Disability Strategy. It served as the first time that "all [Australian] governments have committed to a unified, national approach to improving the lives of people with disability, their families and carers, and to providing leadership for a community-wide shift in attitudes." (Australian Government – Department of Social Services, 2011) Libraries were asked to advance accessible services as part of the accessible communities efforts.

The Australian Library created a policy to advance services for people with disabilities. In response, the Australian Library and Information Association (ALIA) created guidance for its member libraries:

- *ALIA Guidelines on library and information services for people with disabilities*: These guidelines aim to provide benchmarks for an acceptable minimal level of service which can be used by all libraries in analyzing the current level of service, in facilitating forward-planning and in developing strategies for more-effective services.
- *ALIA Library and information services for people with a disability*: ALIA policy to promote and improve services provided by all kinds of libraries and information agencies.

It is notable that these were created ahead of the National Disability Strategy

Models of Disability

There are two dominant ways to consider disability: the medical model and the social model. These models seek to understand and explain how and why people with disabilities are disadvantaged and can be supported. These two models are opposite to one another, with the first centering disability within the individual and the second articulating that disability in the environment. (Cengage Encyclopedia, n.d.)

The medical model, still the dominant model in the medical sector and in considering legally-mandated accommodations, purports that a disabled person's lack of ability to perform normal human activities can be traced entirely to that person's impairment, which is described as an abnormality. Therefore, the best way to support a person is to correct the impairment medically. When a person's disability cannot be fixed medically, they are left to face significant disadvantages with few means to overcome it.

The social model, developed by people with disabilities, purports that it is society that disables people with impairments. (Union of the Physically Impaired Against Segregation, 1975) The social model emerged from the minority group model, which articulated that because there are few people with disabilities they do not have the power to influence society. For example, Anita Silvers (1995) points out that streets and buildings would be made wheelchair-accessible if the majority of people in the society moved about by means of wheelchairs. In the social model, to advance accessibility, we need to design for universal access and plan in order to prevent barriers. The social model demands a political and systemic response. It posits therefore that accessibility is everyone's responsibility as our design choices and actions can lead to the impairment for people with disabilities.

Under the social model, barriers are created. The World Health Organization defines barriers as "[f]actors in a person's environment that, through their absence or presence, limit functioning and create disability. These include aspects such as:
- a physical environment that is inaccessible,
- lack of relevant assistive technology,
- negative attitudes of people towards disability, as well as
- services, systems and policies that are either nonexistent or that hinder the involvement of all people with a health condition in all areas of life." (World Health, 2007, p. 230)

In other words, a 'barrier' is anything that stops a person with a disability from fully taking part in society because of that disability. As one considers where barriers might exist, here are the common thematic types:

- Attitudinal - these are the most basic and at the root of the creation of other barriers. Includes stereotyping, stigma, prejudice, and discrimination.
- Physical or architectural - these are structural obstacles that prevent access. Includes the lack of a curb cut on a sidewalk, only providing stairs into a building, lack of height adjustable tables, and medical equipment that requires someone to stand.
- Information or communications - these are experienced by those with disabilities that impact hearing, speaking, reading, writing, and understanding. Includes lack of large print or braille, lack of captioning, using jargon and complex language.
- Technological - these are created by how technology is created and impact those with motor impairments and vision loss. Include cluttered layouts, small buttons, lack of voiceover for web content, and how the content is coded for navigation.
- Systemic or policy - these are often related to a lack of awareness or enforcement of laws to support people with disabilities. They are tightly intertwined with attitudinal barriers. Includes denying qualified individuals from participating in programs, services, employment opportunities, and benefits or denying reasonable accommodations.

The arc of the legislative and regulatory efforts shows a progression from the medical construct of disability towards the social model. From the point of view of disability advocates and people with disabilities, the social model should be the predominant model. The concept of access is rooted in the social construct and sees the environment as a disability. The key insight is to think in terms of barriers rather than focusing on people's [dis]ability.

Libraries and Accessibility

While the case for accessibility has been made in many countries and by many international agencies, the removal of barriers for people with disabilities in using libraries continues to be an active concern. To understand where we are to go with accessibility, it is important to understand where we have come from. This history helps us understand why there is an imbalance in how libraries approach services to people with disabilities.

The root of library services for people with disabilities can be traced back to efforts tied to providing materials to those with print disabilities, more specifically blind users. In "1977, librarians serving blind and physically handicapped individuals met, on special invitation, with members of the International Federation of Library Associations' (IFLA) Hospital Libraries Section." (Frank Kurt Cylke & International Federation of Library Associations and Institutions, 2016, p. 7) These services persisted as the core of services to people with disabilities well into the 21st century.

In 2005, International Federation of Libraries (IFLA) Standing Committee of Libraries Serving Disadvantaged Persons created a checklist to address the reality that "[i]n many countries all over the world, access for patrons with disabilities to use libraries is not yet

available or even expected. In order to provide equal opportunities for all library users, it is necessary to look with the eyes of these patron groups at the physical condition of library buildings, as well as library services and programs." (Irvall & Skat, 2005, p. 4)

The American Library Association's (ALA) "Core Values of Librarianship" identifies Access as a Core Value. In doing so, ALA asserts that it is vital that libraries ensure that "all information resources that are provided directly or indirectly by the library, regardless of technology, format, or methods of delivery, should be readily, equally, and equitably accessible to all library users." (ALA, 2004, n.p.) Additionally, ALA identifies Diversity as a Core Value. In doing so, it asserts that "we value [..] diversity and strive to reflect that diversity by providing a full spectrum of resources and services to the communities we serve." (ALA, 2004, n.p.)

The International Federation of Library Associations (IFLA) has a vision to advance "[a] strong and united global library field powering literate, informed and participatory societies" (International Federation of Library Association and Institutions, 2019, p.3) It has four core values that focus on:
- freedom of access,
- universal and equitable access,
- delivery of high-quality services to guarantee that access, and
- "commitment to enable all Members of the Federation to engage in, and benefit from, its activities without regard to citizenship, disability, ethnic origin, gender, geographical location, language, political philosophy, race or religion" (International Federation of Library Association and Institutions, 2019, p.3)

IFLA's core values reflect a clear commitment to the equitable access to information provided by high quality library services should serve all, not least those who have a disability.

Conclusion

The legal framework for accessibility has focused primarily on preventing discrimination, while often not clearly articulating what equal treatment and access would look like. This lack of clarity has provided a level of ambiguity that puts the onus on people with disabilities to advocate for their rights rather than receiving equal opportunity to access. In parallel, the library profession advanced its commitments to access and diversity. These commitments led to a growth in focus on accessible access to information while at the same time as people with disabilities lagged behind in receiving equal opportunity to services. When libraries commit to accessibility rather than service for people with disabilities they center universal access and enable independence, dignity, self-sufficiency, and equal opportunity for people with disabilities.

Arguably, libraries that seek to advance diversity, as part of efforts towards social justice, should include accessibility as a central component of this commitment. As Myrna Morales, Em Claire Knowles, and Chris Bourg assert in their work on diversity and social justice in academic libraries, "To truly embrace our social responsibility for promoting social justice, librarians and library leaders must … acknowledge the ways in which library practices frequently contribute to inequity, marginalization, and injustices; and commit to transforming our practices and

standards in ways that leverage the power, expertise, and responsibility of academic librarians and libraries as forces for social justice." (Morales, Knowles, Bourg, 2014, p.448). Libraries need to question policies, procedures, and practices that allow accessibility to be added-on rather than central to efforts to develop strong public services.

Part 2 of this article will explore how libraries can center accessibility and universal design in their service development and planning efforts as well as practical approaches to increase accessibility on a daily basis as part of an ongoing user-centered public service practice.

References

Accessibility of Ontarians with Disabilities Act. n.d. *Guide to the Act*. https://www.aoda.ca/guide-to-the-act/#introduction

American Library Association (ALA). (2004, June 29). *Core values of librarianship.* http://www.ala.org.ezproxy.gvsu.edu/advocacy/intfreedom/statementspols/corevalues

Australian Government - Department of Social Services. (2011). *National Disability Strategy 2010-2020.* https://www.dss.gov.au/our-responsibilities/disability-and-carers/publications-articles/policy-research/national-disability-strategy-2010-2020

Cengage Encyclopedia. n.d. *Disability: I. Ethical And Societal Perspectives.* https://www.encyclopedia.com/science/encyclopedias-almanacs-transcripts-and-maps/disability-i-ethical-and-societal-perspectives

Frank Kurt Cylke, & International Federation of Library Associations and Institutions. 2016. Library Service for the Blind and Physically Handicapped : An International Approach. De Gruyter Saur.

Terry Hyland (1987) Disability and the Moral Point of View, Disability, Handicap & Society, 2:2, 163-173, DOI: 10.1080/02674648766780171

International Federation of Library Association and Institutions. 2019. IFLA Strategy 2019-2024. Accessed on February 26, 2022 at http://repository.ifla.org/bitstream/123456789/25/1/ifla-strategy-2019-2024-en.pdf.

Birgitta Irvall, & Gyda Skat Nielsen. 2005. Access to libraries for persons with disabilities - CHECKLIST. International Federation of Library Associations and Institutions, IFLA Professional Reports, No. 89. Accessed online on February 26, 2022 at https://archive.ifla.org/VII/s9/nd1/iflapr-89e.pdf.

Myrna Morales, Em Claire Knowles, and Chris Bourg. 2014. Diversity, social justice, and the future of libraries. Portal: Libraries and the Academy, 14(3), 439–451.

Office of Civil Rights. 2013. *Resolution Agreement - South Carolina Technical College System. OCR Compliance Review No. 11-11-6002.* https://www2.ed.gov/about/offices/list/ocr/docs/investigations/11116002-b.html

People with Disability Australia. (n.d) *History Of Disability Rights Movement In Australia.* https://pwd.org.au/about-us/our-history/history-of-disability-rights-movement-in-australia/

Anita Silvers. 1995. "Reconciling Equality to Difference: Caring (f) or Justice for People with Disabilities." Hypatia 10(1): 30–55.

Shirley Wilcher. 2018.. The Rehabilitation Act of 1973: 45 Years of Activism and Progress. *Insight Into Diversity.* https://www.insightintodiversity.com/the-rehabilitation-act-of-1973-45-years-of-activism-and-progress/

World Health Organization. 2007. *International classification of functioning, disability and health - Children & Youth Version.* Geneva, Switzerland.

U.S. Department of Education, Office of Civil Rights. (2006, April 25). Americans with Disabilities Act (ADA). Retrieved from http://www2.ed.gov/about/offices/list/ocr/docs/hq9805.html

Union of the Physically Impaired Against Segregation. (1975). *Fundamental Principles.* https://tonybaldwinson.files.wordpress.com/2014/06/1975-11-22-upias-and-disability-alliance-fundamental-principles-of-disability.pdf