**Universal Design for Learning (UDL) in Higher Education: A UK, USA comparison.**

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## Abstract

Universal design for learning (UDL),and related ideas, similarly involving planning for widening participation and diversity in higher education, are discussed here with reference to relevant literature, and primary research conducted prior to the Covid 19 crisis. Participants included self-selecting student and staff from four English and four American universities, and members of a UK professional organisation of university disability practitioners. Contributors were self-confessed UDL enthusiasts but generally regarded embedding the practices as complex. Comparison between institutions and nations was found to be difficult, partly because of patchy research evidence and lack of sector-wide UDL baselines. Various workable suggestions which arose included: senior level and stakeholder buy-in to planned longitudinal cultural change, leaning heavily on equalities legislation, embedding accessible technology, equipping students with information about how to access sources of support easily, and building in staff development. These are presented here in bullet point form with the aim of creating a useful document which can be used to progress the UDL agenda. Next steps are considered tentatively given the uncertainties surrounding the currently raging global pandemic. .

**Points of Interest**

University UDL is relevant beyond the disabled student population.

Teaching, learning and students are only part of the UDL story.

Good UDL practice is cognisant of the idea of belonging.

Senior leadership buy-in is essential for UDL to work across an institution rather than in pockets.

Comparison of UDL practices across institutions is difficult without benchmarking information.

Some practical solutions are relatively simple, and involve making individualised practices aimed at disabled students more broadly available.

Covid 19 has, to an extent, forced aspects of the UDL agenda

**Key words**

Universal Design for Learning

Universal Design

Inclusion

Equality

Disability

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**Introduction**

Focussing on relevant publications and primary research, this paper explores how UDL operates and intersects with inclusive practice and individualised student support. Fieldwork, conducted between 2017 and 2019, concentrated on contributions from four American and four English higher education institutes (HEIs) and university disability services staff from The (UK) National Network of Disability Practitioners (NADP-UK.org). Participants shared their personal insights.

In each nation, traditional exam passes were required for admission by half the universities, while the others encompassed broader entry requirements. Focus groups, interviews and questionnaires were utilised to elicit views from academic and professional support (PS) staff, and students. PS colleagues came from roles focussing on supporting the academic development of students. These included disability services and study skills colleagues, librarians and technology support staff. Recommendations are potentially beneficial beyond the original settings, but not necessarily applicable globally as HE is not available universally, particularly to disabled and disadvantaged students. Relevant literature and primary qualitative research are presented with a view to contributing to the existing limited evidence base. Researchers involved recognise their positivity around UDL.

Common to contributors was the idea that UDL could potentially benefit everyone and fits with the social justice ethos underpinning equalities legislation. Examples of broadly beneficial practice included reliable use of inclusive technology and virtual learning environments (VLEs). Except for participants from a very small American university, most found high level strategic engagement hard to achieve. Students experienced systems designed to support their development as difficult to navigate. Staff acknowledged the need for joined up thinking between PS and academic staff and senior leaders. Potentially useful tools for benchmarking UDL and comparing practice were apparently lacking, but could possibly be created.

## Context

UDL is underpinned by the notion that everyone benefits, and is based on planning for rather than being surprised by diversity. The term ‘benefit’ speaks to reducing disadvantage generally rather than creating advantage for some. Students do not all begin HE with equally solid foundations (Beardon et al., 2009; Webb et al., 2017). Bourdieu (1986) contentiously theorises this in terms of Social, Cultural and Academic Capital, postulating that those with ‘*the right sort of connections and background’* [author’s italics] thrive more easily educationally. UDL institutions reject the notion that ‘*capital disadvantage’* is a given in favour of a social justice approach based on entitlement and planning to reduce structural barriers and promote intellectual growth (Donnelly and Evans, 2019; Leadley-Meade and Goodwin, 2019).

Supporting disabled students is one facet of UDL, not the whole story. In the UK Disabled Student Allowance (DSA), is currently under review, partly because of spiralling costs. DSA offers bespoke reasonable adjustments to eligible disabled learners (Cameron et al., 2019; Johnson, 2015; Layer, 2017; Willetts, 2014). Without equivalent government funding in the USA, finance for this purpose comes from the institutions (Hadley et al., 2020). Disadvantaged students ineligible for disability services do not routinely attract statutory funding for support in the UK or USA. Dedicated disability services fulfil comparable roles in both nations, working with individuals and endeavouring to influence institutional culture. This involves listening to students and collaborating with other PS staff, academics and strategic planners . Legislative compliance is a factor. The UK *Equality Act* *2010* (*EA 2010*) and the 1990 *Americans with Disabilities Act* (*ADA*) (and its subsequent 2008 amendment) provide a planning framework based on avoiding discrimination. Sound knowledge of equalities legislation is essential, particularly for disability service heads. Guidance for staff working on UDL is limited. The literature review which follows unpacks available information and identifies some big gaps. Covid 19 is too recent to be reflected in peer reviewed research.

**Literature Review**

Search terms such as ‘Disability equality, inclusive practice, universal design for learning (UDL), higher education UK, USA’ yielded slim pickings. Google Scholar and various data bases revealed small-scale studies generally by researchers broadly sharing the ontological perspective of UDL aficionados. Common insight emerged but variations in terminology and methodology made comparison challenging. Pockets of UDL-informed inclusive pedagogy and delivery were revealed. Examples included: accessible virtual learning environments (VLEs), effective use of technology, multiple means of engagement, easy access to help from PS and promotion of a culture of belonging. Studies framed around entitlement positioned disability under the broader equalities umbrella and recognised intersectionality, cultural sensitivity and multiple oppression (Anderson et al., 2019; Bracken and Novak, 2019; Leadley-Meade and Goodwin, 2019; Liu, 2017). Student voice was viewed as central by many researchers, such as Hastwell et al. (2012, 2017), Hughes et al. (2016), and Seale (2009), but not evident in all studies.

### Terminology

Terms like UDL, universal design (UD) and inclusion appear interchangeably, partly because of similarities in philosophy. UD and inclusion extend beyond education and are predicated on planning for universal social inclusion. UDL is specifically about education (Al-Azawei et al., 2016; Bracken and Novak, 2019; Lawrie et al., 2017; Milton et al., 2016). The idea was described thus by the US Congress (2008):

UDL provides flexibility in the ways: information is presented… students respond or demonstrate knowledge and skills…students are engaged. UDL reduces barriers in instruction, provides appropriate accommodations, supports and challenges, and maintains high achievement expectations for all.

(US Congress, 2008).

UDL is founded on UD and inclusive practices looking beyond the purely academic (Burgstahler, 2015; Hadley et al., 2020; Hockings, 2010; Leadley-Meade and Goodwin, 2019). Student experience does not happen in little boxes and UD is cognisant of every aspect of the inclusive student journey, pre-entry to post-exit. Advantages of UDL extend beyond disabled learners and classroom practice (Bracken and Novak, 2019; Jones, 2018; Knight et al., 2018; LaRocco and Wilken, 2013; Reinhardt et al., 2018).

The National Center on Universal Design for learning (2011) and UK Professional Standards Framework for teaching and supporting learning in HE (Advance HE, 2019b) emphasise curriculum planning, design, delivery and evaluation. Layer’s (2017) definition, taken from the UK Higher Education Academy is broader: ‘Inclusive learning and teaching recognises all students’ entitlement to learning and experience that respects diversity, enables participation, removes barriers, anticipates and considers a variety of learning needs and preferences without directly or indirectly excluding anyone.’ (p12).

UDL is characterised by Dean et al. (2017), Everett (2017) and Lock et al. (2019), for example, as dynamically encompassing changing pedagogy and multiple formats including accessible e-learning and digital technologies, distance and blended approaches and huge lectures. Interpretations by Anderson et al. (2019), Bracken and Novak (2019), Farrar and Young (2007) and others encompass a wider conception of inclusion and belonging, incorporating cultural sensitivities and all aspects of student experience.

Sheffield Hallam University’s Teaching Essentials Toolkit (2016) focusses on universal benefits in the following descriptor of inclusive practice:

* Being Flexible – open to change and versatile
* Being Equitable – ensuring consistency and accessibility for all
* Working Collaboratively – involving students and stakeholders
* Supporting Personalisation – recognising that successful learning and teaching is governed by personal difference
* Embracing Diversity – creating opportunities to develop awareness of diversity and global issues.

Theorising disability in Social Model terms (Oliver, 2009) resonates with ideas underpinning inclusive practices based on UD and UDL which similarly emphasise eradicating barriers to participation. Social Model thinking distinguishes impairment from disability. Society can create disability. Mobility challenges for example are exacerbated by stairs. Organisations can generate disadvantage for marginalised citizens, for instance policies that automatically exclude former prisoners (Custer, 2018) or deny university access to those with atypical entry qualifications (Bathmaker et al., 2016). Poverty is not covered by UK or USA equalities legislation, but is increasingly recognised as a major obstacle (O’Sulllivan et al., 2019; Sá, 2019; Scanlon et al., 2019; Perelli, 2020). Intersectionality is reflected in British equalities legislation but does not cover socio-economic status. Perelli’s (2020) study provides a salient example of Americans of Hispanic origin both under-represented in HE and economically disadvantaged.

Comparing literature internationally reveals variation in terminology. UK Social Model critical disability theorists favour ‘disabled person’ over ‘person with disability’, which American scholars define as ‘people first language’, arguing that ‘disabled person’ negatively foregrounds impairment as a prominent feature of identity (Dunn and Andrews, 2015). The counter argument is that ‘disabled’ acknowledges disabling barriers external to embodiment (Oliver, 2009; Wilson and Martin, 2018).

‘Students with a learning disability’ is used in America to indicate ‘having one or more of the following conditions: “specific learning disability, visual handicap, hard of hearing, deafness, speech disability, orthopaedic handicap, or health impairment” (U.S. Department of Education, 2013)’ (Hadley et al., 2020, p.2).

‘Learning disability’ is associated with ‘intellectual impairment’ in the UK (Cooper et al., 2016). Durham University’s website (2018) quotes the *EA 2010* definition of disability, which clarifies the distinction:

a disabled person as someone with a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This may include:

* Specific learning difficulty such as Dyslexia, Dyspraxia or ADHD
* Asperger Syndrome or Autism Spectrum Conditions
* Visual impairment
* Hearing impairment
* Physical condition affecting mobility
* Mental health condition
* Long-term medical condition

Arguably, the *EA 2010* definition describes impairment, effectively deemphasising social constructions of disability. Semantics can create tensions. Universities purporting to embrace Social Model thinking, while being reliant on Medical Model diagnostic labelling as a gateway to individualised adjustments, represent a contradiction (Minich, 2016; Wilson and Martin, 2017). Confusion around terminology is evident in UK university websites. A random selection of ten found six using the expression ‘students with disabilities’ alongside a narrative about Social Model thinking.

### Legislation Relevant to UK and USA Universities

The *Equality Act 2010* (*EA2010*) is designed to promote anti-discrimination of citizens with one or more of nine protected characteristics, including disability, gender and age. It factors in intersectionality and harmonises previous anti-discrimination legislation including various iterations of the Disability Discrimination Act from the 1990s (Equality and Human Rights Commission (EHRC), 2016). The Equality Duty (EHRC, 2014b, section 149) and the Technical Guidance on Further and Higher Education (EHRC, 2014a) specified the requirement to publish action plans which include measurable equality objectives.. DSA reforms must adhere to the anticipatory duty of the *EA 2010* as outlined in The Public Sector Equality Duty Section 7.26 and 7.727. The UK Quality Code for HE (*Advice and Guidance: Enabling Student Achievement*) (Quality Assurance Agency for Higher Education, 2018) requires ‘clear, accessible and inclusive policies and procedures to enable students and staff to identify when support mechanisms may be required for academic and personal progression’ (p.3) and ‘an accessible, inclusive and engaging community that incorporates staff and students to facilitate a supportive environment’ (p4). It specifies that: ‘Providers should define, coordinate, monitor and evaluate staff roles and responsibilities to ensure students have access to the support and opportunities required to achieve their personal and academic goals’ (p.9). Under ‘Expectation for Quality’ the Code states that support should be ‘accessible and inclusive of all students, but not the same for all students’ (p.2).

The *Americans with Disabilities Act* (*ADA)* 2008 amendment fulfils a role similar to the disability legislation that pre-dated UK *EA 2010*. Ruddy (2019) contends that ‘The *ADA*, according to President George Bush, was “the world’s first comprehensive declaration of equality for people with disabilities.” The statute forbade disability discrimination in employment, public services, transportation and, as relevant provision of goods and services.’ (p.83). In 2008 the amendment was instigated ‘to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the ADA’ (Daddona and Harold, 2018, p.50). This did not negate the requirement for medical proof of eligibility. Further US developments include the 2008 *Higher Education Opportunities Act* and the 2015 *Every Student Succeeds Act* referenced by Bracken and Novak (2019) and commended for their endorsement of the universal benefits of UDL.

The US Congress website (2019) provides information about potential legislative changes in the USA conceived to harmonise previous aspects of equalities legislation currently under the umbrella of The Civil Rights Act and subsequent updates (enacted initially in 1964 without reference to disability). On 17 May 2019 the United States House of Representatives passed the *Equality Bill* which references ‘discrimination based on the sex, sexual orientation, gender identity, or pregnancy, childbirth, or a related medical condition…’ Parallels with *EA 2010* are obvious. A complication in America is variation between federal and state laws. It is too soon to determine the potential impact of an *EA 2010*-style act on the USA university sector. A random dip into ten American university websites revealed no useful information about this. University websites routinely reference their current legislative responsibilities. The following extract is typical:

The ADA (guidance on) HE 1990 impacts the whole institution including activities, programs, and employment….required institutions to provide [reasonable accommodations](https://www.ferris.edu/RSS/disability/terms-concepts.htm) for students. Colleges and universities receiving federal financial assistance must not discriminate in recruitment, [admission](https://www.ferris.edu/admissions/homepage.htm), or treatment of students. Students with [documented](https://www.ferris.edu/RSS/disability/documentation-guidelines/index.htm) disabilities may request academic adjustments, including auxiliary aids which will enable them to participate in and benefit from all postsecondary educational programs and activities. Postsecondary institutions must make such adjustments to ensure that the academic program is accessible to the greatest extent possible by all students with disabilities.

(Ferris State University, 2020)

This example, from a UK university website, documents possible reasonable adjustments framed as entitlements under the *EA 2010*.

We offer a variety of professional support and advice, including:

* Advice before you arrive at Durham University
* Contact with a Disability Adviser to determine appropriate support arrangements
* Individual Student Support Plans
* Liaison with departments and tutors
* Help applying for Disabled Students' Allowances (DSA) or other financial support
* Referral for regular Study Skills or Mental Health support, in accordance with funded recommendations
* Specialist support from qualified Mental Health Advisors
* Assistive Technology support
* Loans of equipment, including digital voice recorders, if unavailable from other sources
* Library support, including extended loans and access to assistive software in the library
* Support with examinations, such as extra time if recommended
* In-house library resources for students

(Durham University, 2018)

Article 24 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) (2008) recognizes ‘the right of persons with disabilities to education… without discrimination and on the basis of equal opportunity’.

Although ‘inclusive lifelong learning’ is referenced, tertiary education is the focus for many impoverished majority world countries currently lacking the infrastructure to make inclusive university a reality. At the time of writing 164 countries (including the UK but excluding the USA) had ratified the UNCRPD which is an international treaty rather than a piece of national legislation. Since 2013 the UK has been part of the European Union framework aimed at cooperating around operationalising the UNCRPD (European Agency for Fundamental Rights, 2020). Post Brexit, presumably this may no longer be the case.

Equalities legislation compliance culture potentially disadvantages ‘students who are not members of protected classes but who none the less need both accommodations and support’ (Brown et al., 2017, p.81). Moriña (2017) advises that ‘the legal right to access higher education is not enough, there must also be practical mechanisms’ (p.3).

### Published Evidence of UDL in HE

An edited volume by Bracken and Novak (2019) includes mainly minority world international contributors who reveal similar issues. Institutional variation and ‘pockets of good practice’ (Williams et al., 2017, p.18) is a recurrent theme. Common examples from various studies include: multiple means of presentation, variety in assessment, lecture capture, networked inclusive technology, accessible virtual learning environments (VLEs) and provision to record lectures (Anderson et al., 2019; Dean et al., 2017; Moore et al., 2017; Powell, 2013). Studies considering UDL beyond disability include: Brown et al.’s (2017) exploration of institutional culture, Reinhardt et al.’s (2018) work with refugee learners, Schoepp’s (2018) focus on second-language speakers and Rosman et al.’s (2018) work on information literacy.

Transition to HE from non-traditional backgrounds has been studied by Leadley-Meade and Goodwin (2019), Marginson (2016), Sanders and Rose-Adams (2014), Richardson (2015) and others. Common recommendations include providing students with help to acquire academic skills such as critical reading, utilising technology for study, literature search, referencing, and assignment writing.

O’Shea (2016), Reay et al. (2010), Wise et al. (2018) and others consider the challenges associated with being the first person in a family to go to university. In Bourdieusian terms, Social Capital frames this discussion. Bourdieu (1986) argues that family and community context can be an advantage or otherwise, an idea critiqued by Brown et al. (2017) who prefer to question the integrity of a system which disadvantages learners without ‘*the right sort of background’* [author’s italics]. Drawing on the work of Foucault (1991), Brown et al. (2017) contend that students unable to fit easily into the existing highly regulated structures are troublesome to the ‘market driven’ (p.78) university. Brown et al. (2017) reference Freire’s (1970) ‘banking concept of education’ and contend that this means ‘knowledge is determined by the dominant power structure and students are deemed successful when they can draw this information from their courses and reproduce it in the way the instructor or institution expects’ (p.79). Valuing and planning for diversity is quite the opposite. Unsurprisingly, Aoun et al. (2018) found that lecturer feedback to students that contained unfamiliar, over-technical language was ineffective. Bordieusian theorists may conclude that cultural capital and academic success can go hand in hand. Foucaultians are more likely to postulate that institutions could use feedback as part of a strategy to empower students, enhance belonging and avoid ‘othering’.

Students do not all start university with all their academic ducks in a row (Leadley-Meade and Goodwin, 2019). A Bourdieusian interpretation would evoke various forms of capital. Social justice advocates argue that universities should accommodate learner diversity by providing appropriate learning opportunities. HE operates within a neoliberal business culture. For this reason, Moore et al. (2017) suggest that a business case for UDL might carry more weight than social justice arguments, particularly with financial planners.

Access to rapidly improving technology with increasingly better accessibility features as standard reduces reliance on bespoke assistive technology, although a minority of disabled students will still require specialist resources (Anderson et al., 2019; Draffan et al., 2017b; Newman and Beetham, 2018). Screen readers, text-to-speech and other technologies for academic purposes are becoming commonplace but access to mathematical notation in Braille (Abrahamson et al., 2019) is rather more specific. Technology is only part of the story. Specialist one-to-one assistance from, for example, a qualified mentor with an understanding of autism, would be difficult to replicate without individually funded support (Sims et al., 2016).

Making boundaries clear and alerting learners about how to seek help beyond the academic team was the focus of a small body of student-facing literature. This mainly emanated from ‘widening participation’ (WP) contexts which Bourdieu might describe as sites of limited student cultural and academic capital. A pre-entry first semester self-assessment tool which also signposted undergraduates to relevant services was devised by Leadley-Meade and Goodwin (2019). Their underpinning research revealed misunderstanding of academic expectations and how to access support in meeting them. Participants felt empowered by the process. Martin et al. (2019) found signposting to PS to be inconsistent. Postgraduate induction activities created by Rousseau and Eley (2010) included explaining and mapping PS and lecturer roles with students. Loughlin et al. (2010) advocate building induction around student diversity and cultural sensitivity. Parker-Jenkins (2018) highlighted unrealistic expectations of doctoral supervisors.

External scrutiny, contextual sensitivity, strategic alignment with institutional priorities and senior buy-in (including by governors) are identified as important factors in cultural change by various scholars, including Brown et al. (2017), Guskey (2000), Layer (2017), Wise et al. (2018). Arguably, efficiently doing more for less while simultaneously appearing morally acceptable, which is good for marketing, drives neoliberal HE cultures. The social justice imperative sounds more palatable than the cost-cutting motive.

Diverse engagement invites multiple perspectives (Everett, 2017; Mitchell, 2014). Equalities legislation emphasises stakeholder participation. Factoring student voice into change management is advocated by Advance HE (2019a) and others, but representation is complex. There is no such thing as ‘the typical student’ or ‘the typical person with x impairment label’ (Chown et al., 2015; Seale, 2009).). Findings from full-time, financially supported undergraduates may not translate, for example, to part-time doctoral students on low incomes. Institutional culture and belonging were identified as important aspects of postgraduate experience by Parker-Jenkins (2018) and Camacho et al. (2017). Belonging encompasses spaces beyond classrooms (Hanesworth, 2015; Madriaga et al., 2008).

Moore et al. (2017) contend that strategic initiatives are often underpinned by smaller-scale responses to critical issues which can act as ‘Trojan Horses’ (p.43). The six faculty members who contributed to their study all had difficulty mobilising their Trojan Horse sufficiently to break through walls dividing operational activity and institutional strategy.

Despite almost ubiquitous compulsory online equalities training, Williams et al. (2017) found practical UDL-focussed professional development patchy and not necessarily embedded in broader policy. Over seven thousand participants joined Draffan et al.’s (2017b) Massive Open Online Course on Digital Accessibility and Inclusive Teaching and Learning Environments. Web-based learning provides useful information but limited opportunity for networking. Generating partnerships underpins the UD – License to Learn Erasmus+ project (Draffan et al., 2017b) covering collaboration, institutional structures, key players and student involvement. NADP runs highly regarded inclusion-focussed international conferences. PS staff are well represented but lecturers and senior leaders rarely attend. Including all personnel who impact on student experience is complicated when some workers are contracted by external agencies. Milton et al. (2017) expressed disquiet about preparedness and supervision of DSA funded mentors employed by agencies to work with autistic students. Evaluating long-term impacts of development activities (beyond immediate satisfaction with the chocolate biscuits) was emphasised by Kneale et al. (2016) who concluded that this rarely occurs.

Assessing efficacy of developments is challenging without effective tools (Draffan et al., 2017a). Despite the lack of statutory protocols, some useful resources exist, a representative sample of which is discussed in the next section.

### Tools for Baselining and Comparison

Without uniform baseline documents that lay out tangible UDL standards to inform planning and facilitate evaluation and comparison, progress is difficult to assess (Draffan et al., 2017a).

Tools for international comparison are a faraway dream although the UNRPD has potential. Standards with sectoral currency include: The UK Teaching Excellence Framework (TEF) (Department for Education, 2017; Wood and Su, 2017) and Access and Participation Statement (APS) (UK Office for Students, 2018), and reporting demanded by equalities legislation. Eighty-nine HEI Programme Directors contributed to Massie’s (2018) study, which concluded that pivotal staff were inadequately prepared to understand TEF in relation to student experience, APS is not detailed about post-admission strategies, and equalities reporting is often vague. ‘Licence to Learn’ (UDLL Partnership, 2017) guidelines were developed by a European initiative involving stakeholders in creating an instrument to underpin ‘a sustainable and coherent policy through clear visions and strategies’ (ibid.) The following series of generic questions was included to enable comparison within and between universities:

* Do you have an over-arching institutional policy for inclusive teaching and learning?
* Are you using the expert knowledge of the diverse learner?
* Is a clear and challenging vision for UDL understood by all?
* Have sustainable strategies at all levels been implemented?
* Have you developed action plans for implementation coherent with budgets and other important plans?
* Have you used/developed a system for evaluation and quality assurance?
* Can your policies, procedures and systems for evaluation with outcomes be internally and externally scrutinised?’

(UDLL Partnership, 2017).

Baseline standards for inclusion, open to public scrutiny, already exist in UK schools, and may have something to offer HE. Key documents include: *Teachers’ Standards: Guidance for School Leaders, School Staff and Governing Bodies* (Department for Education, 2011), *School inspection handbook* (Ofsted, 2018), *Special Educational Needs and Disability Code of Practice* (Department for Education, 2015) and *Children and Families Act* (2014), which includes arrangements for transition beyond school. ‘Quality First Teaching’ and a ‘Graduated Approach’ describe common principles to ensure that all learners are factored into school culture, strategy and planning (NASEN, 2015).

A Quality Assurance Framework (QAF) was recently developed by DSA-QAG (2018b) which applied to staff contracted to support individual disabled students. DSA-QAG closed at the end of 2019 so arrangements were in flux at the time of writing (Patoss, 2019). UK professional bodies have collaborated on guidance about reasonable adjustments on specific vocational courses (Advance HE [previously Equality Challenge Unit] 2015). These initiatives are a small part of a bigger jigsaw but potentially facilitate specific aspects of comparison.

Distinguishing between evaluating high-level institutional goals and specific micro-level initiatives is advocated by Bromley (2009), who devised a levels system with question sets which differentiate between strategic and small-scale project specific goals.

General guidance around evaluation is provided within TEF protocols and The UK Quality Code for Higher Education (Quality Assurance Agency for Higher Education, 2018). Guskey (2000) advocates defining purpose, aims and context of any evaluation before determining approach and participation. Longitudinal methods in order to understand sustained impact are emphasised by Kneale et al. (2016) in their study of effective evaluation of teaching development activities.

York St John’s Inclusive Learning, Teaching and Assessment Framework (Wray, 2016) and Anglia Ruskin’s (2017) Inclusive Teaching Checklistprovide institutional specific benchmarks. Wray’s (2016) developmental model is based on four dimensions against which to assess progress towards UDL. It facilitates self-assessment, identification of good practice, action planning and collaboration within and beyond single HEIs. A template for inclusive practice covering the whole student journey from pre-entry to post-exit was developed by NADP (Martin, 2008). Underpinning research focussed on the requirements of autistic students, with the understanding that good autism practice is closely aligned to UDL and benefits everyone.

Departmental initiatives include the UK Institute of Physics’ (IoP) (2017) exploration of inclusive teaching and learning within physics departments. IoP reported over-reliance on individualised reasonable adjustments and limited lecturer familiarity with UDL. In response, inclusion-focussed development activities were initiated for academic and PS staff.

Focussing specifically on Layer’s (2017) review of the DSA, Draffan et al. (2017a) proposed the following as a framework for developing UDL-informed inclusive practice across HE:

* Successful inclusive teaching and learning practices involve planning, design, delivery and evaluation of curricula outcomes as part of a UDL agenda.
* Sector-wide agreement about minimum expectations for inclusive teaching and learning practices that adhere to the *EA 2010* is required.
* Strategic leadership, student voice and stakeholder engagement are essential.
* Outcomes must be open to longitudinal public inspection.
* Staff development is vital.
* Effective implementation and training in use of technologies is required.
* Students need clear pathways to support.
* Sharing of expertise is necessary to support research into evidence of good practice.
* Personalised support will be needed for some students, alongside being flexible, equitable and proactive in the provision of multiple means of curricula presentation and assessment modes.

The literature review informed the direction of primary research which sought to understand ways in which UDL was conceptualised and enacted in a small number of American and British settings.

**Primary Research**

Qualitative research presented here focusses on views of staff and students from four English and four American universities and members of the UK-based National Association of Disability practitioners (NADP). The decision to expand the original study beyond English universities, to the USA was essentially opportunistic and pragmatic as funding was available for travel to America for another purpose. Ethical clearances were obtained, and participants were assured of anonymity and right to withdraw. Common themes were explored. Research questions focussed on staff challenges and opportunities around embedding UDL, and student experience.

Three participating universities were in the capital cities of America and Britain. One was in an English inner-city location, three in smaller American and English cities and one in a rural American setting. They included elite institutions with rigorous admission requirements, contexts which articulated a clear focus on the participation of learners with a wider variety of entry qualifications, and those falling somewhere between. Two of the USA settings strongly identified with a particular faith. In the UK this would be unusual.

Academic and PS staff and undergraduate and postgraduate students took part via focus groups, interviews and questionnaires. Disability services staff were the main PS contributors, but librarians, technologists, academic developers and counsellors also participated. Academics included only one person in a senior leadership position and came mainly from programmes related to Critical Disability Studies in six of the settings, and computer science in another. Involvement conformed to the ‘Assigned but informed’ method (Fajerman & Treseder, 2000; Radermacher, 2006).

Eleven focus groups of between two and twelve volunteers took place as well as one-to-one interviews with six staff members and three students (one of whom was a British international PG studying in America). Balanced numbers between settings were not achieved and this is a limitation, alongside inadequate representation of international students. The breakdown between academics, PS staff, undergraduate and postgraduates students is illustrated in the following tables.

ENGLAND

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | PS staff | Academics | UG students | PG students |
| Face to face discussions | 32 | 17 | 2 | 9 |
| Questinnaires | 6 | 4 | 151 | 135 |

USA

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | PS staff | Academics | UG students | PG students |
| Face to face discussions | 10 | 12 | 14 | 4 |

Semi-structured interviews were used to elicit feelings, attitudes and perceptions (Puchta and Potter, 2004). Broad headings covered specific aspects of UDL including: multiple means of representation, action and expression, and engagement. A comparative case study approach (Merriam, 1998; Yin, 2017) was used alongside thematic analysis, which enabled comparisons between institutions, staff in different roles and undergraduate and postgraduate students (Hsieh & Shannon, 2005).

### Key findings and discussion

Thematic analysis of information arising from the primary research illuminated areas of commonality and divergence and revealed useful ideas for embedding of UDL beyond participating universities . Staff contributors identified as UDL enthusiasts speaking for themselves and not claiming to represent their institutions. Much of the literature quoted also revealed enthusiastic engagement with the principles and practices of UDL and corroborated commonly held views of the participants of this study. Findings cannot be over generalised but may contribute to a discussion which is currently characterised by patchy research evidence and limited processes for comparison. Unless otherwise stated, points highlighted in the next section were common to England and the USA.

***Strategy and Collaboration:***

1. Staff advocated collaborative, stakeholder informed, longitudinal approaches to change management championed at senior level and embedded into institutional priorities. Tools to operationalise, assess and benchmark UDL developments were perceived to be lacking. Student participants were clear that suggested developments would not impact directly on their own experience but were keen for their ideas to influence practice in the future. Only in the small American faith-based rural university did senior leaders engage alongside colleagues and students, in multi-disciplinary planning for UDL. PS staff felt disempowered despite being knowledgeable.
2. Staff regarded equalities legislation as an important hook on which to hang UDL, but they also acknowledged that financial arguments might carry more weight with business planners. Disabled students expressed a sense of their legislative entitlements.
3. Academics and PS staff influenced by Critical Disability Studies (CDS) evidenced a meeting of minds but rarely researched together, alongside students. One CDS scholar suggested that psychologists, health educators, sociologists and education academics viewed disability from slightly different angles but UDL represented common ground. Computer science academics and technical PS staff were particularly interested in technological solutions but rarely collaborated.
4. UDL was viewed as creating a cost-effective widely beneficial infrastructure which could reduce reliance on individual adjustments but was not a universal panacea. Staff acknowledged that limited bespoke input would always be necessary.
5. Staff described pockets of inclusive practice not necessarily permeating the wider HEI, and difficulty evaluating longitudinal impacts. PS colleagues had more of an institutional overview than lecturers. Students felt that some academics understood and operationalised UDL better than others. Practical staff development was identified as a requirement.
6. Institutional enablers include NADP-UK’s increasingly internationalised network for developing inclusive practices. AHEAD fulfils a similar function in America but participation is apparently more expensive. Few academics and senior leaders participate in these networks.
7. Staff were conflicted about the Medical Model diagnosis necessary to access disability services and felt others who could benefit from similar arrangements were missing out. Paying for diagnostic assessment to evidence entitlement to disability accommodations was more of an issue in America than the UK.
8. Finance to help non-disabled marginalised learners was problematic. Despite having no equivalent to DSA funding in the US, UK colleagues were generally more concerned about money, especially as DSA was under review at the time of writing. American PS staff said that funding accommodations for disabled students was not always simple. American students, for example, discussed tensions between the university and a private sorority house about funding ramped access. Despite insurance, one disabled British student studying in the United States was worried about the lack of a National Health Service and resolved never to call an ambulance because of cost.

***Practicalities and People***

1. Except for participants from the small rural American university, which particularly emphasised community and pastoral care, academics, especially from WP contexts, expressed frustration about student demands exceeding capacity. Learners from WP settings expected support but were unclear how to access it. Lecturers did not necessarily know what was available either.
2. Students and staff acknowledged that services had to respond to course structure. Part-time evening students found access to PS limited and induction imprecise about support mechanisms. American athletic scholarship students tended to have access to bespoke arrangements. Ambiguous vocational ‘fitness to practise’ policies were a concern.
3. Students from elite universities generally exhibited more academic preparedness and learner autonomy than their WP counterparts. Their concerns were mainly around managing workloads and they found interventions such as prioritised reading lists beneficial. Those from WP contexts, and the small rural American university, expected staff to nurture their scholarly development. Orientating students towards support for their academic development was identified as good practice.
4. Poverty and pressure of working while studying was more prevalent in WP settings. Equalities legislation did not seem to help. Adjustments included lecture recording and remote VLE access, but some academics feared negative impact on attendance. Disabled students in the United States faced disadvantage around having to fund medical evidence to access accommodations. Occasionally this happens in the UK, but the cost is less.
5. Evidence of increasing student mental health concerns was common to settings other than the small rural American university. Contributors from elite institutions cited challenging expectations as a factor while social disadvantage was the primary consideration in WP contexts. One British PS practitioner was concerned about external agencies signposting towards university, for its apparent therapeutic benefits, because of the lack of less pressured community education provision.
6. UG and PG learners found absence of clear signposting to PS services frustrating. UK students experienced DSA as ‘over-bureaucratic’. Students from the small rural American university described embarrassment about accessing support. Staff responded by resolving to make seeking help feel more ordinary.
7. International students studying in the USA did not recall disability being mentioned during induction. UK staff felt conflicted about meeting the requirements of disabled international students and those not entitled to DSA.
8. Students felt UDL could improve their university experience in and beyond the classroom. Examples included; captioning, lecture capture, notes in advance via the VLE, joined up information about PS, physical access and quiet spaces to reduce sensory overload. Feelings of belonging and reliability of systems and staff were identified as important and related in that not having to ask for ‘special treatment, enhanced feelings of belonging.. Learners commented that lecturers sometimes chose to put notes onto the VLE after classes, rather than in advance. This felt like unequal treatment, to those who needed notes in advance.

***Technology***

1. Staff and students felt that technology was rapidly improving, with accessibility features increasingly widely and cheaply available and use of smart phones becoming commonplace. Computer science lecturers were particularly keen but did not necessarily collaborate with assistive technologists. Staff acknowledged that although modern accessibility features reduced requirements for bespoke solutions, there would always be some students needing specialist provision.
2. Some lecturers, although philosophically on board with technology, felt their ICT training requirements were unsupported. Students found apparently technologically ineffective lecturers somewhat irritating. Some focussed on customer entitlement.
3. VLEs were universally viewed as useful but PS staff with an institutional overview observed inconsistent practice. Students emphasised reliability and commented that notes posted after lectures and lack of captioning reduced accessibility.
4. Students liked audio recording and lecture capture. Some resented asking permission as mobile phone technology has rendered the practice ordinary. Lecturers discussed initial reluctance around all forms of recording which subsided with familiarity. Lecture capture did not usually extend to seminars. Academics and students agreed that doing so might inhibit discussion.

**Concluding Remarks**

Limitations are acknowledged and this contribution only claims to make small inroads into stakeholder understanding of UDL in HE from strategic and practical angles. Tentative conclusions are proposed but further research is essential. Differences in terminology and research methodology, and lack of national or international baseline standards, makes comparison difficult. This study begins to compare American and British HE (focussing mainly on England) and has found more similarities than differences. Contributors were committed to UDL to extend equality of opportunity and this view is mirrored in the supporting literature cited.. Ontological congruence amongst participants may have skewed the findings of this study. In a neoliberal environment, business planners may well be swayed most effectively by financial arguments. Equalities legislation did not appear to provide a safety net for students without identified protected characteristics, despite disadvantages including poverty or flimsy academic foundations. While some students will continue to require additional specialist support, the university experience of everyone is likely to be enhanced substantially by UDL. Cultural change involves effective strategic planning, senior buy-in, alignment with institutional objectives, stakeholder engagement, staff development and a longitudinal approach to implementation and evaluation. Quick wins are possible, including equipping staff with the knowledge they need to respond to technological advances and ensure students know about their entitlement to support and how to access relevant services. The advantages of collaboration are clear, but silo working is all too common. Belonging underscores UDL, which applies to every facet of university life, not just the stuff that happens in classrooms. Lack of available research into the demerits of UDL arguably makes for a distorted picture but it is difficult to make a case against UDL without making a case against WP and equal access to higher education.

**Next Steps**

The findings of the primary research and the supporting literature pre date the global pandemic. Covid 19 has essentially forced universities to move rapidly to on line, hybrid and blended delivery models. Issues such as digital poverty and digital competence have raised their ugly heads as it has become apparent that some students have poor internet connectivity, need to use a mobile phone to access learning materials and /or do not feel confident with new technologies. Planning for diversity rather than being surprised is an essential principle of UDL. A starting point might be to consider the social circumstances in which students might find themselves. Someone who is trying to home school children, work remotely and manage their learning is likely to be disadvantaged especially if digital poverty is part of the story. Even if a student has access to technology they may not know how to use various new platforms which have been introduced to facilitate studying from home and may not have a quiet safe space in which to study. Staff may well be in a similar position. Alienating practice based on the assumption that everyone will just adapt are unlikely to be helpful. Universities are working hard and fast to cope with the pandemic and stay in business but evidence from this research suggests that if initiatives designed to help students and staff to work in new ways are not visible to them easily they will not be much use. This research advocates joined up thinking, cognisant of the diversity of the student body, championed at senior level, informed by the student voice and focussed on belonging Covid 19 has made this approach rather urgent. Clearly any next steps must be informed by the current unprecedented situation. Arguably UDL which involves collaborative planning for all learners can help institutions to build solid foundations for widening participation beyond the virtual front door.

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