



# How ADA + Excellence & Equity Became Universal Design

by Barbara Cohen-Stratyner

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Twenty-five years ago, when the U.S. Congress passed the Americans with Disabilities Act (ADA), the museum field faced a major challenge. It could treat the ADA as an imposition and allow discussions to stagnate on stairs, ramps, and ground-floor bathrooms. Or it could try to place the ADA within the ongoing reframing of museums as places of community service. To understand how museums responded to this challenge, I studied material published or distributed by the American Association (now Alliance) of Museums (AAM) and presentations at AAM annual meetings from 1990 to recent years. This analysis suggests that legislation initially perceived as intrusive triggered a new burst of creativity and inclusiveness in museums and ultimately paved the road for an openness to the even more inclusive principles of Universal Design.

## Presenting the ADA

The ADA was not the first bill concerning the rights of disabled individuals to impact the museum field. Section 504 of the Rehabilitation Act of 1973 prohibited discrimination on the basis of disability by any recipient of federal funds. This included the National Endowments for the Arts and Humanities as well as government agencies, such as the National Park Service, and those institutions with direct government support. The National Endowment for the Arts (NEA) enforced this law for museums that it funded through regulations first issued in 1979. The National Endowment for the Humanities (NEH) and, later, the Institute of Museum Services (IMS, now IMLS), issued similar policies and

regulations. Paula Terry, as director of the special constituencies office of the NEA, had become the authoritative spokesperson on the impact of these regulations for museums as potential recipients of NEA and NEH funding. In 1990, she emerged as the primary source of information on the expanded impact of the ADA, which, unlike Section 504, concerned even privately funded museums with no government support. Her article, “New Rules Will Require Even Greater Access to Museums” in the January/February 1990 issue of *Museum News* was sent to all members and subscribers and was distributed at the spring annual meeting, held between the ADA’s passage and date of enactment.<sup>1</sup>

The museum field’s concerns about the ADA, my analysis indicated, focused on Title III, which dealt with public accommodations and services. Section 301(7) specified that “a museum, library, gallery, or other place of public display or collection” counted as a public accommodation. It extended the standards in the Rehabilitation Act to every museum or related institution covered by United States regulations. For the 1990 annual meeting, AAM solicited presentations by experts from governmental agencies, including Terry, Janice Majewski of the Smithsonian Institution, and their colleagues at the Department of Justice, which was mandated by the law to promote Title III’s implementation. The first years of AAM conference presentations, newsletter articles, and widely circulated reports focused on ways that institutions should obey the mandate. The AAM *Sourcebook* for the 1990 annual meeting (a paper-bound compendium of

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presentations and auxiliary readings then distributed to all conference attendees) included a large section on the 504 Regulations ending in “Ten Steps toward Complying with 504.” It provided advice from museums that dealt with 504 (because they had received government funding).<sup>2</sup> The memo titled “The ADA and Museums” was distributed at the Expo booths representing the government agencies at AAM annual meetings in the early 1990s. It delineated the “Facilities Covered,” “Discrimination Prohibited,” “Access,” and “Enforcement” sections and pointed out that passage of the ADA did not nullify the standards in the Rehabilitation Act or in any relevant state and local laws.<sup>3</sup> The 1992 *Sourcebook* reprinted a 30-plus-page “Technical Information Service” packet on the ADA, which included Department of Justice FAQs and a list of resources. This packet was also sold through AAM’s bookstore.<sup>4</sup>

Conference presentation titles reflect concern about compliance with the law. In 1995, Patricia Burda, AAM’s ADA project coordinator, chaired an “Update on the Americans with Disabilities Act of 1990: Setting the Record Straight.” Panels and *Sourcebook* chapters continued to focus on compliance through the 1990s, sometimes combining discussions of OSHA (occupational safety and health) and NFPA (fire) legislation, as they did at the 1996 annual meeting. Related organizations established similar programs and resources, among them the Association of Science-Technology Centers (ASTC), which e-published a series of advisory guides, called “Accessibility Practices Exchange,” which covered such specific topics as assessing an institution’s “assembly areas.”

The 1992 *Sourcebook* ended with a reprint from the Department of the Interior, National Park Service Cultural Resources CRM Supplement, “Preserving the Past and Making It Accessible to Everyone: How Easy a Task?”<sup>5</sup> This 1991 pamphlet gave information on the impact of ADA on historic properties and the historic built environment, based on NPS’s many years of working with 504 regulations. It made many thoughtful suggestions but focused on issues of mobility and fears of conflicting interests between maintaining historically accurate architecture and potential visitors’ access. This conflict might have threatened to shanghai the discussion and eventual acceptance of access by historical houses and other museums in inaccessible sites. Would the ADA and related legislation be seen as imposing regulations on museum? The AAM had found a role as the distributor of knowledgeable information about the regulations. How could the museum field move away from conflict and towards acceptance and creativity?

### **Repositioning the Discussions**

The 1990s and 2000s saw a shift in the museum field as it moved towards a greater emphasis on community, diversity, and inclusion. Museums were reimagining all types of access and their role in education and communities. Access for people with disabilities was part of this reimagining (albeit a small part of it). Real progress came when national, regional, and state leadership found linkages to concurrent debates within the field on societal issues, such as redefining community, service, diversity, and inclusion.

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The AAM was moving towards the acceptance of community service as a primary function of museums through the development of its 1992 landmark publication, *Excellence & Equity: Education and the Public Dimension of Museums*. The AAM program staff, led by then-Vice President Pat Williams, also supported task forces on current social issues that facilitated discussion and shifts, if not changes, in policy. Two committees of AAM members—the ADA Task Force and the AIDS Network—were scheduled for panels and events at the annual meetings to update the membership on AAM policies and were urged to develop programming that emphasized museums’ service to all. Both groups were founding members of the Diversity Coalition (then reporting to the AAM staff and board), which developed in the early 1990s to promote and review outreach to underserved communities and to monitor museum employment and human resources.

Although the ADA’s Title III (Public Accommodations) was the primary concern of the museum field, the AIDS Network also saw Title I, about employment and discrimination, as a challenge. The unique trajectory of AIDS, documented in real time, morphed from a terror requiring special protection into a chronic disease. In its early and middle years (before the development of AZT and the “triple-therapy” drugs), symptoms could include temporary losses of sensory perception and mobility. Attempts to retain employment despite temporary disabilities brought to the museum field at large the realization that many diseases and life stages required temporary accommodations, many easy

to accomplish. When matched with recognition of an aging population, it led to a growing concern with retention of existing staff, audience, and patrons.

AAM’s reframing can be seen in its 1996 publication and video project, *Everyone’s Welcome: Universal Access in Museum*. Its text promoted museums and their public dimensions. It “charges museums to be **places of inclusion that welcome a diverse audience and that reflect our society’s pluralism in every aspect of its operations and programs**” (boldfaced for emphasis in the original). Similar movements occurred in regional and state museum organizations as well as in affiliates.

#### **Early Representations of Access for the Disabled as Access for All**

Emboldened by the passage of the ADA, advocates for the disabled began to argue that designing for access for disabled people would improve the museum experience for all visitors. Reflecting what would become a belief of Universal Design advocates—that disability is situational—disability rights activists challenged popular notions of disability by referring to those without disabilities as “currently” or “temporarily abled.” The phrase may have been disturbing to some, but it served its purpose of making audiences realize that “disabled” might, at some time, describe them. Some in the museum field began to move the discussion away from the notion of ADA requirements as intrusions by “others” with unique needs to recognizing the importance for all visitors of accommodations made for those with disabilities. *Building for the Arts*, the 1989 collaborative publication by the NEA and the Western States

Arts Federation, promoted accessible architecture for museums and arts centers. It was an early adopter of the phrase “Access for the Handicapped . . . and Others” and reminded its readers that “a ramp entrance . . . is easy for everyone to manage.”<sup>6</sup> I first heard this argument at a 1990 New York State Council on the Arts seminar<sup>7</sup> on exhibition development, where it was related to the riddle posed by the Sphinx to Oedipus (“What creature is on four legs in the morning, two legs in daytime and three legs at night?”). The age-old metaphor recognized that people typically crawl in childhood, walk as adults, and use a cane when elderly.

In 1997, the U. S. Department of Health and Human Services established the position of Assistant Secretary for the Aging, which recognized the increasing social and medical concerns of the aging population. For many museums, the middle-aged and elderly are stakeholders and a core constituency and stakeholders. Bolstered by this emerging push for access for all, and to ensure continued visitation and support, the museum field studied the aging population. The winter 2001 issue of the *Journal of Museum Education*, “Museums and the Aging Revolution,” was in many ways a touchstone of museumwide concern for access and design. It included a study titled “Exhibition Accessibility and the Senior Visitor” in which authors Christine Reich and Minda Borun discussed evaluation findings for the Museum of Science, Boston’s exhibition, *Secrets of Aging*.<sup>8</sup> It reflected on both the exhibition’s concepts and its design elements, such as seating, label typeface, lighting, and installation heights. Reich and Borun’s article is extremely important for its argument

that learning is dependent on access in comfort and that the design components of accommodations for access need to be a prime concern for educators.

Corollary to concern about the aging population was a growing focus in AAM annual meeting presentations on family and multigenerational visitation. The challenge of accommodating a wheelchair morphed into the question, “Could four legs, two legs, three legs, a walker, and a stroller visit your museum and learn together in comfort?” If not, how would it impact the museum’s mission, admissions, and support?

### **Universal Access**

The ADA itself, like the 504 regulations, was extremely segmented into individual clauses for different types of disability. Many museums used it and the similarly fragmented ADA Standards for Accessible Design (created by the Smithsonian Institution in 1991, currently available in its 2010 and 2015 e-editions) as a checklist or to answer specific question. But by focusing on the needs of the expanded community publications and presentations at AAM began to take a more holistic view, promoting discussions of a new approach—Universal Design for Access. The first such presentations gained emphasis by using proprietary wording, as in “AAM Directions—Programs and Services: AAM Universal Design Project” (1996 *Sourcebook*). The conceptual framework for the video and manual *Everyone’s Welcome* promoted the suggestions that “museum staff and volunteers and design professionals can positively interact with people with disabilities to creatively design exhibitions, programs and facilities that are accessible.

It creates the image of a universally-designed museum—one that provides opportunities for learning and enjoyment for all people, regardless of ability or disability, educational background or learning style.” In panel titles, Universal Design was soon linked to the catchwords “excellence” (at the 1998 meeting) and “inclusion” (at meetings in 2001 and 2003).

### **Exhibition Development and Universal Design**

The recognition of design as a partner in learning and access was further changed by connecting to the debate over new methods of working within the museum world. Creative solutions became the touchstone for conference presentations. At the 1995 AAM annual meeting, NAME and EdCom sponsored a panel entitled, “The Creative Imperative of ADA,” and the catchword “creative” began to appear frequently in access program descriptions.

In the 1990s, AAM annual meetings and state and regional seminars also focused on and promoted team exhibition development. Integration of functions for improved exhibition development was treated as the optimal method of working and of thinking about exhibitions in most North American museums. The primary purpose of working in teams was to enhance collaborative exhibition development and visitor learning, but it also had a positive effect on both exhibition and museum planning for access. The method brought access-conscious educators, community outreach people, and visitor service staff together with curators and designers throughout the development process. *The Smithsonian*

*Guidelines for Accessible Exhibit Design* was extremely specific in its introduction: “Exhibition designers, curators, registrar, conservators, collections managers, designers, editors, developers, educators, and other exhibition team members each offer particular insights into the exhibition medium. All of you are in the unique position to synthesize accessibility solutions into your development processes.”

The phrase “Universal Design” first appeared in an AAM session title at the 1998 annual meeting in Los Angeles. Chaired by Paula Terry, it was titled, “Universal Design in Museums: Sensible, Inclusive, and Excellent Design,” and it was sponsored by what would become NAME, the National Association for Museum Exhibition and an AAM professional network. Since proposals for the sessions would have been submitted the previous summer, the title constitutes an early use of the “Seven Principles of Universal Design” (as codified by Ronald L. Mace of the Center for Universal Design at North Carolina State University and others in 1997). One year later, an AAM annual meeting session titled, “Case Studies for Inclusion: Developing Universally Accessible Exhibits and Programming through Partnerships” focused on projects in the United States and the United Kingdom and suggested that British museology was also investigating the principles.

The AAM annual meeting in 2000, the year of the ADA’s 10<sup>th</sup> anniversary, included a session titled, “Moving beyond Ramps and Braille.” In 2005, a session entitled, “Accessible to All . . . Oh Really?” reflected a concern that the museum field



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as a whole was not fully accessible and that progress had slowed (or not been made at all). Panels at the 2015 meeting focused on individual programs for specific underserved audiences that could be used as models. Museum staff formed local organizations, such as New York City’s Museum Access Consortium, to share concerns and present professional development sessions. While these local networks collaborate with the national associations, assembling panels for annual meetings and hosting AAM webinars, they focus more on helping their specific communities.

### Conclusion

As we celebrate the 25<sup>th</sup> anniversary of the ADA, the museum field seems to be on board and motivated. “Designing for access” is shifting from a focus on regulations on case height, ramp angles, and font size to a more expanded view of access as inclusivity for communities and audiences of all ages. The AAM may have moved slowly, presentation by presentation, but it has helped move

the field to a place from which it can move forward.

AAM’s reframing and the rise of team exhibition development were important steps in the maturation of the museum field. In promoting the acceptance of ADA compliance as a civic responsibility (and good business practice) of the American museum, it at least facilitated acceptance of Universal Design. But, Universal Design—the “design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design”—remains an ideal and challenge for museum architects and exhibition developers/designers.<sup>9</sup> Adaptation and special-need design remain necessary to accommodate the needs of many visitors and many who stay away. All that fieldwide organizations can do is facilitate. Access and compliance with ADA is a policy decision by the AAM, but in the end, they remain the responsibility of individual museums. ✨

### Endnotes:

<sup>1</sup>Paula Terry, “New Rules will Require Even Greater Access to Museums,” *Museum News* 69, no. 1 (January-February 1990).

<sup>2</sup>AAM *Sourcebook*, 1990 annual meeting.

<sup>3</sup>AAM, “The ADA and Museums,” distributed at the AAM annual meetings in the early 1990s.

<sup>4</sup>AAM *Sourcebook*, 1992 Annual Meeting.

<sup>5</sup>Department of the Interior, National Park Service Cultural Resources CRM Supplement, “Preserving the Past and Making it Accessible to Everyone: How Easy a Task?” (1991).

<sup>6</sup>National Endowment for the Arts and Western States Arts Federation, *Building for the Arts* (1989), p. 142.

<sup>7</sup>“Cultural Pluralism for Museums: Opportunities and Solutions,” sponsored by the New York State Council on the Arts (NYSCA) and the Metropolitan Museum of Art, May 5-6, 1990.

<sup>8</sup>“Exhibition Accessibility and the Senior Visitor,” 13-16, in the *Journal of Museum Education* (Winter 2001).

<sup>9</sup>Attributed to the Center for Universal Design, North Carolina State University, by Sheryl Burgstahler in “Universal Design: Process, Principles, and Applications” on Disabilities, Opportunities, Internetworking, and Technology course page, [www.washington.edu/doi/](http://www.washington.edu/doi/).