Rochester Institute of Technology

RIT Digital Institutional Repository

5-2016

Accessibility Practices & The Inclusive Museum: Legal Compliance, Professional Standards, and the Social Responsibility of Museums

Ruth Erin Starr
res9856@rit.edu

Follow this and additional works at: https://repository.rit.edu/theses

THE ROCHESTER INSTITUTE OF TECHNOLOGY

COLLEGE OF LIBERAL ARTS

ACCESSIBILITY PRACTICES & THE INCLUSIVE MUSEUM: LEGAL COMPLIANCE, PROFESSIONAL STANDARDS, AND THE SOCIAL RESPONSIBILITY OF MUSEUMS

A THESIS SUBMITTED
IN PARTIAL FULFILLMENT OF THE
BACHELOR OF SCIENCE DEGREE
IN MUSEUM STUDIES

HISTORY DEPARTMENT

BY

RUTH ERIN STARR

MAY 2016

Contents

Abstract

The desire of museums to improve accessibility for diverse visitors is often driven by the need to satisfy legal obligations. However, many museums share a fundamental goal to engage the most diverse audience as possible. This thesis illustrates the distinction between perceiving accessibility within cultural institutions as a legal or social issue and how that perception influences museum practice, within the United States. Bridging museum studies, disability theory, and advocacy practice this thesis works to answer the question: How does viewing accessibility as a social responsibility, rather than legal necessity influence an institution's ability to be inclusive to diverse communities? This work investigates various interpretations of "accessibility" within the field, as well the implementation of access efforts by museums in the United States over the past thirty years. Additionally, this thesis discusses contemporary case studies of effective accessibility practice with the aim to support proactive access efforts in the future.

Introduction

This thesis explores how the experience of visiting and engaging with a physical museum space is made comfortable, welcoming, and inclusive for visitors with diverse needs and expectations, expanding upon the American Alliance of Museums' 2014 definition of inclusion.[1] One of the initial challenges of this work is finding a way to reconcile the variation of interpretations on "accessibility" among stakeholders, policies, and institutions. In order to do this, I examine accessibility efforts in terms of visitor experience and institutional outcomes. By looking at the evolution of inclusive efforts, I illustrate the distinction between institutions that perceive accessibility to be a legal obligation instead of a social responsibility. Then, I look at how perceiving access as a legal or social issue within the museum impacts the ability of an institution to become truly "accessible" and "inclusive" for diverse visitors.

As a young professional entering the museum field, I became fascinated with how museums worked to be open and inclusive to diverse audiences. I found this to be the crux of the field. How do institutions, which historically were founded under principles of exclusion designed for the affluent of society to house the world's finest cultural treasures, become relevant to audiences today? It seemed that this question pervaded every aspect of museum practice in some way. The more I learned about museums, the more my definition of exclusion evolved.

I came to the museum field with a prior interest and knowledge of "inclusion" and "accessibility." Beginning my undergraduate career as a student of American Sign Language Interpretation, I was exposed to some of the challenges minority groups have in navigating a

---

[1] American Alliance of Museums, "Diversity and Inclusion Policy," 2014

world not always designed to be accessible. Through a series of internships within cultural institutions,[2] I observed and experienced first-hand the variety of approaches museums take in attempting to become inclusive to diverse This observation led me to question the various standards within the field in regards to accessibility.

In analyzing the various obligations in relation to access practices over time, it became clear that understanding the underlying perceptions behind access efforts is essential to furthering inclusive practices. Glenn Lowry, the director of The Museum of Modern Art articulated the following philosophy in regards to access efforts:

> "I think that accessibility is also a state of mind. It isn't simply something that you *do*. It is something you have to think about, be committed to, it doesn't reside in one person or one department. It resides in a mindset of the institution and I think once you commit yourself that way and everyone is thinking about: how can you make the experience of visiting the museum as accessible and engaging as possible to as broad and diverse an audience as possible, magic begins to happen."[3]

In the following section of this work, I review relevant civil rights legislation, federal regulations, and professional guidelines. I, then, examine three case studies to discern how access and inclusion are conceptualized and addressed by museums today.

Literature Review

This section explores evolving museum theories regarding the social responsibility of museums to their communities. The literature covers several statutes, regulations, and many professional standards in place. This review specifically examines the numerous interpretations

---

[2] The author completed an internship with The Memorial Art Gallery, located in Rochester, NY, from January – May 2015 with the Creative Workshop, Department of Education. Additionally, the author served as an intern with The Museum of Modern Art, located in New York City, NY, from June – August 2015, with the Community, Access, School & Teacher Programs division in The Department of Education.

[3] The Museum of Modern Art (Producer). 2015. *"Accessibility Training Video"*.

of "accessibility" within the field, and how accessibility efforts have been approached in museums over time.

The Changing Social Role of Museums

Museums are embedded in communities. In 1991, the American Alliance of Museums produced a report entitled *Excellence and Equity.* At the time, this document served as a radical "call to action" stating that museums held a critical responsibility to public service. One sentence of the report read: "Museums must fulfill both elements of this dual responsibility – excellence and equity – in every aspect of their operations and programs."[4] In 2006, theorist Elaine Heumann Gurian revisited the report, arguing that while the recommendations were generally accepted within the field, widespread implementation had still not occurred. Referencing theorist Steven Weil's claim that cultural institutions shifted from "being about something to being for somebody,"[5] Gurian makes the case that "acknowledgment is very far from action."[6] Increasingly, there is public demand on museums and cultural institutions to engage in socially conscious practice.

Historically, cultural institutions have functioned with little scrutiny from the public eye. Museums that were established in the spirit of exclusion, with limited open hours, high admission costs, and elitist authority, were able to operate under this philosophy long after it was

---

[4] American Alliance of Museums, formally known as the American Association of Museums, and Ellen Cochran Hirzy, eds. *Excellence and Equity: Education and the Public Dimension of Museums: A Report*. Washington, D.C: The Association, 1992.

[5] Stephen E. Weil, "From Being about Something to Being for Somebody: The Ongoing Transformation of the American Museum." *Daedalus* 128, no. 3 (Summer 1999): 229–58.

[6] Elaine Heumann Gurian, *Civilizing the Museum: The Collected Writings of Elaine Heumann Gurian*, London ; New York: Routledge, 2006.

incongruent with contemporary societal paradigms.[7] Today, museums are, increasingly, subjected to a greater critical consciousness in the public.

The current social changes and accountability in society create conditions for museums to actively work towards inclusion and accessibility. "Today, the world's museums are embracing starkly bolder roles as agents of well-being and as vehicles for social change."[8] In every facet of museum practice, the essential need to include the diverse voices and be accountable to communities is joining the dialogue. Museum theorist Richard Sandell argues that activism practice is *essential* to cultural institutions embedded within their communities. Now, there is a greater understanding of the power and impact museums have on the lives and experiences of both individuals and communities specifically in situations of injustice. Sandell argues museums have an *obligation* to develop an "awareness and understanding of their potential to construct more inclusive, equitable and respectful societies."[9]

In 1971, Duncan Cameron, director of the Brooklyn Museum, articulated the need for museums to adapt to a changing role from a temple built to "enshrine the evidence of bourgeois and aristocratic domination" to a democratic space as open as a public forum. Furthermore, Cameron argued for the social responsibility of museums, challenging the conventional privatized origins of cultural institutions. Today, the role of museums and the public are better understood, yet still institutions are exclusive to many members of their communities. In 2015, First Lady Michelle Obama, gave a speech discussing the importance of cultural institutions in today's society and the reality of inclusion efforts within the field.

---

[7] Duncan F. Cameron, "The Museum, a Temple or the Forum." *Curator: The Museum Journal* 14, no. 1 (1971): 11–24.
[8] Lois H. Sliverman, *The Social Work of Museums*, London ; New York: Routledge, 2010.
[9] Richard Sandell, ed. *Museums, Society, Inequality*, Museum Meanings, London ; New York: Routledge, 2002.

"There are so many kids in this country who look at places like museums and concert halls and other cultural centers and they think to themselves, *well, that's not a place for me*, for someone who looks like me, for someone who comes from my neighborhood. In fact, I guarantee you that right now, there are kids living less than a mile from here *who would never in a million years dream that they would be welcome in this museum*."[10]

Issues of relevancy and community engagement are not new to the museum field. While museum professionals have advocated for issues of accessibility and social responsibility for decades, the reality is that cultural institutions are still often exclusionary in practice. In today's social world there is a greater demand on public entities to be supportive of diversity. Museums have the opportunity to take on an active advocacy role, democratizing, and supporting the diversity of the communities in which they are embedded.

Museum theorist, Gretchen Jennings, argues for a paradigm shift in museum practice where cultural institutions "listen" to their audience, calling for an "empathetic museum."[11] The empathy framework articulates the distinction in experiencing feeling *with* others, not just *for*. Jennings's framework includes five characteristics: a civic vision, persistence to community, timeliness, responsiveness, and institutional self-awareness. Jennings describes "responsiveness" within museums as "strong connections with all of the diverse aspects of the community, in terms of race, ethnicity, gender, sexual orientation, disability, and socio-economic status."[12] All of these characteristics further the responsibility of museums as socially conscious and democratic institutions within their communities. Under this framework, Jennings provides a new argument for the social responsibility of museums through collaboration and partnership to support diversity.

---

[10] The Incluseum. "Michelle Obama, 'Activism', and Museum Employment: Part I." *The Incluseum*, May 12, 2015.
[11] Gretchen Jennings. "The Empathetic Museum: Institutional Body Language." *Museum Commons* (blog), June 29, 2013.
[12] Gretchen Jennings. "Characteristics of the Empathetic Museum." *The Empathetic Museum* (blog). June 3, 2015.

Terminology and Language

In the scope of this project, numerous terms have yet to be concretely defined in the museum field. Returning to *Excellence and Equity,* in 1991, the AAM's internal task force struggled in reaching a consensus during the process of writing the report on how members were using terms, such as "equity", "welcome", "inclusion", and "accessibility". These are just several examples of words that desperately need to be better understood in order for museum practices to progress. As Gurian argues in her analysis of *Excellence and Equity,* "…in the end, language matters. The words we use in attempting to change museum directions matter."[13] This thesis works to analyze and define "accessibility" through the many interpretations that are applied in this field. The construct of "accessibility" is partially understood as the intersection of interpretations in the current dialogues between minority communities, museum practitioners, and theorists.

In September 2015, Director of the Santa Cruz Museum of Art and History, Nina Simon, presented on challenges of inclusion. While Simon recognizes the compassionate nature underlying accessibility efforts; in reality, museums are often exclusionary in daily practice.[14] The distinction between institutional intent and actual visitor experience is essential in understanding the success of accessibility efforts. Accessibility practices may satisfy legal compliance, and ideologically support inclusion without truly creating visitor outcomes of

---

[13] Elaine Heumann Gurian, *Civilizing the Museum: The Collected Writings of Elaine Heumann Gurian*, London ; New York: Routledge, 2006.

[14] Nina Simon. "Fighting for Inclusion." *Museum 2.0* (blog), September 23, 2015. Full quotation: "Here's my beef with inclusion: it's too good. No one is "against" inclusion. There is no other museum conference going on somewhere else in the world today where professionals are sharing proud case studies and helpful tips on how to exclude people. But museums do exclude people. All the time. If everyone is "for" inclusion, does that mean it automatically happens? No. But if no one is against it, how do we make sure that we actually are doing it, that we aren't just paying lip service to the idea?"[14]

comfort, equality, and access. This thesis will analyze museum inclusion efforts through the operational definition of "accessibility" in terms of creating positive *visitor outcomes*.

Within the museum space, "accessibility" is fundamentally understood as the tension within museums to keep material culture both *safe* and *available* to the public. This dichotomy, museum theorist Helen Graham argues, is essential to the mission of all museums.[15] Graham defines "accessibility" in the broadest sense of making museum content and experiences "available to all". Certainly, the concept of a democratic cultural space that is truly "accessible to all" is an appealing one, and something many institutions would strive to achieve. In actuality, the dialogues surrounding challenges of accessibility are not so simply addressed.

"Accessibility" in a museum context can be reinterpreted in numerous ways. In one sense, professionals may discuss how a collection of materials is "made accessible" to visitors through digital means. In this context, "accessibility" is interpreted as creating opportunities to engage with content for visitors who are unable to visit the physical space of the museum. This argues the need to "expand the museum's reach." Alternatively, "accessibility" is used to indicate the ease of finding materials within a collection. Utilizing this interpretation of "accessibility," practitioners articulate the need for creating finding aids, catalogs, and databases for searching collections. As Graham articulates, and these examples illustrate, the word "accessibility" in its application to the museum field at a fundamental level pertains to museums being made open and available to the public. With the disparity in intentions, goals, and practices within the field, interpretations of "accessibility" are individualistic to each museum practitioner.

---

[15] Helen Graham, "Museums and How to Know about Access." *New Formations*, no. 79 (2013).

As mentioned in the introduction, in 2014, the American Alliance of Museums released a new inclusion and diversity policy. The policy offered a general statement and framework for implementation and presented two key definitions: "diversity" and "inclusion."

> "Inclusion: The act of including; a strategy to leverage diversity. Diversity always exists in social systems. Inclusion, on the other hand, must be created. In order to leverage diversity, an environment must be created where people feel supported, listened to and able to do their personal best."

Included in the 2010-2015 Strategic Plan "Championing the Vital Role of Museums in the 21st Century," the document was the self-proclaimed first strategic plan proper in the organization's history. Responding to the changing demands of museums from a more active public, the plan offered beliefs, values, and goals to better align museums with the concerns, challenges, and interests of the 21st century world.[16]

Returning to interpretations of accessibility, the word "accessibility" is often inextricably associated with disability. However, there are still many variations in interpretations of "accessibility" within inclusive legislation, and the current dialogues within minority communities. While every model of study and practice is debated, one of the most widely recognized and supported constructs is that of the Social Model of Disability. This model argues that accessibility challenges exist as the result of "systemic barriers, negative attitudes and exclusion by society."[17] Accessibility is interpreted as efforts to combat the systematic oppression experienced by individuals with disabilities in everyday life. "Accessibility" under this construct argues for a more comprehensive approach to inclusion efforts. The social model advocates the need for understanding exclusion as a universal experience that needs to be

---

[16] American Alliance of Museums, "Diversity and Inclusion Policy," 2014.
[17] Dimitris Anastasiou, and James M. Kauffman, "The Social Model of Disability: Dichotomy between Impairment and Disability," *Journal of Medicine & Philosophy* 38, no. 4 (August 2013): 441–59.

addressed. This model of disability studies also advocates for "partnership accessibility," in which members of a disability community are consulted directly when designing efforts to improve inclusion.

Accessibility-targeted legislation is not new to the museum field. Several relevant "inclusion" laws target accessibility in public spaces: The Rehabilitation Act of 1973 (the Rehab Act), The Americans with Disabilities Act of 1990 (ADA), and The Americans with Disabilities Amendment Act of 2008 (ADAA). While all of these statutes are now utilized to support the need for access efforts, the motivation for institutional change from a legal standpoint is complaint-driven. In looking at the Rehabilitation Act of 1973, the legislation never utilizes the terminology "accessibility," instead discusses "discrimination", "non-discrimination", and "exclusion."[18] The Americans with Disabilities Act, implemented by the Department of Justice added a series of regulations in its passing in 1990. The legislation builds upon the language used in the Rehabilitation Act stating the need for "non-discrimination. The ADA, expanding the earlier statute, defines discrimination additionally as a "failure to accommodate."[19] "Reasonable accommodations" of accessibility in the ADA are articulated in a series of more specialized prohibitions. In summary, the statute does not explicitly use the terminology "accessibility" or "inclusion," instead, it articulates the need for public entities to provide "*equal opportunity for participation*" to individuals with disabilities.[20] One further stipulation added to the Americans

---

[18] Rehabilitation Act of 1973, Pub. L. 95-602, 29 U.S.C. § 504 749, (1973).
[19] Elizabeth F. Emens, "Disabling Attitudes: US Disability Law and the ADA Amendments Act." American Journal of Comparative Law, 60, no. 1 (2012): 205–33.
[20] ADA: Americans with Disabilities Act of 1990, Public Law 101-336. § III. 108th Congress, 2nd session (July 26, 1990).

with Disabilities Act was the Standards of Design. In this sense, "accessibility" under the ADA is, additionally, compliance with the stated standards.

Historically, terminology referencing individuals with disabilities within this legislation follows the impairment model of disability. The language targets a specific quality which is perceived to be abnormal from mainstream society. In 1973, the initial drafting of the Rehabilitation Act included the terminology "hearing impaired," a label that is now understood to be oppressive to the Deaf Community. In discussing statutes, regulations, and standards it is essential to understand how specific language potentially impacted, or continues to impact, accessibility efforts. Thus, a label, like "hearing impaired" targets how individuals are different from the norm, focusing on something that is perceived to be a problem in comparison to the general society. As a result, institutions approached access efforts through the lens of addressing a perceived impairment, further problematizing accessibility efforts.

Legal Compliance: Evolution of Museum Responses to Accessibility Legislation

In efforts to unpack how "accessibility" exists within legislation, it is essential to understand the broad system in which challenges of inclusion exist. At the highest level, federal statutes create legal obligations. As mentioned in a previous section, relevant "inclusionary" statutes include: The Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990, and The Americans with Disabilities Amendment Act passed in 2008. Each of these statutes passed at a federal level creating legal obligations for multiple entities, including museums as public spaces. The enforcing agencies for these statutes, the Department of Justice & Civil Rights and the Department of Labor, additionally create further regulations, implementing more explicitly the intentions of the statutes. In looking at the limitations of this research, there is potentiality for additional existing legislation or regulations within distinct state, county, or city

governances on cultural institutions. If so, a museum within a given district would need to, at a minimum, comply with federal regulations, as well as any further statutes in place at a more localized level. The necessity of cultural institutions to achieve compliance with federal statutes results from the non-profit status of public museums. For public cultural institutions, and privatized museums which utilize governmental support, there is additionally a concern for compliance to ensure the security of federal funding.

The ADA, and majority of inclusionary legislation are complaint-driven statutes. In other words, the statutes communicate what is necessary for compliance and assume compliance *unless* a complaint is made. Traditionally, complaints regarding inclusionary laws are made by the individuals the laws aim to support. Once a complaint is made, the Department of Labor & Department of Justice conduct an investigation.[21] If the allegations of incompliance are affirmed and an organization is found in violation of the ADA, public entities face up to $50,000 penalties for first time violations.[22]

The history of inclusionary civil rights legislation at the federal level in the United States began with the passing of the Rehabilitation Act of 1973. Section 504 of this act requires "non-discrimination based on disability and reasonable accommodation for any program receiving federal assistance."[23] This legislation was limited in scope, and primarily focused on accommodation and non-discrimination for individuals whom, today, identify as Deaf, Hard-of-Hearing, Low Vision, Blind, or individuals who use wheelchairs. The Rehab Act was both vague in nature and broadly interpreted in application. Soon after the Rehab Act passed, museums and

---

[21] Joan Stein, "ADA Compliance: Avoiding Common Problems - Facilities Management ADA Feature," *Facilitiesnet*, January 2009.
[22] ADA: Americans With Disabilities Act of 1990, Public Law 101-336. § III. 108th Congress, 2nd session (July 26, 1990).
[23] Rehabilitation Act of 1973, Pub. L. 95-602, 29 U.S.C. § 504 749, (1973).

cultural institutions began to work to "become accessible." This was also the beginning of

cultural institutions interpreting and attempting inclusion efforts in a multitude of ways. Access

efforts varied based on interpretations of "reasonable accommodation" within individual

organizations. In larger cultural institutions such as the Museum of Modern Art, The Kennedy

Center for Performing Arts, and The Smithsonian, the legislation meant the development of a

new position within the personnel: the 504 Coordinator. This individual was charged with

ensuring compliance with the Rehabilitation Act. Typically, 504 Coordinators at large

institutions worked part-time for the institution, or served several additional roles within the

education or visitor services areas in the museum.

At this critical point in history, the disposition toward museum accessibility developed.

504 Coordinators or other personnel within an institution were tasked with creating compliance.

The Rehabilitation Act outlined specific minority groups which public entities must be "made

accessible" to, imposing threats of funding cuts or fines if compliance was not achieve.[24] Thus,

access efforts were problematized from the start.

In 1979, nine New York City museums collaborated to launch the "504 Project," a

"revolutionary" collaborative program that offered American Sign Language interpreters at

various sites throughout the city. The Rehabilitation Act called for public accommodations for

"hearing impaired" individuals.[25] The program was an initiative organized by the Department of

Education at The Museum of Modern Art, and expanded to include twenty cultural institutions

over time. [26] While The Rehab Acts passed in 1973, creating initial requirements for compliance,

---

[24] Rehabilitation Act of 1973, Pub. L. 95-602, 29 U.S.C. § 504 749, (1973).

[25] "Help for Hearing Impaired," *The Tablet.* March 20, 1982, 74 no. 63, The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

[26] "Hearing-impaired can now enjoy special Bronx Cultural Events," *The Riverdale Press,* March 18, 1982*,* The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

it was not until six years later that The National Endowment for the Arts (NEA) created

guidelines for accessibility. Interestingly, it was the NEA guidelines, not the Rehab Act

regulations which The Museum of Modern Art initially responded to when creating the 504

Project.[27] To improve compliance, the NEA funded the three-year tenure of the 504 Project,

proving interpreters and captioned films at 224 events in 1981 alone.[28] Over time, attendance to

the 504 Project declined, and the program was terminated.

From the institutional perspective, the regulations of the Rehab Act and NEA Guidelines

on accommodations for "hearing impaired individuals" were satisfied by the 504 Project.

However, the inconsistent attendance at the program led practitioners and institutions to question

the validity of accessibility efforts.[29] After this period of experimentation, accessibility efforts at

museums continued with minimal response to legislation for a number of years. The mentality of

these practices, depicted by Myrna Martin, the assistant director for the Department of Education

at The Museum of Modern Art in regards to the 504 Project was to provide accommodations that

would "make existing programs accessible."[30] Thus, institutions primarily looked for ways to

adjust current programming and practices to comply with the statutes and guidelines as

accommodating individuals with physical disabilities, visitors who were blind, and deaf, in some

capacity. Over time, the success of the the 504 Project waned. Hearing coordinators, and hearing

---

[27] Internal Communication between Caroline Jones to Department Heads, The Museum of Modern Art on June 20, 1989. The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

[28] "A Different Sign" *The Standard Star,* April 1, 1982. The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

[29] Museum of Modern Art (New York, N.Y.), and Lou Ann Walker. *Museum Accessibility for Hearing-Impaired People: The 504 Project, Coordinated by the Museum of Modern Art, New York City, 1979-1983 : [final Report]*. New York: The Museum, 1983.

[30] Laura-Jean Gilbert, "Access to the Arts: New York's Museums offer programs to the Deaf Community" *Gallaudet,* undated. The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

interpreters made developmental decisions, and the project was minimized to several interpreted tours a year.[31] Once a practice was implemented widely at large institutions and sustainable, many smaller institutions offered modified accommodations.

Seventeen years after the Rehabilitation Act passed, a new piece of civil rights legislation was introduced to the nation by the U.S. Congress entitled: The Americans with Disabilities Act (ADA). This statute largely expanded upon earlier civil rights legislation to match more appropriately with societal demands of that time. The ADA developed further requirements and definitions that more explicitly stated the minority populations targeted, appropriate accommodations, and the underlying intentions of the statute. Title III of the legislation, "Nondiscrimination on the basis of Disability in Public Accommodations and Commercial Facilities" and the "Standards of Design", established more stringent obligations for accessible compliance. The general statute states:

> "The purpose of this part is to implement title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181), which prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards established by this part."[32]

While the statute utilizes broad and vague language, reminiscent of the Rehab Act, the regulations imposed by the ADA were more explicit in requiring museum and cultural institutions to offer standard accommodations for specific audiences. Today, the Department of Justice upholds guidelines of general regulations entitled "Maintaining Accessibility in

---

[31] Museum of Modern Art (New York, N.Y.), and Lou Ann Walker. *Museum Accessibility for Hearing-Impaired People: The 504 Project, Coordinated by the Museum of Modern Art, New York City, 1979-1983 : [final Report]*. New York: The Museum, 1983.
[32] ADA: Americans with Disabilities Act of 1990, Public Law 101-336. § III. 108th Congress, 2nd session (July 26, 1990).

Museums."[33] These guidelines more explicitly expand upon the definitions of "individuals with disabilities" and offer suggested accommodations for specific populations primarily focusing on the maintenance of accessible technologies and layout of spaces for individuals who utilize wheelchairs. After the passing of the ADA in 1990, many large museums added an ADA Coordinator to staff, responsible with ensuring that museums practices were compliant with the slightly more expanded legislation.[34] In 1998, the American Alliance of Museums created a manual to assist accessibility efforts in museums, primarily addressing physical barriers in museum spaces, and providing steps to support compliance efforts.

Under the ADA, accommodations for visitors with disabilities were interpreted as relatively simplistic. With the ultimate goal of *compliance,* cultural institutions created checklists for accessibility. The ADA stipulated regulations, and museums responded with typically one accommodation for each minority population. The ADA dealt in the realm of both physical and intellectual access, thus creating "equal" opportunities for visitors to *learn* within institutions became a priority. In 1991, the Department of Justice created a series of regulations designed to implement the requirements of the statute. Section 36 of the regulation enforces Title III of the ADA.[35]

In 2008, the Americans with Disabilities Amendment Act (ADAA) passed. The ADAA developed further upon the ADA, expanding the scope and application of the statute. Following

---

[33] Department of Justice "Maintaining Accessibility in Museums" Civil Rights Division. http://www.ada.gov/business/museum_access.htm, Published April 2009.

[34] John P. S. Salem, *Everyone's Welcome: The Americans with Disabilities Act and Museums.* American Association of Museums. (1998).

[35] Department of Justice "Americans with Disability Act Regulations: Part 36 Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities." Published September 15, 2010.

the passing of the ADAA, the Department of Justice developed the guiding document: "2010 ADA Standards of Design," still widely used today (See Appendix I for relevant sections). The standards for design guidelines all focused on physical barriers to accessibility within public spaces. The 2010 Standards communicate guidelines for new construction structures, and suggest alterations for already constructed buildings.[36]

Considerations of Legal Compliance in Accessibility Practices

There are significant limitations in the nature of civil rights legislation in regard to cultural institutions. The very notion of creating a regulation which attempts to address a specific inequality of experience in black and white terms is problematic. Equal experience for minority populations cannot be "solved in a one size fits all approach," as the statutes regulate. By creating statutes which problematize disability and offer simple "solutions" to "fix the problem" ie. become compliant, museums often do not provide opportunities for all visitors to feel equally welcome. In many institutions, this limiting and problematic approach exists in access efforts. In response to the Rehab Act and ADA, many museums, for example, achieve compliance regarding the Deaf community with one line on a webpage "interpreters can be requested two-three weeks in advance for programs, tours..." While this practice technically satisfies the requirements of the Rehab Act and ADA, a hearing person does not need to plan two-three weeks in advance in order to have an accessible experience at a museum. During a focus group dialogue regarding access, participants discussed how visiting a museum was "hard work."

> "If we're going get anything out of anything, we can't just say, 'Here we are.' We
> have to plan, we have to encourage, solicit assistance from people and from

---

[36] Department of Justice "2010 ADA Standards of Design: Part 36 Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities." Published September 15, 2010.

whatever to help us do what we need to do. I don't think people without disabilities often get that."[37]

Under this framework, it is the responsibility of visitors with disabilities to advocate and educate for their needs. While, it is unreasonable to expect cultural institutions to anticipate the needs of all individuals with diverse experiences, current accessibility efforts are reactive. This often results in individuals who already experience discrimination in everyday life needing to create their own opportunities for connecting in the museum space. For practitioners in the field, as the focus group articulated, one of the most essential aspects to access is awareness. Museum practitioners may easily perceive legal compliance as "accessible" when they do not experience barriers to engagement with cultural institutions first hand.

The vaguely defined and broad application of the Rehab Act, ADA and regulations results in museums often focus on satisfying legal compliance, rather than truly becoming inclusive to diverse visitors. Consequently, many museums successfully comply with civil rights legislation while, arguably, not truly providing inclusive and welcoming spaces for all members of their communities.[38]

Professional Standards of Accessibility

In addition to federal statutes and governing regulations, museums and cultural institutions also need to be aware of the accreditation requirements created by the American Alliance for Museums. Similar to the Department of Labor and Department of Justice regulations, the AAM Standards and Best Practices, have been created, altered, and implemented

---

[37] Nina Levent and Joan Muyskens Pursley. 2013. "Sustainable Museum Access: A Two-Way Street."*Disability Studies Quarterly.* 33, no. 3. (May 12, 2013).

[38] Wendy M. Sbarra "New Ways of Seeing: Examining Museum Accessibility for Visitors with Vision Impairments." Master's thesis, Georgia State University, 2012.

as a result of federal mandates. In 1993, the American Alliance of Museums Code of Ethics

stated: "The museum ensures programs are accessible and encourage participation of the widest

possible audience." In 2005, the AAM updated the *Characteristics of an Accreditable Museum*

to incorporate issues of accessibility with the addition of a general statement: "The museum

strives to be inclusive and offers opportunities for diverse participation." Currently, these

requirements are found in the American Alliance of Museums Characteristics of Excellence:

"The museum demonstrates a commitment to providing the public with physical and intellectual

access to the museum and its resources. The museum strives to be inclusive and offers

opportunities for diverse participation."[39] The 2008 AAM Standards & Best Practices discusses

the responsibility of cultural institutions to diversity, education, and communities, articulating

access efforts as "beyond what is required by law" as the "ethical imperative of museums to

make resources as accessible as possible"[40] (See Appendix II).

The National Endowment for the Arts is an additional organization which has been

influential in the evolution of accessibility efforts within cultural institutions. The NEA created

guidelines of accessibility in which all funded institutions needed to comply. The guidelines

apply more specifically the regulations offered by the statues, the Department of Justice, and the

Department of Labor. The NEA also provided a separate complaint process overseen by an

internal Civil Rights Office. Updated as of 2014, the NEA guidelines and complaint process still

targeted issues of discrimination.[41] The NEA focused on a *lack of discrimination,* rather than

supporing inclusion or equity.

---

[39] American Alliance of Museums, "Characteristics of Excellence," (1993).
[40] American Association of Museums "Standards & Best Practices for U.S Museums," (2008).
[41] "NEA's Civil Rights Office Complaint Form Package," National Endowment for the Arts, 2014.

Accessibility in cultural institutions exists within a broader discussion of accessibility in public spaces, and architecture. Following the passing of the ADA, the concept of "universal design" was widely advocated for and accepted as a means to improve inclusion efforts for visitors with diverse needs. Fundamentally, universal design is: "the design of spaces, elements, and systems to make them as usable as possible by as wide a range of people as possible."[42] Also known in the museum field as human-centered design. Universal design builds upon the Rehab Act and ADA, that design is a civil and human right for individuals with disabilities. Following the statutes and regulations put in place by Section 504 and extrapolated by the ADA, universal design follows principles of creating integrated settings and effective communication for diverse individuals.[43] While commonly applied in architectural and physical space design, the spirit of universal design can be applied globally within cultural institutions when designing educational opportunities, promotional materials, exhibition content, and many additional practices.

Underlying Perceptions of Accessibility Efforts

Historically, the construct "disability" was meant to distinguish groups of individuals who are considered "abnormal" to society based upon a negative stigmatization created by a privileged majority.[44] Civil Rights laws such as the Rehab Act and the ADA were products of this stigmatization. Museum accessibility efforts, rooted in these laws, developed from this negative disposition. Understanding disability through this framework illustrates the

---

[42] John P. S. Salmen, *Everyone's Welcome: The Americans with Disabilities Act and Museums.* American Association of Museums. (1998).

[43] American Alliance of Museums (Producer). 2015. *"Stories of Inclusion: Inclusive Practices at Cultural Institutions."*

[44] Paul T. Jaeger., and Cynthia Ann Bowman, *Understanding Disability: Inclusion, Access, Diversity, and Civil Rights*, 2005.

problematizing nature of the language often utilized in discussing challenges of inclusion and access.

Contemporary perspectives of "disability" promote a shift from focusing on a perceived impairment to understanding the systematic barriers, discrimination and exclusion by the general public as ultimately preventing equality. This paradigm, the Social Model of Disability, argues that "disability" is not intrinsic to individuals with perceived impairments. Fundamentally, the Social Model of Disability calls for a new understanding of "disability". Extrapolating on the Social Model, contemporary accessibility practitioners argue the need for extending a critical view towards the origins of inclusion efforts. Advocate, Amanda Cachia argues for a proactive approach towards inclusion, transcending the typical boundaries of ancillary accessibility efforts within museum practice. "We need to rethink some of the key assumptions behind notions of access and accessibility. Instead of merely extending access, institutions need to question how such gestures can in fact perpetuate repressive norms."[45]

These changing paradigms argue for more proactive, versus reactive, accessibility efforts. Accessibility efforts have primarily been reactive, *responding* to new statutes and regulations imposed on cultural institutions as public entities. As such, access efforts have largely progressed "in defense of" the institution, attempting to satisfy compliance in the simplest form possible. Accommodations such as solely offering print materials in braille for visitors who are blind, low vision, or partially sighted illustrate responsive access efforts.[46] What if a visitor does not read braille? Does this one accommodation offer an *equal* experience? Does that visitor feel *included* in the cultural institution? While these practices are well-intended in working to support

---

[45] Amanda Cachia, "Talking Blind: Disability, Access, and the Discursive Turn," *Disability Studies Quarterly* Vol. 33, no. 3 (2013).
[46] Wendy M. Sbarra "New Ways of Seeing: New Ways of Seeing: Examining Museum Accessibility for Visitors with Vision Impairments." Master's thesis, Georgia State University, 2012.

inclusive practice, and may satisfy legal compliance, they do not create an equitable experience. Again, museums face a further challenge in accessibility: how can *equity of experience* be defined? For diverse communities with diverse expectations an equal experience depends entirely on the unique visitor.[47]

Consider the recent example, a visitor who is blind attending an art museum. In a larger art museum such as The Metropolitan Museum of Art, following an "inclusion model," this visitor is given the *choice* of a program formatted in braille, raised text, or large type. The unique preference of the visitor is proactively addressed, without a complaint-driven accommodation providing access.[48] The visitor is also offered educational materials of raised reproductions of several objects from the museum's collection. To facilitate further engagement, educators offer a verbal description tour, a tactile, "touch," tour, or describe an upcoming art-making workshop for blind visitors.[49] The accommodations the Met offers specifically for visitors who are blind or partially sighted are "well beyond" the requirements of any civil rights legislation regulating cultural institutions. Instead, the museum strives to work *proactively,* surpassing compliance and striving for inclusion and equity of experience.

Case Studies

The following case studies represent accessibility practices beyond statutes and regulations. These museums challenge the historical notions of access in museums, providing

---

[47] Nina Levent, Georgina Kleege, and Joan Muyskens Pursley. "Museum Experience and Blindness." *Disability Studies Quarterly*. 33, no. 3 (May 12, 2013).

[48] "Working Document of Best Practices: Tips for Making All Visitors Feel Welcome." *Museum Access Consortium*. 2015.

[49] The Metropolitan Museum of Art "For Visitors Who Are Blind or Partially Sighted." *The Metropolitan Museum of Art, I.e. The Met Museum*.

socially responsible, proactive work targeting inclusion. These practices offer contemporary strategies for supporting effective accessibility efforts throughout all facts of museum practice.

In the first case study, *The Touchy Subject,* the Solomon R. Guggenheim museum, collaborated with a blind artist to encourage visitors to engage the museum space in a new way. This case study illustrates partnership, proactive inclusion supporting diversity. The second case study investigates staff training and the accessibility task force at The Museum of Modern Art to uncover underlying values and perceptions of inclusive practice. This example demonstrates holistic museum practice whereby access is not a concern of any one department, but made a priority by the entire institution. The final case study explores gender inclusive signage at The Whitney Museum of American Art, challenging the traditional notions that accessibility within museums explicitly addresses populations with disabilities.

Socially Engaged Museum Practice: Guggenheim Museum

Social practice artist Carmen Papalia has a unique perspective on accessibility efforts within cultural institutions. His interpretation of "access" is an "entry point to experience." Papalia also is blind. In his work, Papalia collaborates with museums to create opportunities for visitors to learn through participatory experiences with the aim to contribute towards a new understanding of accessibility.[50] In 2014, Papalia worked with the Solomon R. Guggenheim Museum to create a one day participatory experience entitled "The Touchy Subject." Through collaborative development and facilitation, the tour program aimed to create an opportunity for visitors to experience the Guggenheim through a new entry point. Papalia trained twenty museum educators and openly shared his artistic philosophies, and varying modes of sensory

---

[50] Carmen Papalia. "A New Model for Access in the Museum." *Disability Studies Quarterly* 33, no. 3. (2013).

action. Educators worked across departments in collaboration with the visiting artist, to support

the experimental program. Through the training, educators learned how to facilitate a new kind

of sensory tour within the institution, guided by the experiences Papalia shared.

At the end of training, educators applied their knowledge to engage museum visitors. In

2014, on an ordinary day, unsuspecting visitors to the Guggenheim were invited to participate in

The Touchy Subject, a unique tactile touch tour. Participation included an intimate tour with a

newly minted museum educator, trained in multi-sensorial experiences, and a walk-through of

the iconic Frank Lloyd Wright building. Educators led participants through the building

primarily using tactile and auditory channels. During the tour, educators, and Papalia himself,

guided visitors to touch the museum, to listen to the space, and to reflect upon what they

experienced.[51] Within minutes, visitors were asked to *trust* the museum staff that they had just

met, to close their eyes in a bustling gallery space, and to experience a museum in a different

way. Educators functioned partially as "sighted guides" and partially as museum educators,

describing particular aspects of the architecture, and pieces on exhibition throughout the tactile

touch tour[52] (See figures 1 & 2).

The Touchy Subject was impactful in many ways. For visitors who participated in the

experimental program, there was an opportunity to engage with the museum in a new way. Many

visitors, upon reflection, articulated the unexpected observations this opportunity created.

Understanding artist processes in new ways, developing a stronger sense of place, and opening

up perspectives were all outcomes visitors communicated from participating. Additionally,

---

[51] Georgia Krantz, "How Do You See a Museum with Your Eyes Closed?" *Guggenheim Blogs*, (2014).
[52] Carmen Papalia. "You Can Do It With Your Eyes Closed." *ART21 Magazine*. October 4, 2014.

participants discussed an increased ability to focus when engaging with the museum in this less traditional way.[53]

In this example, the experience of a diverse and traditionally marginalized population is not just "accommodated for" through braille programs. Instead of operating as ancillary material to the primary exhibitions, programs, and dialogues, *The Touchy Subject* brought the experience of a specific minority to the center the museum practice. Visitors did not complete the program and focus on the impairment model of disability. They did not reflect upon their experiences and "wish" that they had been able to see.[54] Instead, they developed a greater understanding for what experiencing the world differently offers.

The Touchy Subject reflects a very different model of accessibility development than previously discussed examples, such as the 504 Project. Instead of a program dictated by a staff member of the cultural institution, *The Touchy Subject* supports a partnership between the museum and Papalia. Based on his unique experiences as a blind artist who has experienced barriers and discrimination, Papalia advocates for his *own* needs and interests. Historically, 504 and ADA Coordinators may have had sensitivity to some of the experience of visitors with disabilities, but most were not members of the Disability Community. In discussing this case example, it is essential to highlight that one of the initial developers and creators of the project is a member of a community the experience represents, and targets. It is with a critical eye, that practitioners must examine accessibility efforts. While *partnership* between the museum and the disability community supports proactive inclusion efforts, this case example also serves as a cautionary tale. While *The Touchy Subject* supports a partnership model, it can be easy for

---

[53] Guggenheim Museum (Producer). 2014. *"The Touchy Subject"*.
[54] Georgia Krantz, "How Do You See a Museum with Your Eyes Closed?" *Guggenheim Blogs*, (2014).

institutions, in effort to promote accessibility and awareness, to create exhibitionism with the potentiality of trivializing the experience of minority populations.

Returning to the call for an empathetic museum, the Guggenheim's effort to support accessibility and inclusion and create empathy for diversity. Instead, the institution provides a space for other visitors to develop connections and share varied experiences. Through collaboration, the museum democratizes authority and becomes and open forum for developing new understandings of typically stigmatized experiences.

Institutional Values: The Museum of Modern Art Accessibility Training & Task Force

As discussed in earlier sections of this thesis, accessibility practices are often addressed as ancillary adjustments or accommodations to already existing museum practices. In the 504 Project, initial experiences were deliberately designed for general audiences, and retroactively solutions were added in attempt to create access. Advocate Amanda Cachia argued the need for access efforts to expand beyond the education or visitor services department. To truly be effective in creating an inclusive space, access must be embedded in curatorial practice, and throughout the intuition. Once access is addressed holistically within institutional practice, Cachia argued: "Perhaps access would no longer be an add-on to a museum budget or as an after-thought for a curator when installing an exhibit without large-print labels"[55] In this contemporary case study, accessibility efforts *proactively* attempted to create more inclusive spaces for diversity. With a long history of accessibility efforts, staff members at The Museum of Modern Art advocated for an *institutional culture* of access.

---

[55] Amanda Cachia, "Talking Blind: Disability, Access, and the Discursive Turn," *Disability Studies Quarterly* Vol. 33, no. 3 (2013).

Museum personnel upon hire at The Museum of Modern Art complete a thirty-minute training about visitors with disabilities and their experience visiting The Museum. The Accessibility Training Video was a project headed by the Community & Access Programs division within the Education Department at The Museum, supported by the administration, and visitor services' departments. The film depicts practitioners from the Access Department to administrators, such as Director, Glenn Lowry, discussing the intentions and application underlying how accessibility is approached within the intuition. Fundamentally, Lowery defines access in The Museum as "the ability for anyone who wants to visit The Museum to do so, and to do so with pleasure."[56]

Director of Community & Access Programs at MoMA, Francesca Rosenberg, discussed the origins of the training beginning when front-line personnel expressed a concern of uncertainty in how to best support the experience of visitors with disabilities in The Museum. The Community & Access Programs staff knew that having the voice of visitors with disabilities was essential to the training, but the logistics of scheduling led to the creation of the video. Since the training video has been created, more departments have been reaching out to develop greater awareness and cognizance towards the experience of diverse visitors.[57]

> "Accessibility is not only an essential and integral part of everything I think about, it is an exciting part about what it means to be here at the museum because it means we can embrace everybody. That we can respond to the needs of everyone who wants to come and see The Museum. And what's more exciting than to see somebody who wasn't expecting to have a great experience at The Museum light up when they discover that we can respond to their needs?"

---

[56] The Museum of Modern Art (Producer). 2015. *"Accessibility Training Video"*.
[57] American Alliance of Museums (Producer). 2015. *"Stories of Inclusion: Inclusive Practices at Cultural Institutions"*

As Cachia articulated, if access efforts continue to only exist within several departments,[58] institutions will never be able to achieve outcomes where visitors to the museum feel included in the space. The impact of the accessibility training video, showcasing the ideologies underlying administrative practice within The Museum of Modern Art, communicates that The Museum will not *only* become legally compliant. Instead, the message The Museum delivers is a prioritization and valuing of visitors with diverse needs which surpasses compliance.

To further accessibility practices throughout the intuition, The Museum of Modern Art formed the Accessibility Task Force. The twenty-thirty staff members within the group are from departments throughout the museum and perceive access as a priority within their practice.[59] Since its establishment, the task force has consulted on projects throughout the institution, including the design of the most recent building expansion. Collectively addressing issues of access from different viewpoints throughout the institution, the task force evaluates how various departments and practices within The Museum can be made more inclusive.

Surpassing Compliance: The Whitney Museum of Art

In the previously presented case studies, two museums surpass what is considered *compliance* for the various relevant statutes and regulations mentioned. The institutions focus on creating inclusive spaces which are welcoming to the broadest audience possible.

The majority of accessibility-and-inclusion-focused legislation and standards exist in statutes and documents specifically targeting disability. The definitions presented in each of the statutes and guidelines primarily describe concepts of 'disability' as the general population at a

---

[58] The Visitor Services and Education Departments also have, traditionally, less power on institutional decisions.
[59] The Museum of Modern Art (Producer). 2015. *"Accessibility Training Video."*

given time understands them. By extension, museum accessibility efforts in response to federal regulations and professional guidelines have almost explicitly been targeted towards visitors with disabilities. Increasingly, the audiences to which museums are referring to when discussing challenges of barriers, inclusion, and equality are expanding. What began as accommodations for veterans and individuals with physical disabilities, in regards to legal compliance, is now a field that has exploded to encompass more broadly minority groups and individuals who have not felt included by cultural institutions. With this broader conceptualization of the goals of inclusion, "access" is not only providing accommodations for visitors with disabilities.

In May of 2015, Whitney Museum of American Art officially opened its doors at a newly designed building in the Meat-Packing District of New York City. In the months leading to the move from the Upper East Side, countless meetings were held about the various needs of staff in the design of the new space. To accommodate the diverse needs of the community and programming offered by the museum, the resulting structure incorporates much more than gallery spaces. In January 2014, in preparation for the new building, the Whitney hosted an open community dialogue focusing on museums as safe spaces. The goal of this meeting had the same underlying motivation as the others: striving towards creating an inclusive museum.[60]

The forum was an initiative out of the Accessibility Department within the Whitney, in collaboration with LGBT advocacy and activist groups throughout the city. While access efforts in museums have been targeted explicitly towards visitors with disabilities, the Whitney's efforts to be inclusive to *all* visitors with diverse needs transcends current legal obligation. Instead of

---

[60] Danielle Linzer, 2014, "Signs of the Times: All Gender Restrooms at the Whitney," *Whitney Education Blog*.

responding to regulations or statutes, the Whitney was took action responding to the diversity of its community.

Resulting from the community forum, the new Whitney opened its doors with "All Gender" restrooms in the Lower Gallery.[61] For many of us, the ability to use the restroom free of judgment, pressure, anxiety, or discrimination is nowhere in our thoughts. However, for members of some minority communities the opportunity to feel comfortable and safe is not a part of daily life (See Figure 3 for the educational signage posted at each restroom). The impacts of the Whitney's accessibility practice are threefold: the Whitney responds to the needs of a minority group within their community; creates a more inclusive space for traditionally marginalized individuals to feel welcome to participate as valuable members of the community; and the general public visiting the museum have the opportunity to be exposed to individuals with diverse experiences and gain better insight to the their lives.

This case study challenges the conventional notions, developed over time, that museum accessibility is explicitly linked to disability and functions as a response to regulation. Instead, the Whitney anticipated any legal obligation regarding gendered bathrooms, responded to the diverse needs of minority group that does did not included in the space, and took steps towards improving inclusion.

In addition to the efforts of the Whitney recognizing potential for inclusion and responding to visitors, this case study also illustrate a successful course of action in addressing a perceived barrier. Historically, accessibility efforts, such as Project 504, have been perceived and designed entirely by institutions. Museum professionals often made decisions *for* a particular

---

[61] Aimee Lee Ball, 2015, "In All-Gender Restrooms, the Signs Reflect the Times," *The New York Times*, November 5.

population, assuming or attempting to discern the best course of action to lessen barriers, seldom

having first-hand experience or a deep understanding of what challenges existed in accessibility.

Regarding the "All Gender" restrooms, the Whitney, instead, chose to create an opportunity

where members of the community could take an active role in advocating for how to make a

more inclusive space. The results of this were twofold. First, there was a validation which comes

from having an institution recognize the voice of traditionally marginalized groups.[62] Through

the open forum, the Whitney communicated to their audience that they were not *just* legally

compliant, but that they were invested in creating an environment designed in consideration of

diversity. When individuals feel validated by a museum, the results are reciprocal. Visitors, in

turn, feel a greater desire to visit, and a stronger investment in the institution.[63]

In contrast to Cameron's 1971 argument for museums as an open forum, there has been a

critical shift in the field towards a democratization of museums' authority. In summary of this

distinction, Cameron stated: "the forum is where battles are fought; the temple is where the

victors rest."[64] In contemporary museums, there is no longer a mentality of an elite authority

which makes decisions *for* the public. Instead, the forum created a space for the audience to

contribute towards institutional practice. In the recent example of the Whitney's attempts at

inclusion, this shift was perceivable. Rather than the institution making decisions on behalf of a

minority population, the museum functions as an open forum, creating an opportunity for shared

authority.

---

[62] Nina Levent, and Joan Muyskens Pursley. 2013. "Sustainable Museum Access: A Two-Way Street."*Disability Studies Quarterly*. 33 no. 3. (May 12, 2013).
[63] Gretchen Jennings, "Time to Listen," *Curator* 46, no. 4 (October 2003).
[64] Duncan Cameron, "The Museum, a Temple or the Forum," *Curator: The Museum Journal* 14,   no. 1 (1971): 11–24.

Current Considerations and Limitations of this Research

Theoretically, this thesis has argued the need for museums, as cultural spaces embedded in communities, to pursue inclusive practices. The three case studies discussed above offered a perspective on a singular type of cultural institution. The Guggenheim, MoMA, and Whitney are all modern/contemporary art museums, located within New York City. Certainly, the geographical location influences accessibility efforts. Whether, purely a matter of greater resources,[65] or immense audience demands, the proximity of practice for these institutions push efforts forward.

As a researcher, observer, and practitioner in this field, I am hesitant to propagate the idea that the *needs* of access in New York City are inherently significantly greater than any other city. Instead, it seems that the *response* of institutions to minority populations has been greater. While the general population of New York City is vast, many other cities, per capita, have larger populations of individuals with disabilities, such as Rochester's Deaf community.[66] If accessibility efforts are determined explicitly based on *need,* this logic would argue that Rochester's cultural institutions ought to provide the most innovative and proactive efforts for the Deaf Community in the nation. Instead, many museums within New York City have a more proactive response towards the Deaf Community, employing Deaf educators on staff, exhibiting artwork made by Deaf artists, and supporting a variety of accommodations for audio and linguistic diversity.[67] Director Nina Simon, mentioned previously in the *terminology* section, discussed the goal of access within her intuition as: matching the overall demographics of her

---

[65] Greater resources in terms of personnel (designated staff members responsible to address issues of accessibility), and funding (significant operational budgets to devote towards programming).
[66] "Number of Persons who are Deaf or Hard of Hearing: Rochester, NY," National Technical Institute for the Deaf, accessed February 24, 2015,
http://www.ntid.rit.edu/sites/default/files/number_of_persons_who_are_deaf_or_hard_of _hearing.pdf
[67] Such accommodations include: audio coils, t-loops, captioning, and American Sign Language interpreters.

community.[68] This framework argues that even cities smaller than New York City, based on the specific diversity of their communities, should provide a greater response to minority populations.

Last year, 2016, marked the 25th Anniversary of the Americans with Disabilities Act. In commemoration of the many accessibility efforts which have evolved since the passing of the ADA, many cultural institutions, public organizations, and advocates throughout the United States collaborated in workshops, conferences, and celebration. Through this reflection, many practitioners were celebrating the greater understanding of the importance of access, while recognizing the significant need for continued dialogue and action. In the summer of 2015, I was one of the interns from The Museum of Modern Art who attended a festival celebrating the strides in access efforts. While there, a young blind woman approached me and remarked that "accessibility was trendy" in New York City cultural institutions. In commemoration of the 25th Anniversary of the Americans with Disabilities Act many inter-city museums have come together to discuss best practices, emerging challenges, and underlying ideologies to cultural accessibility.[69] This dialogue, bridging museum practitioners, advocates, and visitors with disabilities, encouraged more progressive and successful inclusion efforts in cultural institutions.

Conclusion

Throughout the history of accessibility efforts, there has been a reactive approach taken towards creating opportunities for visitors with diverse needs. Many cultural institutions, in response to legislation and regulations, provide accommodations which successfully achieve compliance with the Rehab Act and ADA. As compliance-driven policies, it is not until a visitor

---

[68] Nina Simon. "Fighting for Inclusion." *Museum 2.0* (blog), September 23, 2015.
[69] "Educators from the Guggenheim, the Met, and MoMA Discuss Access at Museums." 2015. *Guggenheim Blogs*. July 22.

with a disability complains about a lack of access that institutions have been forced to reassess if they are truly providing an inclusive opportunity. The structure of minimal accommodation until a complaint is made problematizes audiences who already experience barriers in navigating a world not designed for them. In order for museums to become truly accessible for visitors with diverse needs, it is necessary that supporting visitor experience and inclusion must become a priority over merely being compliant. "An institution that is not at its core truly visitor-centered, dedicated to inclusion, and committed to its community cannot, in my view, attract and retain the new and diverse audiences it may say it wants."[70] Duncan Cameron once argued that museums should have a great concern over the audience that they do *not* have. Operating with this philosophy, it is imperative that cultural institutions look critically at the audiences they do serve, and the potential audiences being excluded by current practices.

Accessibility within museums has primarily been a story of legal compliance. How concepts of "accessibility" and "inclusion" exist within legislation has guided the majority of efforts implemented by museums. As advocate Amanda Cachia argues, the " very concept of access also needs to be re-visited in order to develop new attitudes, perceptions, and language that counter its stigmatized status."[71] Traditionally, these efforts have been the responsibility of one person, or one department within the cultural institution. For visitors with diverse needs to truly experience inclusion within the museum space, it is essential that issues of access are not addressed as ancillary accommodations, but as integral practices embedded throughout the institution.

---

[70] Gretchen Jennings. "The Empathetic Museum: Institutional Body Language" *Museum Commons* (blog), June 29, 2013.

[71] Amanda Cachia, "Talking Blind: Disability, Access, and the Discursive Turn," *Disability Studies Quarterly* Vol. 33, no. 3 (2013).

Recommendations for future research

The majority of guiding research surrounding museum has accessibility focused on the effectiveness of museums in achieving compliance with the Rehabilitation Act and Americans with Disability Act. While cultural institutions may comply with regulations, further research needs to be done regarding how visitors with diverse needs are made to feel included, comfortable, and welcome within cultural institutions. This research requires a shift in the dialogue surrounding access from a legal to a social perspective. Terminology, as it is utilized within the museum field, among advocates, and in legislation, needs to be more clearly defined. In reconciling these interpretations and through visitor-centered research, the responsibility, successes, and pitfalls of museum inclusion practices can be found.

Figures

Figure 1. Museum educator with eyes-closed during training for The Touchy Subject. *Educator Training for The Touchy Subject: A Sensory Tour Developed by Carmen Papalia.* Photo from the Soloman R. Guggenheim Museum, November 16, 2013.

Figure 2. Museum educator guiding an eyes-closed visitor during a tactile touch tour. *The Touchy Subject: A Sensory Tour Developed by Carmen Papalia.* Photo from the Soloman R. Guggenheim Museum, November 16, 2013.

Figure 3. Whitney Museum of American Art, gender-neutral bathroom signs. 2014, Photo from The Whitney Museum of Art: http://whitney.org/Education/EducationBlog/AllGenderRestrooms

Sign on the left reads: "The Lower Gallery restrooms have been re-designated as 'all gender' for this program. This means that people of all gender identities and expressions are welcome in both restrooms, in the interest of providing a safe and welcoming experience for all visitors, artists, and staff at the Whitney. A single-stall restroom is available on the Fifth Floor," transcription by author.

Appendix I

Department of Justice "2010 ADA Standards of Design"

Overview

The Department of Justice published revised regulations for Titles II and III of the Americans with Disabilities Act of 1990 "ADA" in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design "2010 Standards" or "Standards". The 2010 Standards set minimum requirements – both scoping and technical – for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities.

Adoption of the 2010 Standards also establishes a revised reference point for Title II entities that choose to make structural changes to existing facilities to meet their program accessibility requirements; and it establishes a similar reference for Title III entities undertaking readily achievable barrier removal.

The Department is providing this document with the official 2010 Standards in one publication. The document includes:
•
The 2010 Standards for State and local governments, which consist of the Title II regulations at 28 CFR 35.151 and the 2004 ADAAG at36 CFR part 1191, appendices B and D;
•
The 2010 Standards for public accommodations and commercial facilities, which consist of the Title III regulations at 28 CFR part 36, subpart D, and the 2004 ADAAG at 36 CFR part 1191, appendices B and D.

The Department has assembled into a separate publication the revised regulation guidance that applies to the Standards. The Department included guidance in its revised ADA regulations published on September 15, 2010. This guidance provides detailed information about the Department's adoption of the 2010 Standards including changes to the Standards, the reasoning behind those changes, and responses to public comments received on these topics. The document, Guidance on the 2010 ADA Standards for Accessible Design, can be downloaded from www.ADA.gov.

For More Information
For information about the ADA, including the revised 2010 ADA regulations,
please visit the Department's website www.ADA.gov; or, for answers to
specific questions, call the toll-free ADA Information Line at 800-514-0301
(Voice) or 800-514-0383 (TTY).

§ 36.402 Alterations.

(a) General.

   (1) Any alteration to a place of public accommodation or a commercial facility, after January 26, 1992, shall be made so as to ensure that, to the maximum extent feasible, the altered portions of the facility are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.

   (2) An alteration is deemed to be undertaken after January 26, 1992, if the physical alteration of the property begins after that date.

(b) Alteration.

For the purposes of this part, an alteration is a change to a place of public accommodation or a commercial facility that affects or could affect the usability of the building or facility or any part thereof.

   (1) Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, changes or rearrangement in structural parts or elements, and changes or rearrangement in the plan configuration of walls and fullheight partitions. Normal maintenance, reroofing, painting or wallpapering, asbestos removal, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility.

   (2) If existing elements, spaces, or common areas are altered, then each such altered element, space, or area shall comply with the applicable provisions of appendix A to this part.

106.5 Defined Terms.
Accessible: A site, building, facility, or portion thereof that complies with this part.

202.5 Alterations to Qualified Historic Buildings and Facilities.

Alterations to a qualified historic building or facility shall comply with 202.3 and 202.4.

EXCEPTION: Where the State Historic Preservation Officer or Advisory Council on Historic Preservation determines that compliance with the requirements for accessible routes, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, the exceptions for alterations to qualified historic buildings or facilities for that element shall be permitted to apply.

Appendix II

American Alliance of Museums National Standards & Best Practices for U.S Museums

COMMUNITIES AND NEIGHBORS

Nonprofit status is granted to museums in recognition of the fact that our organizations provide a public service—in return for public support, we devote our "profits" to creating a better society. But thinking has changed dramatically in the last fifty years about who should benefit as a result of this support. It is not enough anymore to appeal to a small, homogeneous audience (e.g., older white male railroad enthusiasts), and say, "That's who benefits from our work." There is an expectation that any museum serve some broader slice of society.

In particular, there has been a growing consensus in the past couple of decades that museums need to be attentive to the needs of their neighbors—the people who live and work nearby. This may or may not be the same folks the museum has identified as its community of users. Take, for example, a small museum of botany housed in a historic townhouse, in what has become an economically depressed but ethnically diverse neighborhood. The museum preserves and interprets an archive, rare book collection and herbarium. Its mission identifies its audiences as scientists, historians and artists researching the collections. But that museum still affects the people who live around it, even if they never come through its doors. Its physical appearance, the visitors who come into the neighborhood to get to the museum, the accompanying effect on parking, traffic, litter or noise, all influence the quality of life of the museum's neighbors. This standard says that museums have to take these effects into account. The museum might be a good neighbor in ways related to its mission, such as training community gardeners and helping maintain a public green space. Or it might simply make its library, with its Internet-connected computers, available as a quiet, safe place for neighborhood children to do homework in late afternoons.

Happily, as museums put this into practice, they find it is often in their best interests in a business sense, as well. Being involved with your community may lead to your neighbors becoming visitors to your museum. It may build mutually beneficial partnerships with local businesses. It can connect you with people and foundations interested in supporting your museum as much because of your effect on the community as because of belief in your mission (though they may come to care about that, too). It may even inspire a neighborhood kid to grow up to be a botanist, helping with the next challenge on our plate, which is . . .

PUBLIC SERVICE ROLE AND EDUCATION

To be honest, one of the historical reasons that the standards emphasize education as central to the identity of museums is tied to money. Government funding of culture boomed in the 1960s, along with tax reform that forced foundations to give more of their earnings to charity, but this funding was channeled to cultural institutions. At the time, museums were still categorized by the IRS as "recreational," and to qualify for the burgeoning opportunities for tax benefits and grants they needed to position themselves firmly in the educational realm. That said, it is not an inaccurate statement. The history of museums in the U.S. documents their ambitions to educate

all classes of society. That is still true today. It is equally true that government, foundations and private funders expect museums to maintain their commitment to filling this role.

DIVERSITY

There is an emerging consensus that museums ought to better reflect the growing diversity of American society in their governance, staffing and audience development. This conversation can quickly bog down in a struggle over what counts when measuring diversity (ethnicity, race, gender, culture, (dis)ability, age, etc.). These issues can't be settled at the national level—the "right" answer is specific to each museum and its circumstances. Clearly a museum in a small agricultural town in rural South Dakota is going to have a harder time recruiting ethnic and cultural diversity than a museum in downtown Chicago. And in any case, for the South Dakota museum, the biggest challenge for board diversity might be finding people under the age of sixty to take the reins.

As with community engagement, the issue is as much practical as it is ideological. According to U.S. Census Bureau projections, by 2050 our population will be "majority minority"— Caucasians of European descent will make up less than 50 percent of the population. If your museum's current audience is primarily composed of the descendants of the founding Europeans, what happens to your institution if only that population cares about your museum? Your base of support will shrink and shrink, and maybe it will become so small the museum is not sustainable. On the other hand, if your story is told in a way that makes it compelling and important to all American citizens, you can make a more diverse audience care about what you do. Or maybe your mission changes over time and addresses broader issues of immigration and celebrates the "founding fathers" (and mothers) of different immigrant groups.

In either case, it is difficult for a homogeneous board and staff—however well intentioned—to have "street cred" with groups the museum is trying to reach. People want to see other people like them working in the museum and having a voice in how it is run. And the museum is unlikely to make the best choices about how to serve new audiences without members of those groups helping make the decisions.

ACCESSIBILITY

As all U.S. residents provide support for the museum (through the subsidy of federal or state tax-exempt status, if nothing else, not to mention local bond levies, etc.), everyone should be able to benefit, as far as is practicable, from the museum's assets.

Beyond what is required by law—notably the Americans with Disabilities Act— museums have an ethical imperative to make their resources as accessible as possible. This includes physical assets such as the building and grounds, and intellectual assets—information about the collections, results of the museum's research, exhibits, programs and website.

There may be practical limits to accessibility, often arising from the tension between access and conservation, but museums must do their best to strike an appropriate balance. Unlimited physical access could destroy a museum's ability to preserve its collections, land or historic

building for future generations. (And in the case of living animal collections, it could be bad for the preservation of visitors, too.) Unlimited intellectual access might release information in a harmful way. Donors might be put at risk, for example, if museums share information that could lead criminals to target their personal collections. Small populations of threatened or endangered species can be wiped out by commercial dealers or hobbyists if the locations where museum specimens were collected are revealed.

But restricting access is now an exception rather than the rule. Museums are expected to proceed on the assumption that the right to access is a given, and if it is restricted, they should be prepared to answer these questions: What makes this a reasonable restriction? What higher purpose does it serve? No one should have to justify why their group deserves special treatment in order to get into the museum, or be treated with less respect than any other visitor. For example, mobility-impaired visitors should not be relegated to the loading dock or the freight elevator.

Bibliography

Published Works

American Association of Museums. *Excellence and Equity: Education and the Public Dimension of Museums: A Report*. Washington, D.C: The Association, 1992.

American Association of Museums "Standards & Best Practices for U.S Museums," (2008).

Cachia, Amanda. "Talking Blind: Disability, Access, and the Discursive Turn." *Disability Studies Quarterly* Vol. 33, no. 3 (2013).

Cameron, Duncan F. "The Museum, a Temple or the Forum." *Curator: The Museum Journal* 14, no. 1 (1971): 11–24.

Devine, Mary Ann. "Leveling the Playing Field: Perspectives of People with Disabilities on Reasonable Accommodations Received to Engage in Public Recreation." *Disability Studies Quarterly,* Vol. 35, no. 3 (2015).

"Educators from the Guggenheim, the Met, and MoMA Discuss Access at Museums." 2015. *Guggenheim Blogs*. July 22.

Emens, Elizabeth F. "Disabling Attitudes: US Disability Law and the ADA Amendments Act" *The American Journal of Comparative Law.* Vol 60, no 1 (2012): p. 205 – 233.

Farrell, Betty. "Demographic Transformation and the Future of Museums" *Center for the Future of Museums, American Alliance of Museums,* 2010.

Graham, Helen. "Museums and How to Know about Access." *New Formations*, no. 79 (2013): 64-81.

Gurian, Elaine Heumann. *Civilizing the Museum: The Collected Writings of Elaine Heumann Gurian*, London ; New York: Routledge. (2006).

Jaeger, Paul T., and Cynthia Ann Bowman, *Understanding Disability: Inclusion, Access, Diversity, and Civil Rights*. Westport, Conn: Praeger, 2005.

Janes, Robert R., Gerald T. Conaty, and Museums Association of Saskatchewan. *Looking Reality in the Eye: Museums and Social Responsibility*. University of Calgary Press. (2005).

Jennings, Gretchen. "Time to Listen." *Curator* 46, no. 4. (2003).

Jennings, Gretchen. "The Empathetic Museum: Institutional Body Language." *Museum Commons* (blog), June 29, 2013.

Jennings, Gretchen. "Characteristics of the Empathetic Museum." *The Empathetic Museum* (blog). June 3, 2015.

Krantz, Georgia. "How Do You See a Museum with Your Eyes Closed?" *Guggenheim Blogs*, (2014).

Krantz, Georgia. "Leveling the Participatory Field: The Mind's Eye Program at the Guggenheim Museum." *Disability Studies Quarterly* 33, no. 3 (May 12, 2013).

Levent, Nina, and Joan Muyskens Pursley. 2013. "Sustainable Museum Access: A Two-Way Street."*Disability Studies Quarterly*. 33 no. 3. (May 12, 2013).

Levent, Nina, Georgina Kleege, and Joan Muyskens Pursley. "Museum Experience and Blindness." *Disability Studies Quarterly*. 33 no. 3 (May 12, 2013).

Linzer, Danielle. "Signs of the Times: All Gender Restrooms at the Whitney." *Whitney Education Blog*. April 18, 2014.

McMillen, Rebecca. "The Inclusive Art Museum: Determining Disability Access." *International Journal of the Inclusive Museum* Vol. 4, no. 1. (2012).

Papalia, Carmen. "A New Model for Access in the Museum." *Disability Studies Quarterly* 33, no. 3. (2013).

Papalia, Carmen. "You Can Do It With Your Eyes Closed." *ART21 Magazine*. October 4, 2014.

Salmen, John P. S. *Everyone's Welcome: The Americans with Disabilities Act and Museums*. American Association of Museums. (1998).

Sandell, Richard, ed. *Museums, Society, Inequality*. Museum Meanings. New York: Routledge. (2002).

Sandell, Richard, Jocelyn Dodd, and Rosemarie Garland-Thomson, eds. *Re-Presenting Disability: Activism and Agency in the Museum*. London ; New York: Routledge. (2005).

Silverman, Lois H. *The Social Work of Museums*. London ; New York: Routledge. (2010).

Stein, Joan. "ADA Compliance: Avoiding Common Problems - Facilities Management ADA Feature." *Facilitiesnet*. January 2009.

Simon, Nina. "Fighting for Inclusion." *Museum 2.0* (blog), September 23, 2015.

The Metropolitan Museum of Art. "For Visitors Who Are Blind or Partially Sighted." *The Metropolitan Museum of Art, I.e. The Met Museum*.

The Incluseum. "Michelle Obama, 'Activism', and Museum Employment: Part I." *The Incluseum*, May 12, 2015.

Weil, Stephen E. "From Being about Something to Being for Somebody: The Ongoing Transformation of the American Museum." *Daedalus* 128, no. 3. (1999): 229–58.

"Working Document of Best Practices: Tips for Making All Visitors Feel Welcome." *Museum Access Consortium*. 2015.

Unpublished Works

Beerli, Michelle Georgette. "Social Inclusion Practices within Museums." Master's thesis, San Francisco State University, 2015.

Sbarra, Wendy M. "New Ways of Seeing: Examining Museum Accessibility for Visitors with Vision Impairments." Master's thesis, Georgia State University, 2012.

Primary Sources

Americans with Disabilities Act of 1990, Public Law 101-336. § III. 108th Congress, 2nd session (July 26, 1990).

"A Different Sign" *The Standard Star,* April 1, 1982. The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

Department of Justice "1991 Title III ADA Regulation." Published July 29, 1991.

Department of Justice "2010 ADA Standards of Design: Part 36 Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities." Published September 15, 2010.

Department of Justice "Maintaining Accessibility in Museums" Civil Rights Division. http://www.ada.gov/business/museum_access.htm, Published April 2009.

Gilbert, Laura-Jean "Access to the Arts: New York's Museums offer programs to the Deaf Community" *Gallaudet,* undated. The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

"Hearing-impaired can now enjoy special Bronx Cultural Events" *The Riverdale Press.* March 18, 1982. The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

"Help for Hearing Impaired" *The Tablet.* March 20, 1982. 74 no. 63. The Museum of Modern Art Archives, NY. Collection RM 160541644, Series Folder NEA Hearing Impaired Project.

Museum of Modern Art (New York, N.Y.), and Lou Ann Walker. *Museum Accessibility for Hearing-Impaired People: The 504 Project, Coordinated by the Museum of Modern Art, New York City, 1979-1983 : [final Report]*. New York: The Museum, 1983.

"NEA's Civil Rights Office Complaint Form Package." National Endowment for the Arts. 2014.

The Rehabilitation Act of 1973, Pub. L. 95-602, 29 U.S.C. § 504 749, (1973).

Audiovisual Work

American Alliance of Museums (Producer). 2015. *"Stories of Inclusion: Inclusive Practices at Cultural Institutions."*

Chicago Cultural Accessibility Consortium (Producer). 2015. *"Getting Started with Access"*.

Guggenheim Museum (Producer). 2014. *"The Touchy Subject"*.

The Museum of Modern Art (Producer). 2015. *"Accessibility Training Video"*.