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One University’s Response to Sections 504 and 508 of the Rehabilitation Act: A Descriptive Case Study of Policy Design

Kimberly F. Carter
University of South Florida, kimberlycartercpa@gmail.com

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One University’s Response to Sections 504 and 508 of the Rehabilitation Act: A Descriptive Case Study of Policy Design

by

Kimberly F. Carter

A dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy in Curriculum and Instruction, with an emphasis in Higher Education Administration Department of Leadership, Counseling, Adult, Career, and Higher Education College of Education University of South Florida

Co-Major Professor: Judith A. Ponticell, Ph.D.
Co-Major Professor: W. Robert Sullins, Ed.D.
Thomas E. Miller, Ed.D.
Jennifer R. Wolgemuth, Ph.D.

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Keywords: higher education policy, policy development, policy implementation, disabilities accommodations

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DEDICATION

For students with disabilities, you are the true heroes for your drive and perseverance in the pursuit of an education.
ACKNOWLEDGMENTS

I want to express my sincere appreciation to my dissertation committee members for their continued advice and support. I admire each of you for your wisdom and commitment to your students.

I wish to thank the ten exceptional individuals who participated in my study. Your insights helped me to understand the intricacies of developing an educational policy that addresses accessibility to media and course content.
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ABSTRACT

Pioneering legislation such as Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act of 1997, and the Assistive Technology Act of 1998 have increased attention to the needs of individuals with disabilities. These regulations require that public programs and services are accessible to people with disabilities (Griffin, 2004).

This descriptive case study examines policy design to conform with Sections 504 and 508 of the Rehabilitation Act of 1973 at a public research university through the lens of Bolman and Deal’s four frames of organizational analysis. These frames include: (a) the structural frame, (b) the human resource frame, (c) the political frame, and (d) the symbolic frame.

Results of the study indicate that accessibility policies in postsecondary education that address access to web content and course materials should develop a systematic approach to establishing an action plan to identify barriers and develop solutions. This includes a strategic commitment to policy planning, development, implementation, monitoring, and assessment.
CHAPTER ONE:

INTRODUCTION

Pioneering legislation such as Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act of 1997, and the Assistive Technology Act of 1998 have increased attention to the needs of individuals with disabilities. These regulations require that public programs and services are accessible to people with disabilities (Griffin, 2004).

Students with disabilities are exerting their right to obtain a postsecondary education by seeking civil rights protections under Sections 504 and 508. This descriptive case study examines how a public university designed a policy to address captioning and access of media used in course content to adhere to the requirements of federal legislation.

Early policy research focused on understanding factors that explained the success or failure of policy design and implementation and on the role of individual actors (Smylie & Evans, 2006). This research neglected the broader social and institutional factors in which designers and implementers operate, and it did not consider the effects of the intangible dimensions of policy on the tangible aspects (Rosen, 2009). Faculty at this case University are responsible for changes to the curriculum and are concerned that the captioning and access of media policy will burden them with additional work. Administration is concerned with funding a policy that requires significant technical and staffing support as the university undergoes significant changes to its budget model. This study also address how institutional factors influenced policy design.
Statement of the Problem

State appropriations for public higher education have been steadily decreasing for decades. If current trends continue, average state fiscal support for higher education will reach zero by 2059. This downward funding trajectory could occur earlier in some states and later in others (Mortenson, 2012). While state funding is decreasing, the number of students with disabilities attending higher education is increasing. The percentage of undergraduate students who reported having a disability in 2011-12 was 11% while the number of post baccalaureate students who reported having a disability during this timeframe was 5% (NCES, 2014). The federal government has issued a clear mandate that institutions in receipt of federal financial aid must provide reasonable accommodations to ensure that qualified students with disabilities have access to educational opportunities. Most schools provide some level of support for students with disabilities. These accommodations include alternative exam formats, adaptive technology, readers, note takers, scribes, and sign language interpreters (Lewis, Farris, & Greene, 1999). These adaptations require significant funding.

In higher education, awareness, equity, access, and inclusion are essential for ensuring the success of students with disabilities. Current attitudes reinforce the need for individuals with disabilities to feel empowered. Modern social theory of disability shifts the emphasis from fixing what is wrong with the student to changing the environment to accommodate the student (Castaneda & Peters, 2000). At times, the disabled have tacitly and overtly been denied access to higher education, but governments are increasingly focusing attention on the disabled through legislation, such as the Americans with Disabilities Act (ADA) of 1990 in the United States, the Disability Discrimination Act (DDA) of 1992 in Australia, and the Special Educational Needs and Disability Act (SENDA) of 2001 in the United Kingdom. Article 1 of the UN Convention
on Rights with Disabilities seeks to promote, protect, and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity (United Nations, 2006).

Sections 504 and 508 of the Rehabilitation Act of 1973 state that web content of institutions in receipt of federal financial aid must be accessible to students with disabilities. Qualified individuals can file Sections 504 and 508 lawsuits when an institution that is subject to the Act is in violation of this law (Even Grounds, 2013). These lawsuits have created a cottage industry of attorneys filing Sections 504 and 508 lawsuits. The Higher Education Compliance Alliance was created by the National Association of College and University Attorneys (NACUA) to provide higher education with a central repository of information and resources for compliance with disability laws and regulations (HECA, n.d., para. 1). Web accessibility lawsuits that address noncompliance are shown in Table 1.

Lawyers are not the only group to anticipate the market demand for web accessible content. Third-party providers are producing “white papers” that depict their products and services as the gateway to web content compliance (3PlayMedia, 2014).

The challenges facing policy development in postsecondary institutions to address Sections 504 and 508 of the Rehabilitation Act are threefold: (1) austere reductions in state funding, (2) expending resources to comply with the Department of Education’s edict to make curriculums and websites accessible to students with disabilities, and (3) the exposure to lawsuits in the event of noncompliance.

**Purpose of the Study**

The purpose of this descriptive case study is to examine policy design to conform with Sections 504 and 508 at a public research university through the lens of Bolman and Deal’s four
frames of organizational analysis. These frames include: (a) the structural frame, (b) the human resource frame, (c) the political frame, and (d) the symbolic frame.

Table 1

*Higher Education Web Accessibility Lawsuits*

<table>
<thead>
<tr>
<th>Higher Education Web Accessibility Lawsuits</th>
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<tbody>
<tr>
<td>Atlantic Cape Community College</td>
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<tr>
<td>Arizona State University</td>
</tr>
<tr>
<td>California Community Colleges State Audit</td>
</tr>
<tr>
<td>Capella University/WebCT</td>
</tr>
<tr>
<td>Case Western Reserve University</td>
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<tr>
<td>Finlandia University</td>
</tr>
<tr>
<td>Florida State University</td>
</tr>
<tr>
<td>Harvard</td>
</tr>
<tr>
<td>Louisiana Tech University</td>
</tr>
<tr>
<td>Law School Admissions Council (LSAC)</td>
</tr>
<tr>
<td>Massachusetts Institute of Technology (MIT)</td>
</tr>
<tr>
<td>McNeese State University</td>
</tr>
<tr>
<td>Mesa Community College and Maricopa</td>
</tr>
<tr>
<td>Miami University (Ohio)</td>
</tr>
<tr>
<td>Mt. Hood Community College</td>
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<tr>
<td>New York University</td>
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</table>


**Conceptual Framework**

Bolman and Deal’s (2013) theory of reframing organizations provides a framework for examining and analyzing organizational factors that may contribute to and influence policy design. Goffman (1974) identified frameworks as schemas of understanding that individuals employ to organize daily occurrences into meaningful interpretations. Bolman and Deal (2013) described frames as mental models that allow people to comprehend what is occurring. This leads to a capacity for understanding and the ability to negotiate a particular terrain. Frames establish a method to register and assemble perceptual data into coherent patterns. This allows individuals to think abstractly and negotiate solutions to problems.
Social movement scholars conceptualize meaning construction through the term "framing" (Gamson et al., 1982; Snow, Rochford, Worden, & Benford, 1986; Snow & Benford, 1988). This signifies a dynamic behavioral experience that connotes agency and debate at the level of reality construction. Social framing was viewed by Benford and Snow (1988) as the process of being actively engaged in the production and maintenance of meaning by actors and stakeholders.

Bolman and Deal (2013) posited that when these mental maps are not processing correctly, there is an opportunity to reframe faulty reasoning. Reframing is a conceptual core that is interpreted through evaluation and analysis. This requires the ability to conceptualize a phenomenon as multidimensional and develop alternative ideas and strategies. Bolman and Deal (2013) applied this reasoning to organizations by utilizing four distinct frames: (a) structural, (b) human resource, (c) political, and (d) symbolic. The structural frame encompasses units, subunits, rules, roles, goals and policies. The human resource frame attempts to understand people and human emotions and how individuals contribute to the organization. The political frame views organizations as competitive arenas of scarce resources and competing interests and struggles for power. The symbolic frame finds meaning through faith, ritual, ceremony, story, play, and culture. The symbolic frame is essentially the heart of the organization.

In his book, How Colleges Work: The Cybernetics of Academic Organization and Leadership, Robert Birnbaum (1988) provided university administrators and policy makers with a framework to understand and analyze how universities operate and to characterize the actions and behaviors necessary to successfully lead complex institutions. Modern organizational theory emphasizes flexibility, participation, and quality because technology and globalization have
rendered hierarchical and rigid structures obsolete. But, changing environments create chaos as complex organizations struggle to change inflexible decision-making processes.

Bolman and Deal (2013) utilized organizational theory as a pluralistic roadmap to logically frame each organization to stimulate change by gathering and analyzing information to promote change. In this study, Bolman and Deal’s (2013) framework is utilized as a lens to analyze the captioning and access of media policy design process as shown in Figure 1.

![Conceptual framework of policy design utilizing Bolman and Deal’s four frames.](image)

**Figure 1.** Conceptual framework of policy design utilizing Bolman and Deal’s four frames.

**Research Questions**

1. What factors in the University context had a positive influence on policy design as viewed through Bolman and Deal’s (2013) four frames?

2. What factors in the University context had a negative influence on policy design as viewed through Bolman and Deal’s (2013) four frames?
A factor is a circumstance, fact, or influence that contributes to a result or outcome (Oxford, 2017). In looking for influencing factors, I seek to identify and understand the impact that certain actions or decisions have over the achievement of a goal or objective (GHD, 2010). Factors that would have a positive influence would help the policy design process to achieve its goal while factors that would have a negative influence would have an undesirable effect on the policy design process.

Here is where Bolman and Deal’s (2013) four frames served as an analytical lens. For example, what if the University assigned the policy design task to a unit (structural frame) that lacks staffing and fiscal resources to accomplish the task (human resource frame) or does not possess the political clout to garner the support of stakeholder groups (political frame)? These factors could negatively influence the policy design process, contributing to dysfunction and ill-will, as well as resistance in the University culture, that could negatively affect perceptions of leadership decisions emanating from the policy (symbolic frame) when implementation is “rolled out.”

Bolman and Deal’s (2013) framework guided the identification of factors (circumstances, facts, actions, decisions, etc.) and informed interpretation of the positive or negative influence that the factors have on the policy design process.

Disability Rights Legislation

The watchdog for student disability rights is the Office of Civil Rights (OCR). The OCR is a constituent of the U.S. Department of Education (ED) by serving as the enforcer of legislation that prohibits discrimination in programs or activities receiving federal financial assistance (ED, 2015). The OCR protects the rights of persons with disabilities under two
federal laws. One of these is Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability in programs and activities operated by recipients of federal funds. The other law is Title II of the Americans with Disabilities Act of 1990 (ADA), which prohibits discrimination based on disability by public entities, regardless of whether or not they receive federal financial assistance. The OCR is the agency designated by the U.S. Department of Justice to enforce the regulation under Title II with respect to public educational entities and public libraries (ED, 2015).

Higher education students under this legislation are entitled to academic adjustments and accommodations in higher education and access to educational programs and facilities. Section 504 and Title II prohibit retaliation for filing an OCR complaint, advocating for a right protected by the two laws and/or harassment of students because of a disability (ED, 2014).

**Section 504 of the Rehabilitation Act of 1973, as Amended**

Section 504 is a civil rights statute that prohibits discrimination directed towards individuals with disabilities. Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives federal financial assistance or is conducted by any executive agency or the United States Postal Service (ADA, 2008).

Each federal agency has a set of Section 504 regulations that apply to its programs. Agencies that provide federal financial assistance also have Section 504 regulations covering entities that receive federal aid. Requirements common to these regulations include reasonable accommodation for employees with disabilities; program accessibility; effective communication with people who have hearing or vision disabilities; and accessible new construction and alterations. Each agency is responsible for enforcing its regulations.
The Americans with Disabilities Act Amendments Act of 2008 amended the ADA and included a conforming amendment to the Rehabilitation Act of 1973 that clarifies the meaning of disability in Section 504 so that students or their advocates are not restricted in exerting their rights or seeking remedies or redress under Section 504 (ED, 2016). Thus, Section 504 may also be enforced through private lawsuits. It is not necessary to file a complaint with a federal agency or receive a "right-to-sue" letter before going to court (ADA, 2008). The ability to file lawsuits against offenders addresses the individual rights of students, but Section 504 is an important element in higher education due to the significance of financial aid from the federal government. The U.S. Department of Education ensures that students with disabilities obtain the educational services they need to succeed in school (DOJ, 2009).

Section 508 of the Rehabilitation Act of 1973

Section 508 requires federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public. An accessible information technology system is one that can operate in a variety of ways and does not rely on a single sense or ability of the user. For example, a system that provides output only in visual format may not be accessible to people who are blind or have low vision, and a system that provides output only in audio format may not be accessible to people who are deaf or hard of hearing. Some individuals with disabilities may also need accessibility-related software or peripheral devices in order to use systems that comply with Section 508 (U.S. DOJ, 2009).

Relationship of Sections 504 and 508. Under Section 504, agencies must provide individuals with disabilities meaningful access to their programs, activities, and facilities. Section 508 of the Rehabilitation Act requires institutions to make electronic and information technology used, maintained, developed, or procured accessible to individuals with disabilities.
If making the electronic and information technology accessible imposes an undue burden, then it is necessary to provide individuals with disabilities the information and data in another way. Section 508 is one method of ensuring Section 504 compliance (SSA, 2010). Academic programs in higher education often utilize technology and Section 508 helps institutions design and evaluate technology for accessibility. Section 508 grants explicit authority to Section 504 through the technology component.

**Americans with Disabilities Act of 1990 (Amended 2008)**

The ADA Amendments Act of 2008 broadened the interpretation of disability relative to the original Act. The ADA prohibits discrimination based on disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications (DOJ, 2009).

To be protected under the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all impairments because a comprehensive list would not be correct due to the varying degrees and multiple instances of physical, cognitive, mental, and chronic diseases and impairments (ADA, 2008).

**ADA Title II: State and Local Government Activities**

Title II covers all activities of state and local governments in receipt of federal funding. Title II requires that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (ADA, 2008).
Higher education institutions may not discriminate based on disability. In drafting new policy, each institution must ensure that the programs it offers, including extracurricular activities, are accessible to students with disabilities. Higher education can provide aids and services necessary for effective communication and modify policies, practices and procedures (Pacer, 2016). Revisions to existing discriminatory policies will ensure compliance and adhere to federal policy requiring equal opportunity and access.

**Institutional Context**

Decreases in state funding, the development of accountability metrics, and calls to reduce the cost of a college education have fueled unprecedented changes at public institutions. A summary of this case university’s operating environment is presented below.

**Performance-based Funding.** Universities have responded to declining state appropriations by raising tuition. This transfers the burden of an education from the state to the student and significantly increases student loan obligations (Zumeta, 2004). This shift has generated criticism that a public education is now out of reach for many Americans. Pew Research (2011) reported a majority of Americans (57%) say higher education fails to provide students with value for their money, and an even larger majority (75%) say college is too expensive. States are answering the call to lower costs of postsecondary education by aligning funding with state priorities and objectives.

Performance funding is a method of financing public education through outcomes rather than inputs, such as access and enrollment. The purpose of performance funding is to encourage changes in established behavior that achieve objectives by associating state funding with institutional performance (Burke & Minassians, 2003). This return-on-investment model uses outcome-based metrics to determine higher education institutions’ use of state dollars to
demonstrate that higher education is fully engaged in student success (McLendon & Hearn, 2013).

**Metrics.** States measure “performance” using metrics such as student retention, graduation rates, job placement, career advancement, faculty productivity, campus diversity, and student scores on licensure exams (Tandberg & Hillman, 2013). The Florida Board of Governors (BOG) developed performance funding metrics with the goal of increasing graduation and employment rates in targeted program areas and increasing the number industry certifications (Friedel, Thorton, D’Amico, & Katsinas, 2013). Florida universities now compete for funding through institutional improvements in established benchmarks. Policymakers argue this funding model encourages institutions toward value-added outcomes (Burke, 2002; Dougherty & Hong, 2006; Layzell, 1999; Ruppert, 1995). The State University System of Florida has three tools to monitor and report outcomes at each institution in the system:

1. The Board of Governors’ 2025 System Strategic Plan is driven by goals and associated metrics that stake out where the System is headed;
2. The Board’s Annual Accountability Report provides yearly tracking for how the System is progressing toward its goals;
3. Institutional Work Plans connect the two and create an opportunity for greater dialogue relative to how each institution contributes to the System’s overall vision.

These guidelines assist the Board with strategic planning, setting goals, and evaluating efforts to achieve goals. Each institutional Work Plan is approved by each institution’s Board of Trustees, and the Board of Governors reviews each Work Plan for potential acceptance (BOG, 2014).
The State University System (SUS) of Florida funding model includes ten metrics used to evaluate performance of SUS institutions. These metrics were chosen after reviewing more than forty metrics identified in the University Work Plans. The model has four guiding principles: (1) to use metrics that align with SUS strategic plan goals; (2) to reward excellence or improvement; (3) to use metrics that are clear and simple to understand; and (4) to acknowledge the unique mission of each institution (BOG, 2014). The financial incentive to ensure each university strives to improve and achieve key metrics is comprised of new state funding and a reallocation of the base state funding allocation (BOG, 2014). The ten metrics utilized by the Florida Board of Governors to determine funding for each of the twelve universities that comprise the State University System of Florida are shown in Table 2.

Seven of the metrics apply to all eleven institutions in the state. The eighth metric, “graduate degrees awarded in areas of strategic emphasis,” applies to all institutions except New College. The alternative metric for New College is “freshman in the top 10% of graduating high school class.” Board of Governor’s Choice, the metric selected by the Board of Governors, focuses on areas of improvement distinct to each institution. The University of Florida and Florida State University have a metric that focuses on faculty awards aligning with the focus of research at those schools. The remaining eight universities all have “percentage of students graduating without excess hours.” The “Board of Trustees’ Choice” allows each BOT to select a metric in the University Work Plan that is applicable to the mission of that university and which was not previously chosen for the model (BOG, 2014).

States have traditionally allocated higher education appropriations using enrollment-based metrics. Policymakers are concerned this model does not increase retention and achieve degree completion. Federal policy has shifted from a focus on enrollment-based inputs to a
focus on outputs and enhancing accountability through improving retention, course completion, and degree attainment (St. John, Daun-Barnett, & Moronski-Chapman, 2013).

Table 2

*Florida SUS Performance Metrics*

<table>
<thead>
<tr>
<th>Metrics Common to All Institutions</th>
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<tbody>
<tr>
<td>1. Percent of bachelor’s graduates employed and/or continuing their education further</td>
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<tr>
<td>2. Average wages of employed baccalaureate graduates</td>
</tr>
<tr>
<td>3. Cost per unit of undergraduate degree</td>
</tr>
<tr>
<td>4. Six-year graduation rate (full-time and part-Time FTIC)</td>
</tr>
<tr>
<td>5. Academic progress rate (2nd year retention with GPA above 2.0)</td>
</tr>
<tr>
<td>6. Bachelor’s degrees awarded in areas of strategic emphasis (includes STEM)</td>
</tr>
<tr>
<td>7. University access rate (percent of undergraduates with a Pell grant)</td>
</tr>
<tr>
<td>8. Graduate degrees awarded in areas of strategic emphasis (includes STEM)</td>
</tr>
<tr>
<td>9. Board of Governor’s choice</td>
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<tr>
<td>10. Board of Trustees’ choice</td>
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*Note.* Adapted from “Florida Board of Governors Performance Funding Model Overview - January, 2014.”

Following the change in federal policy, Florida lawmakers passed Statute 1001.7065 (Amended 2016) entitled *Preeminent State Research Universities Program* “to elevate the academic and research preeminence of Florida’s highest-performing state research universities.” For “emerging preeminence,” a school must meet at least six of the twelve academic and research excellence standards. For “preeminence,” an institution must meet at least eleven of the twelve academic and research excellence standards. The statute awards each preeminent institution up to $5 million per year with the expectation that "emerging" schools will become preeminent universities. The University of Florida (UF) and Florida State University (FSU) met the Legislature's benchmarks for preeminence since 2013. The University of South Florida became the first Florida institution to achieve emerging preeminence by achieving nine of the twelve benchmarks. Since that time, USF’s six-year graduation rate and student retention rates improved and the Florida Board of Governors subsequently voted to designate USF as a “Preeminent State Research University” in June 2018 (USF News, 2018).
Responsibility Centered Management. Responsibility Centered Management (RCM) is a decentralized approach to budget allocation that assigns greater control over resource decisions to academic colleges and deans. Under this budget model, revenue-generating areas are referred to as "responsibility centers" with all or most of the institution's revenues and support costs assigned to them. Under RCM academic leaders would theoretically have more control of financial resources, leading to more informed decision-making and better outcomes. Responsibility Centered Management enhances transparency regarding revenues and costs, designates authority and accountability to academic deans and vice presidents, and increases incentives to achieve and optimize revenue generation and cost containment. Nonacademic support units are “service center” units that provide administrative, institutional, and student support. Transfer pricing to academic “responsibility centers” recovers operating costs, such as salaries, costs of materials, and space costs (University of Arizona, 2016). Since RCM allocates costs using metrics that reflect use of resources, it is most effective in an environment of transparency and accountability (Rutgers, 2014).

This University is currently implementing RCM and is undergoing an organizational transformation that includes a significant change in reporting relationships. Areas that focus on key funding metrics are expanding and receiving increased budget allocations while areas not deemed critical to the strategic plan are downsizing, and budgets are diminishing. Personnel changes range from top leadership to line positions.

Policy Development

A guide to the Florida Board of Governors authority, regulation process, and the University policy promulgation process is outlined below.
Florida Board of Governors Guidelines

The authority delegated to the Florida Board of Governors (BOG) was articulated in the *Proposed by Initiative Petition* filed with the Secretary of State on August 6, 2002 that was formally adopted in 2002. Article IX, section 7(b) of the Florida Constitution states, “There shall be a single state university system comprised of all public universities. A board of trustees shall administer each public university, and a board of governors shall govern the state university system” (Fla. Const. art. IX, § 7). A central tenet of this authority is to establish a consistent process for developing Regulations that apply to the state university system (SUS). The BOG defines Regulations as statements of general applicability to guide the conduct or actions of universities. Regulations do not include budgets, legal matters, contractual provisions, or curriculum.

The following regulation process was approved by the BOG on March 23, 2006. The BOG provides notice of a proposed regulation or change in regulation by: (a) posting the regulation for 30 days prior to the adoption or repeal of a regulation; (b) soliciting written comments within 14 days of the posting; and (c) soliciting additional comments, scheduling a hearing, withdrawing or modifying the regulation, or repealing in whole or in part. Once adopted, the regulation is filed with the Office of the Chancellor and posted to the BOG website. The BOG has written procedures addressing the adoption of emergency regulations, for challenging promulgated, non-promulgated, and emergency regulations, and for filing appeals.

University Policy Process

While the Board of Governors has a Regulation process, the University has separate procedures for Regulations and Policies. The University adopts Regulations when the subject matter pertains to a Florida statute, BOG regulations, or another legally recognized entity that is
able to direct the University to adopt guidelines regarding some aspect of the System (University and separately accredited institutions). The University develops Policy when there are statements with broad application to guide the conduct of the System or the individual Institutions within the System and their constituents, and which require approval by the President or the appropriate Chancellor. Generally, Policies are developed to assist with Institutional compliance, promote operational efficiencies and/or enhance the System or the individual institution’s mission.

The System can adopt system-wide policies while separately accredited institutions within the System may issue separate policies when appropriate. The University policy process is consistent with the BOG Regulation Development Procedure. Responsible Offices (ROs) are identified as: (a) Academic Affairs, (b) Advancement and Alumni Relations, (c) Athletics, (d) Audit and Compliance, (e) Business and Finance, (f) Diversity, Inclusion & Equal Opportunity, (g) Government Relations, (h) Research & Innovation, (i) Strategic Development, (j) Medical Health Services, (k) University System Services, and (l) Separately Accredited Institutions. The University Policy Process contains instructions for repealing a policy. This includes submitting a Request to Repeal a Policy form to Legal Council (GC). With RO approval, the Policy is repealed and archived. The University policy process is shown in Figure 2, and the steps are listed below:

1. Responsible Office (RO) proposes a new, revised, or repealed Policy.
2. RO reviews with stakeholders.
3. RO develops template and submits to the General Counsel (GC) with written request for promulgation.
4. GC develops formal draft for posting.
5. GC posts to website.
6. System reviews posting for 30 days.
7. GC forwards comments to RO, and RO makes request for final approval.
8. President or Chancellor signature.

Figure 2. University policy process. Adapted from “University Policy Development Process Flowchart.”

Patton, Sawicki, and Clark (2015) posited that analysis of process and policy provides a comprehensive means to document contemporary policy problems. Policy development situates the policy process within the local context of the organization and can reveal important factors such as political or funding issues (Schouten, Mizyed, Al-Zoubi, Abu-Elseoud, & Abd-Alhadi, 2007). When an institution analyzes the design or implementation process, the organization can learn from the analysis and apply modifications (Jain, Mishra, Dighe, & Goswami, 2006).

The steps of the institution’s policy design process provide a way of organizing the story of the case and presentation of findings by describing what occurred in each of the process steps and describing the findings that emerged through the analysis guided by Bolman and Deal’s four frames. This provided opportunity for describing the local context, revealing those factors that
influenced the design process, either positively or negatively, and interpreting the meaning and impact of those factors.

**Definition of Terms**

**Captions** are defined by the National Institute on Deafness and Other Communication Disorders (NIDCD) as a series of words superimposed on Media sources that allows dialogue to be read and describes other important audible cues. Captions allow viewers who are deaf or hard of hearing to follow the dialogue and the action of a program simultaneously.

**Open vs. Closed Captioning**: The NIDCD delineates between "Open" and "Closed" Captions. Open Captioning is Captions that appear automatically while Closed Captioning is Captions that must be turned on via a DVD menu, a TV/computer function, or a decoder. Both are acceptable alternatives. Open Captioning may be less expensive to produce.

**Frames** are defined by Bolman and Deal (2013) as mental models that facilitate understanding and help negotiate a particular area at a certain point in time. Frames allow individuals to: (a) cognitively register and assemble perceptual data into coherent patterns, (b) comprehend what is transpiring, and (c) develop solutions to problems. Frames utilize affective judgments where thoughts and feelings work together.

A **factor** is a circumstance, fact, or influence that contributes to a result or outcome (Oxford, 2017).

**Influence** is defined as the power or capacity of causing an effect in indirect or intangible ways (Merriam-Webster, 2017). In this study, factors that would have a positive influence would help the policy design process to achieve its goal while factors that would have a negative influence would have an undesirable effect on the policy design process.
**Instructor Produced Media** is defined by Wang (2016) as media that is generated and/or created by an instructor of record or a university collaborator or associate.

**Interactive Transcripts** is defined by Dukes and Morris (2017) as a tool for media consumption. Similar to subtitles, an interactive transcript is displayed beside the audio or video source. As the user hears the words being spoken, the matching words in the transcript are underlined or highlighted. Interactive transcripts allow users to interact with videos. Users can search the transcript of the video and navigate to an exact point by clicking on any word.

**Media** is defined by Cohen (2010) as the serving of content, generally created by professionals, to an audience aggregated around a topic of interest and delivered in a variety of formats on a regular schedule. In education, this definition includes digital media and recordings where sound is part of the educational experience.

**Third-Party Media** is defined by Cohen (2010) as content that is created by experts and sold through mass marketing distribution channels such as newspapers, magazines, radio or television, and portals such as Twitter. In education, third-party media is commercial content that is not produced by the instructor and must be purchased from a third-party vendor.

**Transcripts** are defined by Merriam-Webster (2017) as written, printed, or typed copy of dictated or recorded material, or media resource.

**Assumptions**

The following assumptions apply to this study:

1. A University policy to comply with Sections 504 and 508 has been designed.
2. Interview participants will answer the questions honestly, objectively recount their observations and circumstances, and fairly relate their experiences.
3. Archival and public documents associated with the design process are accessible.
Limitations

Locke, Spirduso, and Silverman (2014) identified research limitations as the limiting conditions or restrictive weaknesses. This descriptive case study takes place at one research university in Florida. Findings may not be generalizable to other universities.

However, as noted by Lincoln and Guba (1985), a qualitative researcher may transfer the findings of one study to another study with a different population as long as descriptive data allows such a comparison. Guba (1981) referred to this concept as applicability and posited that a researcher does not develop generalizations applicable in all situations, but it is possible to form working hypotheses that may be transferred from one context to another depending upon the degree of “fit” between the contexts. Results found in relation to policy design to comply with Sections 504 and 508 could possibly be generalized to similar policy design experiences in other institutions.

A small sample size allows for a depth of study rather than a breadth of study across a large population (Patton, 2002). Polkinghorne (2005) wrote that a purposeful selection of rich exemplars enriches the understanding of the phenomenon of study. Since this is a study of policy design to comply with Sections 504 and 508 policy in one university, the site, including relevant documents and individuals involved in the policy design process, are appropriately selected to study the phenomenon of interest.

Significance of the Study

The National Center for Educational Statistics (NCES) reported that 707,000 students with disabilities attended postsecondary institutions in 2011 (Raue & Lewis, 2011). The Florida Board of Governors reported 10,904 students with disabilities in the State University System in 2012-13. Table 3 is derived from the student disability service centers at each university.
It was decided by the Board of Governors not to include students with disabilities on the student university file because postsecondary students have the right to (or not to) self-identify; therefore, the numbers would always be incorrect (Participant Seventeen, personal communication, March 9, 2015). Although the precise number and classification of students with disabilities may not be known, this growing segment of the student population requires access to curriculums to successfully matriculate through college. Additionally, higher education has increased online classes and digital learning materials in electronic format. Accessibility to online materials brings additional challenges for students with disabilities.

Table 3

*Florida SUS System Disabled Student Headcount*

<table>
<thead>
<tr>
<th>Disability Category</th>
<th>FAMU</th>
<th>FAU</th>
<th>FGCU</th>
<th>FIU</th>
<th>FSU</th>
<th>NCF</th>
<th>UCF</th>
<th>UF</th>
<th>UNF</th>
<th>USF</th>
<th>UWF</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing</td>
<td>9</td>
<td>37</td>
<td>16</td>
<td>48</td>
<td>1</td>
<td>58</td>
<td>26</td>
<td>36</td>
<td>41</td>
<td>25</td>
<td>257</td>
<td></td>
</tr>
<tr>
<td>Vision</td>
<td>23</td>
<td>35</td>
<td>9</td>
<td>18</td>
<td>2</td>
<td>54</td>
<td>26</td>
<td>31</td>
<td>40</td>
<td>20</td>
<td>258</td>
<td></td>
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<tr>
<td>Learning</td>
<td>242</td>
<td>203</td>
<td>168</td>
<td>652</td>
<td>14</td>
<td>398</td>
<td>280</td>
<td>157</td>
<td>242</td>
<td>75</td>
<td>2,431</td>
<td></td>
</tr>
<tr>
<td>Orthopedic</td>
<td>44</td>
<td>107</td>
<td>15</td>
<td>82</td>
<td>0</td>
<td>82</td>
<td>54</td>
<td>3</td>
<td>101</td>
<td>27</td>
<td>515</td>
<td></td>
</tr>
<tr>
<td>Speech/Language</td>
<td>8</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>12</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>2</td>
<td>34</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emotional/Behavioral</td>
<td>43</td>
<td>181</td>
<td>82</td>
<td>188</td>
<td>14</td>
<td>195</td>
<td>257</td>
<td>112</td>
<td>131</td>
<td>65</td>
<td>1,268</td>
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<tr>
<td>Autism Spectrum Disorder</td>
<td>1</td>
<td>73</td>
<td>7</td>
<td>62</td>
<td>5</td>
<td>52</td>
<td>17</td>
<td>18</td>
<td>10</td>
<td>23</td>
<td>268</td>
<td></td>
</tr>
<tr>
<td>Traumatic Brain injury</td>
<td>12</td>
<td>8</td>
<td>0</td>
<td>18</td>
<td>0</td>
<td>33</td>
<td>10</td>
<td>1</td>
<td>0</td>
<td>8</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>ADD/ADHD</td>
<td>132</td>
<td>180</td>
<td>233</td>
<td>559</td>
<td>20</td>
<td>460</td>
<td>389</td>
<td>354</td>
<td>153</td>
<td>95</td>
<td>2,575</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>120</td>
<td>143</td>
<td>86</td>
<td>86</td>
<td>16</td>
<td>158</td>
<td>166</td>
<td>462</td>
<td>171</td>
<td>49</td>
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<td></td>
</tr>
<tr>
<td>Multiple</td>
<td>14</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>116</td>
<td>135</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary</td>
<td>8</td>
<td>8</td>
<td>0</td>
<td>42</td>
<td>0</td>
<td>23</td>
<td>8</td>
<td>12</td>
<td>12</td>
<td>1</td>
<td>102</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>656</td>
<td>971</td>
<td>624</td>
<td>1,629</td>
<td>1,855</td>
<td>1,502</td>
<td>1,252</td>
<td>886</td>
<td>901</td>
<td>556</td>
<td>10,904</td>
<td></td>
</tr>
</tbody>
</table>


Higher education institutions must be vigilant when selecting digital learning materials and technologies when developing curriculums and course materials. There have been increased
numbers of complaints filed with the Office for Civil Rights (OCR) of the U.S. Department of Education and the Civil Rights Division (CRD) of the U.S. Department of Justice regarding the accessibility of digital content, online delivery systems, and technologies. It is therefore important for postsecondary institutions to be aware of their legal obligations in order to ensure that all of their students are able to participate in and benefit from these new learning opportunities (CAST, n.d.). While disability rights’ advocates envision a day when universal design strategies permeate all aspects of society, legislation is driving higher education to implement policy addressing access to curriculums.

An advisor observed that institutions frequently implement policy, but little analysis is done on the impact of the policy and the meaning of that impact in a particular organizational context. When analysis is conducted, it is done within a complex arena of competing interests, and little consideration is given to the impact of those implementing the policy and those subject to the action (Participant Sixteen, personal communication, June 4, 2016). This study reviews the organizational context in which the captioning and access of media used in course content policy was designed.

**Organization of the Study**

The literature review in Chapter 2 examines educational policy research and the relationship between policy and practice as well as the unintended consequences that policy decisions have on participants and those the policy is intended to help. A history of organizational theory is presented with particular attention to Bolman and Deal’s (2013) theory of reframing organizations. Chapter 3 describes the research design and methods for this study. The description includes sampling procedures, instruments used, data collection and analysis, and actions to be taken to ensure validity and reliability.
CHAPTER TWO:

LITERATURE REVIEW

There is a growing consensus that rigorous evidence and data can and should be used, whenever possible, to inform critical public policy and budget decisions. In areas ranging from criminal justice to education, government leaders are increasingly interested in funding what works... (Pew, 2016).

Organization of the Literature Review

The literature review first looks at the history of educational policy and factors that influence policy research, design, and implementation. The next section investigates how the university context influences the policy process utilizing Bolman and Deal’s (2013) four frames: structural, human resource, political, and symbolic.

Educational Policy Research

History of Educational Policy Research

Policy design and implementation occurs within many contexts of contemporary social life (Sutton & Levinson, 2001). As a social barometer, policy is derived from values that inform the dominant discourses in the socio-political environment, and these values are derived from this discourse (Bell & Stevenson, 2006). Yet, there is considerable debate regarding the role of the federal government in the educational policy process. This concern is illustrated by an observation from Senator Lamar Alexander (R-TN), Chairman of the Senate Health, Education, Labor, and Pensions Committee:

A number of states, including Tennessee, are taking innovative steps to reduce college costs by tying state aid to graduation rates and other measures. But, Washington needs to
be careful about taking a good idea from one state and forcing all 6,000 institutions of higher education to do the same thing, turning Washington into a sort of national school board for our colleges and universities (Friedel et al., 2013).

Like Senator Alexander, Oklahoma State University Provost Robert Sternberg called such interventions “federal overreach” and said academic metrics and funding decisions are best left to the states (NewsOK, 2012). Yet, the reality is that the U.S. government holds the power of the purse strings, and institutions that are recipients of Title IV federal financial aid must comply with directives that represent current political goals. When considering the role of the federal government in educational policymaking, it is imperative that policy makers understand what level of government is issuing promulgations. If these are directives from the executive branch, then policy makers should study key initiatives of the White House and agencies of the federal government such as the Department of Education. If the directives are from congressional statutes, then policy makers should consider which party controls the house. If the judiciary and the courts play a significant role in analysis, then policy makers should study key findings of the court and how they decided similar cases (Vinovskis, 2009).

Early policy research was one-dimensional and followed sequential steps that began with problem identification, design, implementation, and evaluation (Porter & Hicks, 1991). Policy research evolved over time and focused on distinctive areas of emphasis. Education policy research now considers a wide range of topics from politics and power to financing and budget constraints (Sykes, Schneider, & Plank, 2009). Implementation outcomes are the result of a myriad of interactions and activities among policy, people, and places. By highlighting the role of values, beliefs, and identities in the policy process, researchers are given analytic tools to
discover patterns and determine what methods produce positive outcomes (Bell & Stevenson, 2006).

There is general agreement policy implementation research has occurred in three discrete phases (Goggin et al., 1990; Lennon & Corbett, 2003; Odden, 1991; Radin, 2000; Wildavsky, 1979). A summary of each timeframe is given below.

**Period 1: Implementing societal goals in the 1960s.** Policy during this timeframe was implemented to meet Great Society programs that addressed dominant issues of the era such as the Vietnam War, birth control, abortion, civil rights, and equal rights (Vinovskis, 2009). Policy research in the 1960s sought to examine and explain comprehensive national collective goals such as affirmative action in the Elementary and Secondary Education Act (ESEA) and the Higher Education Act (HEA) of 1965 (Honig, 2006). Federal, state, and local levels at the executive, legislative, and administrative branches were immersed in implementing societal goals. When implementation failed, management theorists held the organization responsible, Economists believed the market was at fault, and Sociologists espousing Max Weber’s ternary class stratification blamed class, status, and power for society’s ills (McLaughlin, 1987). Researchers believed the fundamental cause was conflicts between policy designers and policy implementers (Murphy, 1971). This viewpoint places the emphasis on individuals rather than institutions and supports the central tenet that implementation research should focus on individual implementers that are acting from incentives, beliefs, and capacity (McLaughlin, 1987).

**Period 2: Longitudinal studies in the 1970s - …it’s time to return education policy back to the local communities** (Garrett, 2011).
Education reform such as Title 1 of ESEA that characterized early education policy continued during the 1970s. It became evident that social programs to eliminate poverty for the nation’s disadvantaged school children were best represented by longitudinal studies to bring implementation to practice (Honig, 2006). It also became evident that successful implementation required a redistribution of power since education of the nation’s poor was not a coalition of influential stakeholders (Murphy, 1971). This required federal intervention and additional leverage to bring implementation into practice. But, power alone cannot effectuate change in attitudes, beliefs, and practices of reform policies (McLaughlin, 1987). As noted by Honig (2006), the interaction of policy, individuals, and context affects implementation. This period marked a time when comprehensive studies explained these interactions but did not attempt to explain what effect or significance these policies had on the stakeholders.

Federal policy during the 1960s distributed funds to schools to implement broad federal programs locally during the 1970s. The Rand Change Agent Study emphasized that policy implementation should examine the local context of policy, people, and places, and consider their associated perspectives, practices, and principles. The Rand study concluded that successful implementation was not the result of federal policy or federal funds but local factors (McLaughlin, 1990).

**Period 3: Attention to policy success in the 1980s.** Practices from other periods revealed a dichotomy between policy design and policy implementers (Anderson et al., 1987). As McLaughlin (1990) posited, successful implementation is the result of local capacity, motivation, and commitment. Capacity can be rectified but motivation and commitment are more elusory due to implementers’ competing priorities. States began initiating comprehensive reform policies that attempted to bridge the divide of policy design and policy implementers
(Honig, 2006). This stage of policy research began to focus on evaluation and analysis of incentives, directives, and understanding the obstacles that inhibit policy from implementation success (McDonnell & Elmore, 1987).

Educational policy research during this timeframe was evaluative in nature and attempted to explain what constituted success and to explain the reason for failure (Levinson, Sutton, & Winstead, 2009). This approach did not consider the intrinsic, tacit, or unintended consequences of policy formation on those who are the recipients of such policy. Instead, policy research focused on power relationships which promoted inequality while furthering the interests of the powerful (Levinson et al., 2009).

**Politics and Power in Educational Policy**

When considering the connection of power and money, the tagline from the movie *The Lookout* seems fitting. Frank (2007) writes:

*Whoever has the money has the power.*

Using the commutative principle to read,

*Whoever has the power has the money.*

Is equally true and collectively you have *politics*.

When searching for social practices of power, it is imperative to look beyond the authorized or sanctioned representation of meaning because the bureaucratic landscape of education often undermines the true intent of policy. Applying a critical lens, policy further empowers the powerful by extending and codifying the dominance and influence of those in power (Levinson et al., 2009). Critical theorists examine the effects of this concentration of power and attempt to overcome such power structures to liberate the oppressed from domination. Paulo Freire (1970) sought to emancipate the oppressed through education. By reflecting on the
world, the oppressed can experience freedom by effectuating change and thus improve their own outcomes. Freire (2003) encouraged those in education research to reflect on their role in developing policy and on their responsibility to those that are impacted by such decisions. When policy makers understand where power resides, they can implement change and transform policy from theory to praxis (Levinson et al., 2009).

Foucault (1980) posited that power shapes the construction of knowledge and that this power is derived from the culmination of efforts when discourse translates to practice. Auditors are trained to examine the “tone from the top” when assessing the risk of material misstatement of the financial statements due to fraud. In the same context, educational researchers should also question traditional power structures that are controlled, directed, or instituted from the top level and develop reflexive techniques to understand the dynamics within the groups affected by policy (Stovall, 2009). Analysts must look beyond the superficial to determine what circumstances give authority to complex situational factors (Levinson et al., 2009).

Bell (1995) suggested that laws and policies that benefit marginalized groups are implemented only when they benefit those in power and refers to this phenomenon as interest convergence. Honig (2006) posited that education policy implementation must be understood as a site of struggle and emphasized the need to employ critical social science to explain existing power relations and to develop and reify intervention strategies. Those in power formulate policy that shapes the lives and experiences of those in a subordinate position. Judicial intervention in education policy is often necessary to counterbalance the existence of inequity, injustice, and the imbalance of power.
Economics and Accountability in Educational Policy

During the twentieth century, the U.S. led the world in higher education attainment levels. By 2012, the U.S. had fallen to 14th among 37 OECD G20 countries of 25-34 year-olds with higher education. The number of U.S. citizens in this age bracket with postsecondary education is 42%, far behind Korea at 65%, the Russian Federation at 54%, Canada 51%, Israel 46%, and Japan 45% (Organization for Economic Co-operation and Development [OECD], 2012). The current U.S. federal policy reflects the realization that to reclaim prominence as the world leader, the U.S. population must be educated and technically savvy (Friedel et al., 2013). President Obama released his budget request for fiscal year 2015 that awarded bonuses to colleges and universities that increase graduation rates for Pell Grant recipients and awards other initiatives that support outcome-based metrics. These initiatives are the result of escalating tuition costs (ACE, 2014). The White House education budget request is in direct response to complaints that the cost of higher education has spiraled out of control and is beyond the reach of many Americans. Pew Research (2011) reported a majority of Americans (57%) say higher education fails to provide students with value for their money, and even larger majorities (75%) say college is too expensive.

Education plays a pivotal role in improving the economic infrastructure in the United States. A diverse economy, human resource skills sought by the market, and education are interrelated to achieve national development goals (Bell & Stevenson, 2006). Tuition costs have traditionally been shared by the federal government, states, higher education institutions, employers, philanthropy, parents, and students. As the result of escalating tuition costs, federal and state budget deficits, economic downturns and job losses, the federal government began to rely on student loans for assisting students with financing a college education. At the state level,
the defunding of higher education continued through cuts in state appropriations. Higher education institutions responded by raising tuition costs. Student loans and higher tuition costs essentially transfers the cost of an education from the federal and state governments to the student (Hurley, Harnisch & Nassirian, 2014).

States are answering the call to lower the costs of higher education by implementing performance funding programs that are essentially incentive structures that link institutional funding levels to performance outcomes. States measure “performance” in various ways using metrics such as student scores on licensure exams, job placement rates, faculty productivity, and campus diversity (Tandberg & Hillman, 2013). States have traditionally allocated higher education appropriations using enrollment-based metrics. Policymakers are concerned this model does not increase retention and achieve degree completion. As a result, many states are reconsidering the enrollment-based funding model and are instead aligning funding with state priorities and objectives. Reduced tax revenues and increased demand for services such as corrections and Medicare have forced states to implement performance-based measures when determining higher education budgets. This return-on-investment model uses outcome-based metrics to determine higher education’s use of state dollars.

Performance funding was first advanced in 1979 when Tennessee implemented a performance-funding model. From the years 1979 through 2007, twenty-six states incorporated performance as criteria in higher education funding decisions. Over half the states discontinued the early performance programs because institutions were not aligned with the “one-size-fits-all” model. Additionally, states did not provide sufficient monetary incentives to warrant the cost and effort (Miao, 2012). Florida cited poor technology and analysis capacity, limited legislative
and executive leadership commitment, and unrealistic expectations as factors that affected the reform efforts during this period (Turcotte, 1997).

In the 1990s, the U.S. experienced a downturn in the economy, and state governments once again shifted attention to accountability. Policymakers demanded efficiency metrics such as enrollment, graduation, transfer rates from community colleges, and standardized test scores. Appropriations were aligned with outcome-based performance indicators such as graduation rather than input measures such as enrollment (Zumeta, 2001). There is renewed interest in performance funding as a result of the recent downturn in the economy. In 2013, thirty-nine states had performance funding programs in some stage of implementation; twenty-two states had active performance funding plans, seven were transitioning to performance funding, and ten states were holding formal discussions (Friedel et al., 2013).

The purpose of performance funding is to encourage changes in established behavior that achieves objectives by associating state funding with institution performance (Burke & Minassians, 2003). States are directly tying budget allocations with performance indicators such as retention, course completion, and degree attainment. Other metrics such as service, job placement, and career advancement are also being considered when distributing state appropriations. Performance funding is a method of financing public education through outcomes rather than inputs such as access and enrollment. Policymakers argue this funding model encourages institutions toward value-added outcomes (Burke, 2002; Dougherty & Hong, 2006; Layzell, 1999; Ruppert, 1995).

As state funding continues to decline, higher education institutions are coming under increased pressure to demonstrate they are fully engaged in student success. Performance
funding is currently implemented (or in the process of being implemented) in the majority of states in the United States (McLendon & Hearn, 2013).

There is concern that performance funding creates dysfunction as universities lose focus of their mission while focusing on achieving metrics, much the same way K-12 is criticized for teaching children how to take standardized tests instead of teaching creativity, critical thinking, and deep learning. These critics argue that “teaching to the test” leads to a narrowing of the class curriculum instead of exploring topics and approaches to teaching that may not produce results on paper (Garrett, 2014). Tandberg and Hillman (2013) posited there was little empirical evidence performance funding produces results. Controlling for other factors, these researchers found no evidence that performance funding had a significant impact in the number of Associate and Baccalaureate degrees produced in states with performance funding. In those states where performance funding did have an effect, results did not occur for several years. Harnisch (2011) suggested that chosen indicators measure only a small portion of the institutional landscape and may have negative effects on accessibility, affordability, mission, and quality.

In 2014, twenty-five states have a funding formula in place that allocates some amount of funding based on performance indicators such as course completion, time to degree, transfer rates, the number of degrees awarded, or the number of low-income and minority graduates. Colorado, Georgia, Montana, South Dakota and Virginia are currently transitioning to some type of performance funding; the Legislature or governing board has approved a performance funding program and final details are currently being formulated (NCSL, 2014).

Two performance models known as PF 1.0 and PF 2.0 are used to distinguish funding methodologies (Albright, 2009). PF 1.0 refers to funding over and above state appropriations when performance metrics are met or exceeded (Burke, 2002; Dougherty, Hare, & Natow, 2009).
PF 2.0 programs rely solely on outcome measures, and funding criteria are directly embedded into state appropriations rather than being a surplus to funding as in PF 1.0 (Dougherty & Reddy, 2011). In both models, funding criteria are determined by applying a weighted average for specified performance criteria where the institution is funded by meeting predetermined metrics and goals (Tandberg & Hillman, 2013).

Performance modeling criteria fall into three broad categories: performance funding, performance budgeting, and performance reporting (Burke, 2002). Performance funding uses prescribed methods to connect institutional performance with retention, completion, and attainment indicators (Burke, 2002; Dougherty & Hong, 2006; Lumina, 2009; Zumeta, 2001). Performance budgeting focuses on variations in funding as the impetus to change and assumes the economic rational theory that institutional actions will maximize gain and minimize losses. Performance budgeting refers to policymakers’ decision to consider institutional achievements on performance indicators as one factor in determining their budget allocations to those institutions (Dougherty & Reddy, 2013). Performance reporting involves little or no explicit connection between performance and funding (Dougherty & Reddy, 2013). Reporting is limited to the publication of metrics and whether those results were obtained (Dougherty & Hong, 2005).

**Influence of Performance Funding on Policy Design**

In the public domain, advertisers, producers, networks, cable services, the federal government, foundations, corporations, and individuals all participate in funding the cost of captioning (WGBH, 2017). In higher education, this cost is borne by each institution. As state appropriations continue to decline, the impact of economics and accountability will influence policy design, including special needs accommodations such as media captioning. This will make alignment with policy requirements challenging, as well as alignment with institutional
missions and strategic goals. A “one-size-fits-all” model is not appropriate or reasonable. Dougherty and Hong (2005) encouraged states to commit significant funding so schools are incentivized to meet performance measures while still complying with federal regulations. The overriding goal of performance funding is to provide the incentive for institutional change to benefit all students.

**Influence of Law on Educational Policy**

Educational law defines boundaries, provides direction, guides decision making, and determines what information is needed. Legislative action that influences educational policy is best understood by the directive *law bounds practice* (Mead, 2009). The Department of Justice announced in 2010 that formal guidelines would be issued that designate what course of action institutions should undertake for website accessibility compliance. Institutions are taking a proactive approach because judges continue to rule against institutions in lawsuits brought by blind and deaf plaintiffs that allege such lack of accessibility violates the Americans with Disabilities Act. Harvard University and the Massachusetts Institute of Technology (MIT) were sued in Massachusetts federal court by the National Association of the Deaf in 2015 for not providing captions and other auxiliary aids for its online classes (Robert, 2016). Website lawsuits are an example of implementing education reform through the judiciary and how judicial intervention shapes educational policy (Honig, 2006).

A recent conversation with a student with a disability revealed that a national organization that brings website accessibility lawsuits on behalf of visually-impaired students is now seeking remedy by filing a class-action lawsuit on behalf of all visually-impaired students (Participant Eighteen, personal conversation, October 19, 2016). It is not only education that is
under scrutiny for inaccessible websites. As shown in Figure 3, other industries are being held accountable, as well.

**Figure 3.** Industry-wide lawsuits filed on behalf of individuals with disabilities.

Adapted from “Website Accessibility Lawsuits By the Numbers,” by K. M. Launey, M. Vu, C. Im & M. Aristizabal, 2016.

Due to dwindling coffers and a litigious climate, Graham (1993) observed that with the severe economic pressures of recent years on public payrolls and private taxpayers, it is not surprising that policy leaders, agency officials, and corporate decision-makers that traditionally utilize policy historians are seeking policy advice from lawyers and social scientists.

Students with disabilities will continue to seek legal remedy and redress as other marginalized groups have done before them. Legislation, litigation, and educational policy are
intertwined and determine educational guidelines and delivery (Mead, 2009). Yet, as Bell (1995) observed, unjust laws are a distribution of political and economic power.

**Symbolism, Rhetoric, and Discourse in Educational Policy**

Policy research evolved from the empiricist positivism of scientific research to a theoretical framework that supports socially constructed reality, truth, and understanding. Researchers look beyond formulation and assessment to the nuanced analysis of language, symbols, and implied meaning to comprehend the intrinsic elements that support hidden agendas (Rosen, 2009). By extending their studies beyond tangible aspects of policy, researchers can study the intangible effects imparted by policy through the interpretations of participants.

**Framing.** Goffman (1974) influenced the frame movement with his book *Frame Analysis: An Essay on the Organization of the Experience*. Frames are schema that allow individuals “to locate, perceive, identify, and label” occurrences within their life space and the world at large (p. 21). By drawing on the social aspect of policy, researchers study social movements and the combined actions of participants. Framing is a method to categorize, interpret, and assign shared meaning to stakeholders’ experiences (Benford & Snow, 2000). Meaning construction is a dynamic and fluid process and follows the basic steps of problem solving. Researchers first identify a problem, develop alternative solutions, select the best choice with the current information, and implement the solution and provide feedback channels for assessment to develop a catalyst for change. How a policy problem is framed is significant because it assigns responsibility and creates rationales that authorize some policy solutions and not others (Coburn, 2006). Studies of social movements can provide educational sociologists with a broader scope of school politics, particularly reform movements. Frame analysis is a valuable tool for studying how marginal groups are able to exploit language and powerful
symbols to achieve cultural legitimacy and exercise political astuteness in ingenious ways in pursuit of goals (Davies, 1999).

Frame analysis examines how political participants strategically alter meanings in ways that resonate in a political environment (Davies, 1999). This is first accomplished through problem recognition because many movements contain a detrimental condition that needs addressed. It is important to determine the root cause of the problem by documenting the current situational context. Inequality and unfairness are a common theme in many social movements, and Benford and Snow (2000) referred to this as the *injustice frame*. The existing conservative political base shifts emphasis from structural or institutional factors back to the individual (Rosen, 2009). Policy traditionally addressed income inequality or minority academic achievement as cumulative historical injustice. The far-right ideology directs responsibility to the individual for success or achievement rather than analyzing how the broader societal or cultural context contributed to the inequality or the lack of satisfactory achievement.

The second phase of framing is developing alternative solutions or strategies to solve the problem of study, a process Benford and Snow (2000) referred to as *prognostic framing*. It is during this phase that constraints and resistance are identified. Obstructionism is a form of opposition. Such defensive mechanisms were termed “counterframing” by Benford (1987) and are addressed through deflection strategies.

The next phase of framing is to develop alternative solutions and to determine the effects and consequences of each choice. The process should be goal directed, include cultural analysis, and explore education-oriented social movements (Davies, 1999). Social movements are collective bodies that voice grievances with the goal of changing societal relationships.
(Hannigan 1991). These groups articulate their grievances through framing to highlight discrimination and to guide actions (Benford 1997; McAdam, McCarthy, & Zald, 1996).

**Social Themes.** Policy issues are socially constructed when stakeholders detect and perceive some aspect of the social world as problematic (Dobbin, Sutton, Meyer, & Scott, 1993; Dowd & Dobbin, 1997; Kingdon, 1984; Moore, 1988; Smith, 1988; Stone, 1988; Weiss, 1989). Educational policy that addresses federal law is often contentious because it frequently calls for the use of resources in an environment of tight budget constraints. The social world is complex and multifaceted so any representation of an issue will highlight some aspect of the issue and minimize others (Weiss, 1989). The current emphasis on metrics and market forces is rooted in a social psychology of ‘self-interest’ that focuses on results and not principles (Newman, 1984, p. 158). Market value replaces human values except where it can be shown that human values add monetary value in meeting financial performance measures. Social markets contain a combination of incentives and rewards that promote selfish motives and unethical behavior. Values, integrity, character, and ethics are disregarded in favor of goal attainment, performance improvement, and budget optimization (Ball, 2005).

**Higher Education: A Four Frames View**

Academic governance, performance metrics, funding models, political interests, and policy decisions will continue to contribute to a higher education context guaranteed to face organizational change (Gumport, 2000). Following is a discussion of the context of higher education in relation to Bolman and Deal’s (2013) four frames.

**Structural Frame**

As Birnbaum (1988) observed, higher educational organizations are complex, and the many structures, participants, systems and subsystems make it difficult to understand and study.
Bolman and Deal (2013) delineated between highly structured organizations with clearly defined goals, mission, roles, and top-down coordination and those of the unfocused, fluid organization with constantly shifting priorities and coordination. Birnbaum (1988) utilized analogy to portray the organization as a system with two or more interdependent parts or subsystems separated from its environment by a boundary. He defined a tightly structured organization as deterministic and uses the term *loose coupling* to denote how subsystems function in organizations in a constant state of change.

Bolman and Deal (2013) stressed the importance of scanning the environment because yesterday’s answers and solutions create tomorrow’s questions and problems. The complex, bureaucratic structure of postsecondary educational institutions often shield the root cause of mistakes and errors. Ambiguous and unpredictable organizational structures often promote deception and hide the truth. This uncertainty obstructs learning and undermines an accurate diagnosis. Bolman and Deal (2013) suggested breaking complex issues into manageable chunks and assigning smaller pieces to individuals or units. Getting structure right is important, especially where the architecture is unfocused and diffuse, and where coordination is confusing. Analyzing how to allocate responsibilities across units and the roles of each department will integrate diverse efforts to meet common goals. Bolman and Deal (2013) identified six assumptions:

1. Organizations exist to achieve predetermined goals and objectives.
2. Organizations increase efficiency and performance through specialization and division of labor.
3. Coordination and control ensure efforts of individuals mesh.
4. Organizations work efficiently when rationality prevails over personal agendas and extraneous pressures.

5. Structures should fit the organization’s mission (goals, technology, workforce, and environment).

6. Structural deficits are remedied through problem solving and restructuring.

Structure in stable environments is often hierarchal and rules-oriented. Modern structures emphasize flexibility, participation, and quality. Technology and globalization have rendered old structures obsolete and generated new interest in organizational design.

Bolman and Deal (2013) identified the two dominate issues of structural design as work allocation (differentiation) and methods to integrate efforts and responsibilities (integration). The division of labor through the allocation of tasks is the keystone of structure. Organizations identify positions and roles and then group employees into working units. Work units are grouped by knowledge or skill, basis of time, product, customers, place, and process. When units separate their priorities from the organization, sub-optimization occurs. Organizations coordinate units with goals vertically (chain of command) and laterally (meetings, committees, roles, structures). Rules limit individual behavior and ensure predictable and consistency so that situations are handled in the same manner.

There has been a significant change in leadership at the case University within the past few years. A high turnover of leaders is not only harmful to morale, but it can impede accomplishment of strategic goals. Christensen and Overdorf (2000) posited that leadership must first analyze the core competencies of an institution and then capitalize on those capabilities to navigate change effectively. Resources, processes, and values are distinct factors that affect
the ability of an organization to implement change successfully. An organization will not succeed when leadership values are misaligned with an organization’s core competencies.

Organizational dysfunction and rumors ensue when top leadership is not capable of clearly articulating goals to followers. Formal communication is disseminated through emails, memos, staff meetings, and official directives. Informal communication occurs through the grapevine, passed written or verbally from one employee to the next. Internal communication passed through the grapevine can be unreliable, fragmented, and subject to misinterpretation. Although the grapevine is frequently wrong, it still serves as an important transmission of organizational information (Small Business, 2014).

Bolman and Deal (2013) posited that successful change occurs when a restructuring is the result of a change in goals. Birnbaum (1988) posited that unclear and ambiguous missions of higher education institutions make them unsuitable for quantifiable measures such as profits and accountability and further states that faculty often have little control over curriculum and teaching. The business structure commonly used to assess organizations is not a good fit for higher education orientations. As universities receive smaller and smaller shares of state tax revenues, they will be forced to reevaluate financial initiatives and operate more like private enterprise.

Adler and Borys (1996) theorized the type of structure is as important as the amount of rigidity. The organizational structure of postsecondary education is hierarchical and bureaucratic. An organizational structure that encourages innovation and change is compact and loosely coupled. Birnbaum (1988) wrote that loose coupling is especially advantageous in a complex and turbulent environment. The case University is currently undergoing restructuring as a result of severe budget cuts due to the reductions of state appropriations and implementation
of performance-based funding and Responsibility Centered Management. Loose coupling allows the different functional areas to be more responsive to changes. In bureaucratic organizations, top leadership must give final approval to all decisions, and administration and staff are powerless to make routine decisions. This causes undue delays when the focus should be on streamlining activities and decision-making. The absence of micro-management makes innovation and quick response time possible. Individuals in functional areas feel empowered to engage in productive work and are not stifled by rigid controls. This has a positive effect on employee attitudes, outlooks, and work ethic.

**Human Resource Frame**

Salaries and budgets provide a financial picture within an institution, but Bolman and Deal (2013) encouraged institutions to focus on the human side of an organization because people and organizations need each other (p. 117). Reviewing the human component from a hierarchy of needs reveals a unique perspective. A segment of employees are in their prime employment years and are in the Social/belonging and Esteem levels of Maslow’s hierarchy. Others are at the end of their careers and are in the Self-actualization phase. The principles of Chris Argyris, as presented in Bolman and Deal (2013), resonate with Plato’s world of Becoming, the physical world humans perceive through senses. The world is in a state of change as we continually evolve to our destiny. Argyris termed this evolving as “self-actualization trends” as humans move from one state of life to the next.

With important policy initiatives that will impact faculty, staff, and students, it is important to understand human resource planning. Bolman and Deal (2013) emphasized that variables to consider include: (a) identifying goals, (b) required actions, (c) who is leading, (d) who makes decisions, (e) coordination of efforts, (f) what is important to individuals on the team,
(g) what skills each member brings, (h) dynamics with other groups, and (i) defining success.

Other considerations are: How do people interact? What is the spatial distribution? Who is the authority? How are efforts integrated? Is the structure mechanistic or organic? The right structure enhances team performance because some teams manage themselves from the bottom up. Self-directed teams usually produce better results and have higher morale. Teams that can designate their own relationships, assign group accountability, and are self-governed work well in organic organizations. Teams in mechanistic organizations do well with conscientious attention to lines of authority, clear lines of communication, well-defined responsibilities, and relationships that enhance performance (Bolman & Deal, 2013).

Richards (2015) described employee empowerment as the process of allowing employees to have input and control over their work, and the ability to openly share suggestions and ideas about their work and the organization as a whole. Empowered employees are committed, loyal, and conscientious, and empowerment works well with highly-trained and highly-skilled employees. Birnbaum (1988) identified members having undergone specialized training and other identifying qualifications as collegial groups. Many processes at the case University are being automated so that line positions are being eliminated, and other positions are being redesigned to include higher-level tasks. The University is seeking highly motivated educated employees that possess specialized skills. Professional faculty and staff promote what Bolman and Deal (2013) referred to as “organizational democracy” (p. 153). When meetings are conducted without the presence of top leadership, employee involvement is increased, and the unique talents of all members are utilized, generating *esprit de corps* within the team.

During the 1980s, Jack Welch of General Electric was given the nickname "Neutron Jack" for dismissing 100,000 employees in his early days as chief executive ('Neutron Jack'
Exits, 2001). With the implementation of Responsibility Centered Management (RCM), significant human resource changes are occurring. As staff leave through attrition, they are not being replaced, positions are being eliminated, and remaining staff are delegated additional duties. This has caused serious morale issues within the University as employees absorb additional responsibilities without a corresponding increase in salaries. This downsizing has exacerbated the need for well-trained, loyal human capital (Bolman & Deal, 2013, p. 130).

One result of RCM is the ongoing reorganization within departments. Many departments are responsible for distinctive areas of the University, and the required skillsets are specialized and narrow. So, while the number of positions are limited, employees are expected to develop expertise and proficiency that fulfills a unique niche within a functional unit.

Professional training and development are essential in a small department where employees are responsible for critical responsibilities. The University does not have formal organizational development (OD) as outlined by Bolman and Deal (2013) due to budgetary constraints. Salaries are given low priority in the current RCM budget model. The current administration encourages employees to obtain an offer from another department or university, and administration then proposes a counteroffer. This can result in three conditions: first, the employee brings an offer from within the University, and the current position is upgraded and salaries are adjusted accordingly. Second, employees are made an offer, and the current department does not counteroffer. Instead of generating goodwill, this condition contributes to ill-will, low morale, hurt feelings, and distress. Thirdly, employees interview outside the University and use external offers to bargain for promotions and raises. These employees have no intention of leaving the University, and this process is only meant to obtain a raise. This “game playing” wastes the time and efforts of countless employees at numerous institutions.
This flawed method to obtain a raise shows a lack of strategic planning, vision, and leadership. Bolman and Deal (2013) expounded the advantages of a smaller, more flexible workforce that is able to respond quickly to market fluctuations (p. 131). They also clarify the merits of investing in people to develop a cadre of committed and talented employees (p. 133). A visionary leader would use downsizing within a unit to reconcile the lean-and-mean versus the invest-in-people dichotomy by implementing strategies that provide a sustainable competitive advantage.

Bolman and Deal (2013) posited that building a cohesive team that works well with diverse groups of people is critical with initiatives that require collaboration of efforts across multiple departments. When units work well together, they elevate the performance of individuals to new heights. When teams fail, they erode the potential contributions of talented people. The success of teams depends on structure. Small groups work best when tasks are clear, predictable, and stable. Complex projects such as policy design present special challenges. Simple tasks work well with clearly defined roles, simple interdependence, and coordination by the chain of command while complex tasks require flexibility, reciprocal give and take, and synchronization. Policy leaders should understand roles and relationships to obtain common goals and missions.

Performance suffers with ambiguity in fast-paced situations. Employees use framing to perceive a problem and develop solutions. How leaders frame a problem can have a dramatic influence on how their employees respond. Self-fulfilling prophesies occur when expectations influence perceptions because the human world is internally constructed. It is critical for leadership in complex organizational structures to clearly articulate goals because preconceived ideas often dilute the truth. When employees can disentangle reality from the models in their minds, they can develop distinct strategies to accomplish organizational objectives.
Political Frame

Bolman and Deal (2013) viewed organizations as competitive arenas of scarce resources and competing interests and struggles for power. Political tensions are the result of interdependence among units, divergent interests, scarcity, and power relationships. Machiavellian political techniques of seizing and maintaining power exist in organizations where the ends justify the means. This study examines how political activity at the University affects a marginalized group that traditionally has little bargaining influence.

Alliances within an organization have divergent interests and values. Tensions develop when power alliances allocate scarce resources because each unit is jockeying for their fair share. The University Carry Forward budgets were swept during the 2012 budget reduction. Carry Forward funds are unspent E&G (state Educational and General) funds that can be carried forward for future use. Carry Forward is calculated at the end of each fiscal year as the difference between the actual Net Expense and the related Net Expense Budget (U of G, 2016). Carry Forward funds are transferred from one fiscal year to the next to cover existing encumbrances and indicate available funding not used in its original budget year (USF, 2017). Numerous academic units reacquired this funding in 2014 while some areas were not granted the Carry Forward budget, and no explanation for the exclusion was provided. Bolman and Deal (2013) emphasized the critical nature of networking and building coalitions, and leaders do this by first determining the players holding the power of the budget. By focusing on interests and mutual gain, leaders create value by emphasizing the benefits each provides to the University (Bolman & Deal, 2013, pp. 216-217).

Leadership with the capacity to influence negotiation and bargaining do so through ‘networks of power’ (Mann, 1986, p. 1). Alliances are formed because, as noted by Aristotle,
“The whole is greater than the sum of its parts.” These blocks of power often seem impenetrable as they mobilize forces to obtain influence and domination over resources. Changing organizational strategies such as Responsibility Centered Management can alter the power relationships within an organization. Several Deans at the University have been reassigned or removed, and national searches are currently underway for replacements. Other administrators have been promoted, and their units have gained prominence, with budgets increased in proportion with the incremental gains in stature and authority. Other areas have contracted in size, scope, authority, and budget. This divergence of interests between organizational units has created organizational conflict. Boundaries and interfaces have not been honored, causing irreparable harm (Bolman & Deal, 2013, p. 202).

**Symbolic Frame**

Goffman (1974) viewed organizations as theatrical in that institutional environments are carefully orchestrated to convey an image that is well established and widely endorsed by society. Loosely coupled organizations with vague goals and weak technologies are susceptible to environmental influences and not able to seal themselves off from external pressures. These tensions are transferred by larger social, political, and economic trends. Institutions strive to maintain isomorphism in order to project legitimacy, and garner support, faith, and hope among stakeholders (Bolman & Deal, 2013, p. 289).

High-profile ceremonies recognize momentous accomplishments (Bolman & Deal, 2013, p. 258) and help shape the University culture. Rites and rituals such as orientation, commencement, and homecoming convey the University as a figurehead of distinction. As noted by Bolman and Deal (2013, p. 256), the power of such symbols is felt by students, faculty, and staff. When a situation is perceived as detrimental to the University, officials issue
communication to soften the damage of negativity felt by stakeholders (p. 258). The University as culture can be viewed through the lens of events (the product), and the funding and efforts (the process) support the values of the collective University community (Bolman & Deal, 2013, p. 263).

The University has several units that play the mediator role for grievances filed by students. These occurrences are limited in number, but there are prescribed rules and procedures that must be followed. When conflicts are not resolved, the Office of General Counsel is often the final arbitrator. This aspect of identity is legal in nature and represents the University’s bid for legitimacy and for obtaining support from the students and the University community (Bolman & Deal, 2013, p. 292).

Universities are seen as champions of diversity, acceptance, and freedom of speech, and were among the first sector to be affected by the legislation granting civil rights to people with disabilities. Paradoxically, these same institutions hired lobbyists and brought lawsuits to prevent the ADA and other civil-rights legislation from taking effect (Davis, 2015). During this timeframe, educators envisioned spending exorbitant amounts making buildings and facilities accessible to, and usable by, the physically handicapped. Today, assistive technology, staffing costs, academic adjustments, and specialized services such as interpreters are concerns for shrinking higher education budgets.

The captioning and access of media policy was developed to explicitly bring the University in compliance with Department of Education edicts. The policy can also serve to counter lawsuits brought by students with disabilities or agencies acting on the student’s behalf. Ironically, the very policy that seemingly protects students with disabilities can also be used to counter lawsuits brought by these same students. Bolman and Deal (2013) recognized this
dissonance by observing that policies and processes within an organization rarely achieve their supposed goals.

The captioning and access of media policy was also intended to help students with disabilities succeed in their academic work, which would enable them to compete with other workers and lead full and independent lives (Brand, Valent, & Danielson, 2013). Inclusion benefits students with and without disabilities in academic and social realms.

Many university strategic plans address diversity and globalization. Bolman and Deal (2013) included diversity as a competitive advantage and note that diverse group members bring a wide range of talent to projects. It is interesting that no students with disabilities were included in the design of the captioning and access of media policy (Participant One, personal communication, March 21, 2017).

Summary

Early policy research was one-dimensional and followed sequential steps that began with problem identification, design, implementation, and evaluation (Porter & Hicks, 1991). As the field of policy research matured, the complexities of policy formation and implementation, together with related intrinsic, tacit, or unintended consequences of policy design, development, and implementation emerged. Researchers now seek to examine all aspects of policy design and implementation, situating studies holistically and considering the intrinsic effects of people, power, politics, place, and context.

This study examines one university’s experience in designing a captioning and access of media policy to comply with Sections 504 and 508 of the Rehabilitation Act of 1973. The institution faced three key challenges in policy development: (1) austere reductions in state funding, (2) resources available to comply with the Department of Education’s edict to make
curriculums and websites accessible to students with disabilities, and (3) potential exposure to lawsuits in the event of noncompliance. Policy adoption brought attention, for example, to additional responsibilities for organizational units, faculty and staff with no additional human or fiscal resources. Adoption also highlighted that the very students dependent on the success of the captioning and access of media policy were not included in the design and development process.

Bolman and Deal’s (2013) four organizational frames provide a framework for looking more holistically at the structure, human resources, policies, and symbolism of the design of this policy and the effects on university stakeholders. By utilizing Bolman and Deal’s four frames to guide pursuit of perspectives from multiple viewpoints and to analyze patterns across these perspectives, we may gain insight into intents, consequences, and implications for policy design processes and future research.
CHAPTER THREE:

METHODS

The purpose of this descriptive case study is to examine policy design to comply with Sections 504 and 508 at a public research university through the lens of Bolman and Deal’s (2013) four frames of organizational analysis. These frames include: (a) the structural frame, (b) the human resource frame, (c) the political frame, and (d) the symbolic frame.

The research questions addressed are:

1. What factors in the University context had a positive influence on policy design as viewed through Bolman and Deal’s (2013) four frames?

2. What factors in the University context had a negative influence on policy design as viewed through Bolman and Deal’s (2013) four frames?

Research Design

This study is situated in a constructivist paradigm. Stake (1995) observed that understanding is constructed from experience and from the knowledge of others. Three realities that facilitate this understanding are: (1) external reality, (2) experiential reality, and (3) rational reality. Each of us understands reality from our own perspective. External reality, in its simplest sense, is the world outside ourselves. Experiential reality occurs through our interpretations of stimuli through our senses of seeing, hearing, feeling, tasting, and through knowledge imparted by others. This blending of interpretations leads to a rational reality of understanding – the sense we make of what we experience.
Some researchers believe that one reality excludes another, but Stake (1995) posited that constructivism encourages the researcher and participant to develop their own epistemology of interpretations. Constructivism provides the case study researcher with the methodology to develop rich, thick descriptions that are derived from those with expert knowledge – the participants. An emic approach encourages the researcher to develop interpretations that are encapsulated through circumstances and situational factors within the study.

A constructivist perspective focuses the researcher on portraying the social world as it exists to those participating in the research study, rather than how the researcher imagines it to be (Filstead, 1970). Representing reality from the viewpoint of the participants informs the study and leads to value-free reporting and reliability (Patton, 2002). In addition, the researcher can increase the trustworthiness of a research study by systematically undergoing self-reflection that increases self-awareness and reduces internal biases (Johnson & Christensen, 2012).

This study is a descriptive case study. A descriptive case study in education presents a detailed account of a phenomenon or situation under study. It seeks to recount a series of events and to describe experiences and perspectives of interest (Merriam, 1998). A descriptive case study can reveal unique insights into a social situation of a particular case (Yin, 2003). Stake (1995) posited that case study research provides a method for organizing a study around a particular social issue and sets the groundwork for social programs with advocacy as the end result.

According to Yin (2003), a descriptive case study uses a theory to guide the collection of data. Bolman and Deal’s (2013) theory of reframing organizations provides a framework for examining and analyzing institutional factors that may contribute to and influence policy design. Frames are mental models that allow people to comprehend what is occurring. Bolman and Deal
(2013) identified four frames that serve as a lens for examining organizations: (a) structural, (b) human resource, (c) political, and (d) symbolic. Each of the four frames is based on a set of key assumptions, has defining characteristics, related to specific leadership behaviors, and yields a set of organizational analysis questions (See Appendix A). The four frames were used to guide data collection and analysis in this case study.

Policy research includes the study of policy formation, implementation, effects, and cost-benefit analysis of programs (Munger, 2000; Patton & Sawicki, 1993; Weimer & Vining, 1998). This descriptive case study identified factors that influenced, either positively or negatively, the policy design process that led to the development of the Captioning and Access of Media Used in Course Content policy. Desimone (2009) explained that while policy research was dominated by experimental and correlational research studies, ethnographic methods, discourse analysis, protocol analysis, and case study approaches have become both alternative and complementary methods. In-depth data generated from qualitative approaches such as interviewing and document analysis used in case studies can provide insight into processes that may not be generally observable.

In applied policy research, qualitative methods such as interviews, document analysis, and the researcher journal are conducted to accomplish multiple objectives. Miles, Huberman, and Saldaña (2014) posited that research questions represent the facets of inquiry that the researcher wants to explore. Research questions are often broadly divided into four categories. These include contextual, diagnostic, evaluative, and strategic and most studies address more than one category (Ritchie & Spencer, 1994). Since this is not a program evaluation, this study focused on the contextual, diagnostic, and strategic properties. Contextual questions address what exists at any given point in time while diagnostic questions seek to determine the causal
factors of the current state. Finally, strategic questions attempt to identify new theories, policies, initiatives, and courses of action (Ritchie & Spencer, 1994).

**Case Site**

The study was conducted at a large public research university in Florida. This location was selected due to accessibility to the participants of the study and prior associations with the captioning policy committee members. This contributes to opportunity to build rapport with the participants who were interviewed for the study. Finally, I proctor student with disability exams each semester, and this familiarity with employees and students in the disability office also contributed to rapport building and access to information (e.g., archival documents).

**Data Sources and Collection Methods**

Data for this case study came from diverse sources and included multiple formats to promote triangulation and to strengthen the validity and trustworthiness of the research (Johnson & Christensen, 2012, p. 264, 398). These sources include interviews, archived documents, and a researcher journal.

Data collected include interviews with nine captioning committee members, and one interview with the manager of instructional design at Campus B, review of archival meeting minutes, and excerpts of the researcher’s journal. Data gathering considered the focus of interest, the research questions, identification of the data sources, the allocation of time, and the analysis and reporting (Stake, 1995).

**Interviews.** Semi-structured interviews were conducted with administrative faculty, academic faculty, and administrative employees. Pseudonyms were assigned to each interviewee. In semi-structured interviews, the researcher has a specific topic that has been previously developed in the study and prepares a prescribed number of questions in advance of
the interview. Utilizing semi-structured interviews also allowed the use of probe questions to obtain further detail about related information that may direct the research topic in a different direction of interest (Rubin & Rubin, 2012, p. 143). Rubin and Rubin (2012) also suggested using follow-up questions to obtain further depth and detail, as well as to clarify concepts and themes.

A responsive interview style as noted by Rubin and Rubin (2012) was used because this interview technique seems appropriate in the relaxed atmosphere of a university interview setting. Naturalistic research is a term often used when viewing the socially constructed world of participants. Each person receives inputs from the world through events, actions, and developments in their lives and researchers attempt to untangle these understandings and develop interpretations of understanding (Tabachnick, 1989). A responsive interview style is useful for eliciting the respondent’s unique perspective on a topic of interest. This interview technique is ideally suited to encourage respondents to speak openly and provide descriptive answers to open-ended questions. Rubin and Rubin (2012) encouraged the use of follow-up questions as additional topics are identified.

The interview questions for the participants were similar but were tailored for each person’s role in the policy design process and for their role at the university. As an example, one participant is a senior faculty administrator with campus-wide responsibilities while another participant has a staff-level position and whose responsibilities are within one department.

I recorded the interviews with an Olympus WS-802. It is small and unobtrusive and provides an excellent quality recording. I have used the recording device many times with excellent results and felt confident that it would provide quality recordings for this last assignment in my academic career. As a precaution, I also recorded the interviews using a
Samsung Galaxy S5. I have used it numerous times to ensure that if one device fails, I would have a backup recording. The quality of the Galaxy S5 recordings is excellent, and I am familiar with the application so it provides me with confidence and sets me at ease knowing that I am adequately prepared. Additionally, my phone charger was plugged in before each interview.

*Responsive interviewing.* Responsive interviewing is successful when the interviews are conducted with knowledgeable individuals with informed opinions. The Captioning and Access of Media used in Course Content Committee members were selected because they have a vested interest in the outcome of the policy, are considered experts in their respective fields, and have been employed in higher education for the majority, if not their entirety, of their careers. Rubin and Rubin (2012) posited that responsive interviewing usually focuses on a single topic that is explored in depth. In this study, policy design at the university is examined through the experiences of the committee members. Responsive interviews are similar to discussions but are more focused, more in-depth, and more detailed than ordinary conversations.

In a responsive interview one person asks the questions while the other person answers the questions (Rubin & Rubin, 2012). During the responsive interviews for this study, the researcher attempted to elicit experiences, perceptions, and perspectives of the interviewees. This study follows the constructivist paradigm. Table 5 lists the assumptions associated with the constructivist approach with responsive interviewing.
Table 5

*Constructivist Approach to Responsive Interviewing*

<table>
<thead>
<tr>
<th>Topic</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ontological goal of constructivism</td>
<td>Reality is socially constructed and individuals, groups, and units interpret reality through their own interpretations and experiences.</td>
</tr>
<tr>
<td>Epistemological goal of constructivism</td>
<td>The goal is to understand events and processes from the perspective of participant’s experiences.</td>
</tr>
<tr>
<td>Role of the constructivist researcher</td>
<td>The researcher understands her own biases towards the subject matter under inquiry, reflects on this leaning, and seeks to reveal participant’s views in an impartial way.</td>
</tr>
<tr>
<td>Implication of findings</td>
<td>Questions, answers, and analysis leads to understanding the structural component, the human element, political considerations, and the intrinsic aspects of the organization in respect to policy development.</td>
</tr>
</tbody>
</table>


*Interview transcription.* After each interview, I uploaded the audio recordings for transcription. I had the interviews transcribed by two firms. The transcriptions were verbatim, and the turnaround time was between one and three days. Since I have been gainfully employed for many years, the additional expense of the transcription is within my budget after a careful cost/benefit analysis. Since I did not transcribe the interviews, I listened to the recordings as I read through the transcription. I have previously found small errors due to regional colloquialisms or locations that might not be known to someone outside the area. In prior studies, I corrected these small mistakes and did not note them. A current advisor suggested that I make a notation of the correction so others are aware of the transcript modifications.

*Role of the researcher.* At the time of the interviewing process, I worked at the university and reported to two Captioning and Access of Media Used in Course Content committee members. Additionally, I had working relationships with four members of the committee, but had no prior experience with four committee members. While employed at the
university, I proctored exams for students with disabilities and have a history of championing causes for those with the smallest voices and little political power. I have since left the university for employment in the private sector.

Member checking. Member checking the researcher’s interpretation of the human experience enhances internal validity (Merriam, 1998). Stake (2010) posited that member checking increases triangulation because it elevates the research from careful preparation to planned skepticism. Not only does member checking validate the accuracy of the findings, it can also elicit new meanings and uncover unintended biases or insensitivities. Creswell (2013) recommended the researcher send the participant the major findings or themes rather than verbatim transcripts. Rather than overwhelming the participant with pages of interview discussions, this method invites the participant to reveal the true intent of the interview discussions.

Member checking is another method of obtaining triangulation (Creswell & Miller, 2000; Merriam, 1998). Since researcher interpretation is the hallmark of qualitative research, Carlson (2010) recommended the researcher employ procedures that can help avoid potential mistakes that could alienate participants and threaten the researcher/interviewee relationship. Qualitative researchers strive to increase the trustworthiness of their findings. They do this so that the reader has full confidence the researcher did everything possible to collect, analyze, and report the findings. The first procedure to employ is to develop an audit trail of the findings. This is accomplished through documentation such as a researcher journal, field notes, emails, recordings, transcriptions, etc. Rich, thick descriptions were obtained from the interview transcripts. Creswell and Miller (2000) suggested that using the participant’s own words will situate the reader to the study and form a connection to the participant. Rather than sending full
transcripts, Creswell (2013) suggested sending major findings such as themes that are relevant to the study. Creswell and Miller (2000) wrote that member checking should be guided by three lenses: the researcher, the participant, and the reader. The participants in this study are busy university faculty and administrators. I wanted to respect their time, so I only sent them portions of the interviews that would be included in the final study. Carlson (2010) suggested that clearly articulating member checking procedures will prevent the researcher from alienating the participants. Merriam (1998) suggested that researchers ask the participants if their interpretations of the results are plausible. Doyle (2007) posited that participants be given final approval for portions of the interview that will be published.

Carlson (2010) provided member checking suggestions that I adhered to such as leaving out filler words that occur during normal conversation. I also did not include any transcripts where the participant got off-topic, a normal occurrence in general conversation. By putting myself in the shoes of the participant, I was able to form an alliance with the interviewee. I did not want to offend or waste the time of the participant, but only sought to confirm my interpretations of narrative that was relevant to the study. My purpose in the member checking process was not to cause discomfort or to embarrass the participant but to extend dignity and honesty by accurately expressing the thoughts and intentions of the participant. I provided clear directions regarding what I would provide in the way of edited transcripts and what I expected in respect to member checking. I wanted the participant to know that I respect, value, and consider his/her contribution worthy of consideration (Clandinin & Connelly, 2000).
**Archived Documents.** The University’s policy promulgation process requires that varying standing committees and councils, as well as the general institutional units, are provided with a 30-day review and comment period after the policy is designed and before it is submitted to the Board of Trustees for approval. Committees/councils of interest for this study include: (1) Council on Educational Policy and Issues, (2) Council of Technology for Instruction and Research, (3) Graduate Council, (4) Library Council, (5) Undergraduate Council, and (6) Faculty Senate. Archived documents that relate to the media and captioning policy included the meeting minutes of these standing committees and councils and meeting materials distributed for committee/council review. Meeting minutes can be accessed through the Faculty Senate website and the Secretary of the Faculty Senate. Meeting materials can be accessed through the committee/council chairs.

The meeting minutes were collected from archived locations at each campus. Additionally, I obtained other documents from committee chairs. I documented the archived documents by committee, date, and campus. Seventeen documents representing meeting minutes were analyzed using Bolman and Deal’s (2013) conceptual framework of institutional analysis.

**Researcher Journal.** I kept a journal throughout the study to memorialize observations, ask questions, and confirm my understandings. I have a financial background and was not familiar with the bureaucratic nature of postsecondary education institutions nor was I aware of the policy development process in a governmental setting. I obtained information from those around me and used my journal as an informal learning tool to guide my research.

Throughout the study, I recorded meetings with committee members and obtained input from acquaintances. I took notes and recorded these in a researcher journal. I then transcribed recordings and reflected on the thoughts of my advisors and others. During this process, I
continually reflected how Bolman and Deal’s (2013) four frames of organizational analysis were related to what had been communicated to me. My thought processes were always directed to how this policy was developed and what impact did the university context have on the policy design process. For example, this university is experiencing significant structural, budgetary, and human resource changes. These changes are inter-related, and one factor directly and indirectly influences other factors. One concern that resonated with the participants was the lack of perceived funding to support the captioning effort. Responsibility Centered Management (RCM) has resulted in major shifts in how the university is evaluating the results of operations and distributing budgets. In private industry, skilled business people direct operations, but in higher education there are faculty administrators who, while experts in their field of study, may lack the expertise of running the operations of a university, college, or department. Educational administrators, deans, and faculty are not trained as business managers and do not know the ERP systems, business processes, and rules and regulations that business leaders follow. Barnes and Clark (2013) wrote of Texas Tech’s implementation of RCM in 2012 and reported positive benefits as well as setbacks. An encouraging aspect of RCM is heightened financial awareness. When implementing a new budget strategy, there should be widespread involvement and financial understanding. Universities that were formally dependent on state appropriations now understand that this budget model is not sustainable as state funding continues to shrink. Deans are now aware of the financial operations within their colleges and support strategic initiatives that will improve revenues while contain expenses. A downside of RCM is the lack of collaboration across the three campuses. Cost sharing is another negative aspect of RCM because transfer costing methods are not understood and are often implemented inequitably. Cuts in state appropriations have fueled a high turnover of top administration and changes in
personnel. At this university, there were several vacant Dean positions, and national searches were underway.

Because of the unique nature of higher education, a significant brain-drain can have serious consequences in the ability to continue, and there is growing concern in regard to delivering quality education to large numbers of students. Service takes a serious hit when students are shuffled from one department to another trying to obtain answers to problems. RCM has also affected the student-to-faculty ratio as more universities hire adjunct faculty to teach classes. Adjunct faculty are limited in their ability to advise students. Students are frustrated with the lack of faculty communication and with committees that delay the path to dissertation defenses. There is a natural dichotomy of competing interests and incompatible initiatives as universities seek “Top Tier” and “R1: Research Universities” while simultaneously focusing on cutting costs. Phrases like “you have to spend money to make money” and “the cheap comes expensive” are within the realm of striving for national ranking while directing operations on a shoe-string budget. At this university, undergraduate education has taken precedence over graduate school since the graduation rate of undergraduates is a metric to achieving preeminence. Achieving the preeminence status allowed the university to claim millions in state bonus funding while graduate education has lost ranking and political power. How did these factors affect the policy design, and how can the university develop a sustainable captioning model with limited resources? These were the issues that I considered as I conducted the interviews and read the archived documents.

Data Summary

Interviews were conducted with nine Captioning and Access of Media Committee members during the Fall 2017 semester. One interview with a Campus B staff member occurred
during the same timeframe. This individual was included due to her involvement with the captioning process on her respective campus. This individual also serves as lead instructional designer at Campus B and serves on the Board of Directors for the Florida Alliance for Assistive Services and Technology, which also serves as the State Advisory Committee for the Assistive Technology Act. She also serves as Chair of the Webinar Committee for the Quality Matters Instructional Designers Association.

Secondary data in the form of archived committee minutes was obtained from a hosted institutional repository platform. Meeting minutes that were not publicly available were obtained from university staff through email request. Archival documents are included with the academic discipline known as secondary methods, also identified as secondary research (Golden, 1976). This research method uses existing data for a purpose other than that for which it was originally collected.

A researcher journal is a personal record of the student’s observations, interpretations, and evaluations and serves as documentation of the learning experiences that occurred during the research process. A fundamental purpose of a researcher journal is to document the critical thinking process. A researcher journal is an additional tool used by the researcher to impart self-awareness into the study through self-directed learning. A journal allows the researcher to impart thoughts and impressions in a private forum and reflect on the learning processes and learning experiences in a personal and meaningful way.

Table 4 is a summary of the research questions, the unit of analysis, the data source, and data collection methods.
Table 4

Research Questions, Units of Analysis, Data Sources, and Data Collection Methods

<table>
<thead>
<tr>
<th>Research Question</th>
<th>Participants</th>
<th>Data Source</th>
<th>Collection Methods</th>
</tr>
</thead>
</table>
| What factors in the University context had a positive influence on policy design as viewed through Bolman and Deal’s (2013) four frames? | 1. Director of Students with Disabilities Services  
2. Senior Vice Provost  
3. Associate Dean of Graduate Studies  
5. Director of Library Liaison Services  
6. Associate Dean and CEPI faculty member  
7. Assistant Dean of Student and Faculty Development  
9. Faculty Senate President  
10. Former Associate Dean of Undergraduate Studies  
13. Manager of Instructional Design Services  
14. Steering Committee, USF Provost’s Council of Chairs | Audio transcriptions of interviews Archival documents | Interviews  
Public access documents (e.g. Senate Minutes) |
| What factors in the University context had a negative influence on policy design as viewed through Bolman and Deal’s (2013) four frames? | 1. Director of Students with Disabilities Services  
2. Senior Vice Provost  
3. Associate Dean of Graduate Studies  
5. Director of Library Liaison Services  
6. Associate Dean and CEPI faculty member  
7. Assistant Dean of Student and Faculty Development  
9. Faculty Senate President  
10. Former Associate Dean of Undergraduate Studies  
13. Manager of Instructional Design Services  
14. Steering Committee, USF Provost’s Council of Chairs | Audio transcriptions of interviews Archival documents | Interviews  
Public access documents (e.g. Senate Minutes) |

Data Analysis

Hatch (2002) described data analysis as a systematic search for meaning. In this study interviews and archived documents were analyzed using principles of constant comparison and Bolman and Deal’s (2013) conceptual framework to guide content analysis. Onwuegbuzie,
Dickinson, Leech, and Zoran (2009) identified constant comparative analysis as an analytical tool to identify themes that emerge in data collected through qualitative research methods. The analysis is done through coding, a data reduction process (Miles, Huberman, & Saldaña, 2014) whereby researchers identify patterns and themes, make assertions, and propose explanations to justify interpretations and generate theories.

Coding occurs in three distinct phases (Strauss & Corbin, 1998): open coding, axial coding and selective coding. In open coding data are extracted in small, meaningful units (e.g., words, phrases, sentences) with the researcher attaching a descriptor, or code, to each of the units. Saldaña (2013) noted that initial coding “breaks down qualitative data into discrete parts, closely examines them, and compares them for similarities and differences” (p. 265). Bolman and Deal’s (2013) four frames of organizational analysis guided initial coding in this study. Words, phrases or sentences in interviews and documents were indexed according to the four frames: (a) structural, (b) human resource, (c) political, and (d) symbolic.

In axial coding the codes established in open coding are grouped into categories. Strauss and Corbin (2008) identified axial coding as a process where data connections are observed after the initial open coding. Miles, Huberman, and Saldaña (2014) referred to this phase as pattern coding where segments of data are grouped into a smaller number of categories, themes, or constructs. Saldaña (2013) noted that properties of each category or subcategory should be described in this phase.

In selective coding the researcher develops one or more dominant themes that express the relationships, associations and connections among the categories (Strauss & Corbin, 1998). I also used in vivo coding in this phase (Saldaña, 2013) to capture words, phrases or passages in the actual words of participants that might be helpful to understanding the ideas, events or
experiences they described. In vivo coding is well suited during this phase due to the unique language identifiers and acronyms used in higher education.

**Interviews.** Interviews were transcribed by Production Transcripts and Rev. Both companies deliver verbatim transcription. Since I did not personally transcribe, I read through each transcript two or three times to look for transcription errors, reflected on the meaning of what I was reading, and recognized categories and concepts. Richards and Morse (2007) described categories as broad meanings imparted by the data. Rubin and Rubin (2012) described concepts as the building blocks of meaning that reflect how our participants understand and see the world. Corbin and Strauss (2008) posited that concepts lead to the development of theory.

During first-cycle, open coding, I used descriptive coding as specified by Saldaña (2013) to broadly capture concepts, a process referred to as *decoding*. Saldaña (2013) described decoding as the process researchers undergo when they reflect on a passage of data to decipher its core meaning. During the second phase, I used axial coding to describe properties, characteristics, or attributes, a process Saldaña (2013) referred to as *encoding*. Saldaña (2013) described encoding as when researchers determine the appropriate code to label the data. During the third phase of selective coding, I used in vivo coding to list noteworthy passages using the participant’s own language in an excel spreadsheet. In vivo coding is ideal in this study because specialized meanings and acronyms can be confusing if researchers and participants do not fully understand the context of U.S. higher education (Narayan, 2011).

After the interviews were coded, I reviewed the data to determine if I recognized similar patterns or phrases across the interviews. These patterns/phrases were used to compare the exemplars to characteristics of Bolman and Deal’s (2013) four frames.
**Archived Documents.** Archived document data comprises a wide array of materials created by individuals on behalf of their institutions. Documents related to the captioning and media policy included the meeting minutes of the university’s standing committees and councils and meeting materials distributed for committee/council review. Documents of interest were largely accessible online through the University’s website and through the Faculty Senate Secretary. Documents were also available from interview participants.

Meeting minutes serve as a written record of agreed-upon decisions and any actions undertaken as part of the meeting process (Bowen, 2009). Reading meeting minutes allowed for comparison of what the committee members reported in interviews to items discussed at committee meetings, possibly revealing discrepancies to discuss at follow-up interviews.

Archived documents were analyzed using basic content analysis as a tool to identify themes or categories within document content. Patton (2002) defined content analysis as “any qualitative data reduction and sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meanings” (p. 453). Additionally, Hsieh and Shannon (2005) explained that content analysis is a “subjective interpretation of the content of text data through the systemic classification process of coding and identifying themes or patterns” (p. 1278).

Bolman and Deal’s (2013) four frames of organizational analysis – structure, human resources, politics, and culture/symbolism – were used to establish coding categories to guide the content analysis of meeting minutes and supplemental materials distributed at committee/council meetings. Additional coding categories emerged from subsequent analysis of the archival data. Examples of coding categories based on Bolman and Deal’s (2013) four frames are shown in Table 6.
Content analysis of archived documents is useful in triangulation of data. Denzin (1978) recommended using multiple data sources to demonstrate complementary aspects of the same phenomenon. Similarly, Eisner (2017, p. 110) promoted multiple data sources as a method to provide “a confluence of evidence that breeds credibility.” Archived document data are useful to understanding situational context (Fischer & Parmentier, 2010). Content analysis of archived documents provides a contextual richness within which to situate interview data (Bowen, 2009).

Table 6

*Examples of Potential Coding Categories Based on Bolman and Deal’s Four Frames*

<table>
<thead>
<tr>
<th>Frame</th>
<th>Coding Category Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Structure</strong></td>
<td>Institutional units identified</td>
</tr>
<tr>
<td></td>
<td>Unit positions within organizational structure</td>
</tr>
<tr>
<td></td>
<td>Responsibilities in the policy</td>
</tr>
<tr>
<td></td>
<td>Coordination between/among units</td>
</tr>
<tr>
<td><strong>Human Resources</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Clarity of goals and outcomes in policy</td>
</tr>
<tr>
<td></td>
<td>Resources identified to support implementation</td>
</tr>
<tr>
<td></td>
<td>Flexibility for local adaptation of goals and outcomes in implementation</td>
</tr>
<tr>
<td></td>
<td>Clarity of communication</td>
</tr>
<tr>
<td></td>
<td>Trust</td>
</tr>
<tr>
<td><strong>Politics</strong></td>
<td>Authority within unit</td>
</tr>
<tr>
<td></td>
<td>Authority between/among units</td>
</tr>
<tr>
<td></td>
<td>Role in policy design</td>
</tr>
<tr>
<td></td>
<td>Role in policy review</td>
</tr>
<tr>
<td></td>
<td>Role in policy approval</td>
</tr>
<tr>
<td></td>
<td>Sources of conflict</td>
</tr>
<tr>
<td></td>
<td>Perceptions of cooperation and collaboration</td>
</tr>
<tr>
<td></td>
<td>Power games</td>
</tr>
<tr>
<td><strong>Culture/Symbolism</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Perceptions of organizational norms in policy design/review</td>
</tr>
<tr>
<td></td>
<td>Perceptions of leadership in policy design/review</td>
</tr>
<tr>
<td></td>
<td>Perceptions of organizational values</td>
</tr>
<tr>
<td></td>
<td>Perceptions of purpose and meaningfulness of policy</td>
</tr>
</tbody>
</table>

The data analysis process was guided by Zhang and Wildermuth’s (2009) eight steps in conducting a content analysis (pp. 3-5):
• Step 1: Prepare the data.
• Step 2: Define the unit of analysis.
• Step 3: Develop categories and a coding scheme.
• Step 4: Test the coding scheme on a sample of text.
• Step 5: Code all the text.
• Step 6: Assess coding consistency.
• Step 7: Draw conclusions from the coded data.
• Step 8: Report methods and findings.

**Researcher Journal.** A researcher journal should provide strategies and processes to prepare the researcher to examine, critique, and evaluate their own understanding and beliefs about the research process (Evans & Maloney, 1998). I utilized my journal to ask questions, discover new areas of research, analyze the results of my research, and to conceptualize my understanding. It was especially helpful when memorializing the ideas and suggestions of my advisors. They are extremely knowledgeable about policy and postsecondary education.

**Reflexivity: Role of the Researcher**

Reflexivity is a purposeful situating of oneself in relation to the study and acknowledgement of these potential influences. Volunteerism is something I was taught at a very young age. I learned early that many people and animals are not as fortunate as I am and that it is the responsibility of those in a better position to provide aid and assistance. I never questioned the additional work that was expected of me, I just knew it was the right thing to do. Through the years, I realized the wisdom of my mother’s thoughtful lessons as my grassroots advocacy benefited abused and battered women and children, homelessness, and abused and abandoned pets. After becoming a CPA, I supplemented these efforts by utilizing my
professional skills to file Form 990 for numerous non-profit organizations and labeled it Pro Bono work.

My role at the University was to administer graduate fellowships, including several minority fellowships. During my tenure, and in the interest of customer service, I became a self-designated expert in the official student database of record Banner. This proficiency allowed me to assist students who had questions or concerns regarding their accounts. So I see myself as an advocate, more specifically, a student advocate and an activist for those that lack the power and resources to help themselves.

This self-designated role of advocate is a natural segue from my volunteerism and activism and supports my goal to assist and encourage others that are marginalized by gender, sexuality, race/ethnicity, and disability. Everyone should be afforded the opportunity to succeed through hard work and effort. Perhaps my deep involvement in volunteerism that assists marginalized groups is why I often select one of the critical paradigms when designing and presenting research.

A visually-impaired participant in past research studies explained that connectivity issues with the interface of Canvas®, the open-source learning management system (LMS) at the University, and JAWS®, screen reader software for the visually impaired, contribute to her earning less than straight A’s that she is accustomed to receiving. I continually encouraged her to keep her “eyes” on the final products of her education, the Licensed Mental Health Counselor (LMHC) and the Certified Rehabilitation Counselor (CRC) certifications, and not to get sidelined by incidents that may act as roadblocks to achieving her goal. Upon reflection, I realize that not only do I want her to achieve success, but I in turn have used this relationship to accomplish my own set of goals in successfully defending a dissertation and achieving a PhD. I
then vacillate again and justify my selfish motives with the thought that together our successes could bring attention to the challenges and accomplishments of students with disabilities. Are these altruistic goals, or am I being self-serving and self-interested? Does this lack of objectivity affect the current policy study?

As Lichtman (2013) posited, researchers should not strive for objectivity but should reveal the subjective nature of the researcher/researched relationship and consider the effects this bias has on the research process. Qualitative researchers are the lens in which participants’ lives and experiences are communicated to the research community. Critical reflection on the personal relationships that occur in the research process can reveal how my researcher bias can affect the various aspects of the research outcomes. Such reflexivity allows me to position myself in the study and allows the reader to develop a situated, contextual understanding of my interpretations (Lichtman, 2013).

Yet, assuming the advocate role in qualitative research can potentially compromise the research study by highlighting particular aspects of the study while downplaying others. As Stake (2010) posited, researchers must be careful moving from the investigative role to that of ameliorating a cause. Still, qualitative research often has advocative qualities. As a CPA, my world is dominated by numbers so utilizing qualitative research methods was especially appealing to stimulate action for students with disabilities. I self-identify as a woman and I care about other groups that have traditionally been marginalized so my research is not value-free.

Additionally, ethical concerns must also be considered as one transitions from the role of researcher to that of advocate (Stake, 2010). As a former auditor, I was always cognizant to maintain independence from influences that would compromise my professional judgment and prevent me from acting with integrity, exercising objectivity, and maintaining professional
skepticism (AICPA, 2016). As a researcher at a university, my personal ethics extends to the current policy study as a voice for the disenfranchised (Stake, 2010). In the current RCM environment, I am well aware that budget cuts often come to those with the smallest voices. I attempted to do the most good (and least harm) by working collaboratively with fellow university employees by fairly and objectively communicating their thoughts and opinions without bias and honoring all “zones of privacy” (Stake, 2010).

As a student advocate at the University, I am fully cognizant of this dichotomy of roles when conducting research because individuals with disabilities must be able to access their curriculum, and as a qualitative researcher, I can facilitate these venues for change (Denzin & Lincoln, 2005). The rules of ethics are situational and change with circumstances. Stake (2010) emphasized that the principles of ethics dictate that I must not violate the trust of others even when they fail to protect themselves. I anticipated the principles of privacy throughout the study and avoided intrusion by not soliciting private information. I had a plan for data gathering that considered privacy and was reviewed for protection of human subjects. I informed participants who would have access to my data and how this data would be used. I did not save sensitive data on peripheral storage devices. All data were stored behind the university firewall that has not been previously breached.

**Validation of Trustworthiness and Credibility**

Using methods from different paradigms and collecting data from different sources at different times leads to valid interpretations and strengthens the trustworthiness of results (Torrance, 2012). Rigor and trustworthiness of the findings from qualitative data are accomplished through three different procedures: (a) using more than one type of analysis, (b) assessing interrater reliability, and (c) member checking (Leech & Onwuegbuzie, 2007).
Multiple strategies for validation of findings, as suggested by Creswell (2013), were used in the study.

**Triangulation.** Triangulation is the use of multiple data sources to enhance the understanding of a phenomenon (Birt, Scott, Cavers, Campbell, & Walter, 2016). Johnson and Christensen (2012) recommended case study researchers consider multiple data sources that promote triangulation and help to understand the case and answer the research questions. Multiple data sources were used in this study to develop understanding by looking at consistency among exemplars and themes across participants’ interviews and archived documents. Using more than one type of analysis can strengthen the rigor and trustworthiness of the findings through methodological triangulation and a consistency among qualitative analytic procedures (Denzin, 1978). Finally, when information that is known to the reader is part of the research, it provides the opportunity to situate the reader in the study and to develop reader triangulation of the analysis (Stake, 1995).

**Member Checking.** Member checking is a technique for determining the credibility of researcher interpretations. Member checking is used to validate the findings because the researcher is both the data collector and data analyst, and these conflicting roles can lead to researcher bias (Miles & Huberman, 1994). Birt, Scott, Cavers, Campbell, and Walter (2016) posited that within a constructivist epistemology, member checking can be used as a way of enabling participants to reconstruct their narrative through deleting extracts they feel no longer represent their experience, or that they feel presents them in a negative way. Alternatively, participants can also change their responses and potentially add new data. Member checking strengthens the interpretation of results through descriptive triangulation, a term used by Leech
& Onwuegbuzie, 2007 to denote the consistency that is achieved between the researcher and participants.

The transcriptions, analytic categories, interpretations, and conclusions were emailed to each participant as a packet, asking them to confirm the accuracy and veracity of the researcher’s interpretations. If the respondents added or updated their original responses, I integrated the feedback into the existing data set and resent to the participant for confirmation of updated or additional interpretations. This iterative process continued until the results resonated with participants’ experiences, without compromising my interpretive authority.

Rich, Thick Descriptions. By using direct examples from interview transcripts and examples from archived documents, it was possible to describe people, roles, times, settings, situations, and perspectives in sufficient detail to help the reader evaluate the extent to which the phenomenon represented accurately and truthfully.

Researcher Bias. The influence of researcher bias was systematically addressed through the use of a reflexive journal. Denzin (1994) referred to this as “the interpretive crisis” (p. 501). "A researcher's background and position will affect what they choose to investigate, the angle of investigation, the methods judged most adequate for this purpose, the findings considered most appropriate, and the framing and communication of conclusions" (Malterud, 2001, pp. 483-484). A researcher journal is used to create transparency in the research process and to address the impact of critical self-reflection on research design.

Prolonged Engagement with the Field. The amount of time reading and accessing archived documents facilitated a contextual understanding of the policy design process. A significant amount of time developing rapport with interviewees facilitated key relationships and associations.
**Peer Debriefing.** Committee members who have prior experience related to the topic and method were consulted to provide feedback on perspectives, assumptions, and conclusions, for example, in the analysis and representation of data and findings.

A visually-impaired former graduate student who earned the Rehabilitative & Mental Health Counseling degree/professional designation was consulted to obtain a perspective of critical issues faced by students with disabilities when accessing course documents and matriculating through college. This student had first-hand knowledge of the difficulties of accessing the learning management system Canvas using the adaptive technology JAWS.

**Limitations**

Locke, Spirduso and Silverman (2014) identified research limitations as limiting conditions or restrictive weaknesses. One limitation is that the sample is limited to the experiences of participants at one university and their experiences with policy design. A small sample size allows for a depth of study rather than a breadth of study across a large population (Patton, 2002). Polkinghorne (2005) wrote that a purposeful selection of rich exemplars will enrich the understanding of the phenomenon of study.

This research study may not be useful for broad generalization. Yet, as noted by Lincoln and Guba (1985), a qualitative researcher may transfer the findings of one study to another study with a different population as long as there are descriptive data that allow such a comparison. Guba (1981) referred to this concept as applicability and posited that a researcher does not develop generalizations that are applicable in all situations but that it is possible to form working hypotheses that may be transferred from one context to another depending upon the degree of "fit" between the contexts. It is possible that other universities may be designing or implementing policy to comply with media captioning and access requirements. They may see
similarities and/or differences between the phenomenon described in this study and their own experiences in their institutions.

Summary

Students with disabilities are an emerging presence on college campuses throughout the world. The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities (DOL, n.d.). Higher education is required to provide access to technology, curriculums, and course documents to ensure that students with disabilities are afforded the same opportunities to succeed as their fellow classmates (UDL, n.d.).

Studying an organization using Bolman and Deal’s (2013) four frames of organizational analysis can lead to understanding an institution’s strengths and weaknesses. This understanding may inform guidelines for effective policy design. Bolman and Deal (2013) suggested that organizational awareness will help administrators effectively integrate the four frames to formulate responses to internal and external changes affecting the institution. Institutional intelligence will bring the four frames into alignment because in a given context, one cognitive map is a better fit than another. Bolman and Deal (2013) suggested that administrators use situational analysis to determine what factors are critical and to allow this understanding to drive decision-making processes.

The Department of Education expects institutions to make good-faith efforts in providing access to students with disabilities. The Captioning and Access of Media Used in Course Content policy is a sustainable effort towards compliance. This case study provides a framework of knowledge and understanding of issues faced by a university when designing and implementing policy to meet accessibility needs of students with disabilities.
CHAPTER FOUR:

FINDINGS

This is a descriptive case study of one institution’s adoption of policy that addresses the Department of Education’s mandate that course content be accessible to students with disabilities. An intrinsic, single-case design attempts to understand the institution as a holistic entity where the events throughout the policy process are analyzed and evaluated (Johnson & Christensen, 2012). This chapter presents the findings from analysis of the data collected through interviews with the captioning policy committee members, review of archival meeting minutes, and excerpts of the researcher’s journal. The findings are organized by data type (interviews, archival documents, and journal) and presented in relation to the research questions:

1. What factors in the University context had a positive influence on policy design as viewed through Bolman and Deal’s (2013) four frames?

2. What factors in the University context had a negative influence on policy design as viewed through Bolman and Deal’s (2013) four frames?

This study follows the suggestion of Roberts (2005) by organizing the findings chapter with a demographic description of the participants and a description of data sources, followed by the presentation of the findings, and finally the conclusions reached by the researcher.

Participants

Polkinghorne (2005) posited that qualitative researchers should select participants and documents for a study because they provide significant contributions to understanding the phenomenon of interest since the unit of analysis in qualitative research is the experience, not the
individuals or groups. The University appointed a committee to oversee the design process of the captioning policy, and primary participants of this study were drawn from that committee.

Table 7 provides demographic information for each of the participants. Pseudonyms were randomly assigned for each participant and used throughout the study.

### Table 7

**Participant Demographics**

<table>
<thead>
<tr>
<th>Participant</th>
<th>Title</th>
<th>Years</th>
<th>Area of Responsibility</th>
<th>Committee Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participant 1</td>
<td>Director</td>
<td>9</td>
<td>Students with Disabilities Services</td>
<td>N/A</td>
</tr>
<tr>
<td>Participant 2</td>
<td>Senior Vice Provost</td>
<td>17</td>
<td>Provost Office</td>
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<tr>
<td>Participant 3</td>
<td>Associate Dean</td>
<td>22</td>
<td>Graduate Studies</td>
<td>Graduate Council</td>
</tr>
<tr>
<td>Participant 4</td>
<td>Senior Associate General Counsel</td>
<td>15</td>
<td>General Counsel</td>
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</tr>
<tr>
<td>Participant 5</td>
<td>Director</td>
<td>12</td>
<td>Library Services</td>
<td>CEPI Chair</td>
</tr>
<tr>
<td>Participant 6</td>
<td>Associate Dean</td>
<td>27</td>
<td>Academic Affairs</td>
<td>CEPI Member</td>
</tr>
<tr>
<td>Participant 7</td>
<td>Assistant Dean</td>
<td>5</td>
<td>Faculty Training and Development</td>
<td>CEPI Member</td>
</tr>
<tr>
<td>Participant 9</td>
<td>Professor</td>
<td>7</td>
<td>Internal Medicine</td>
<td>Faculty Senate President</td>
</tr>
<tr>
<td>Participant 10</td>
<td>Associate Dean</td>
<td>28</td>
<td>Undergraduate Studies</td>
<td>Undergraduate Council</td>
</tr>
<tr>
<td>Participant 13</td>
<td>Manager</td>
<td>7</td>
<td>Instructional Design Services</td>
<td>Distance Learning Accessibility</td>
</tr>
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<td>Participant 14</td>
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<td>8</td>
<td>Department Chair</td>
<td>Provost Council of Chairs</td>
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<td>Participant 15</td>
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<td>Students with Disability Services</td>
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<td>Department Chair</td>
<td>CEPI Member</td>
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<tr>
<td>Participant 18</td>
<td>Graduate Student</td>
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<td>Student with Disability</td>
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</tr>
</tbody>
</table>

### Data Sources and Analysis Overview

Qualitative studies employ the collection of multiple data sources to provide for triangulation of findings, to develop a holistic view of the phenomenon under study, and,
according to Stake (1995), to promote vigorous interpretation. Multiple data sources enhance the understanding of a phenomenon (Birt, Scott, Cavers, Campbell, & Walter, 2016). Data sources used in this study are depicted in Table 8.

Table 8

*Data Collection Sources*

<table>
<thead>
<tr>
<th>Source</th>
<th>Campus A</th>
<th>Campus B</th>
<th>Campus C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviews</td>
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</tr>
<tr>
<td>Committee Minutes</td>
<td>10</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Researcher Journal</td>
<td>1</td>
<td>1</td>
<td>1</td>
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</tbody>
</table>

Primary interviews were conducted with Captioning and Access of Media Used in Course Content Committee members during the Fall 2017 semester. Supplementary interviews with a staff member at Campus B occurred during the same timeframe. This staff member was included due to her involvement with the captioning process on her respective campus.

A visual summary of the interview analysis process using Bolman and Deal’s (2013) four frames is shown in Figure 4. Interview transcripts were analyzed, looking for illustrative comments in each of the four frames in participant responses to each interview question.

Archived data are information previously collected and recorded. Archived data in this study were committee minutes from three campuses, obtained from a hosted institutional repository platform or from university staff through email request.
Meeting minutes were analyzed using content analysis. Saldaña (2013) identified content analysis as a method to systematically count, index, and categorize data elements. Content analysis is often used with studies that contain multiple participants and sites, a variety of data
sources, and when searching for associations, causes, and explanations. Meeting minutes were examined by placing example comments into an excel table that is delineated by committee, campus, and date. The full comment is included in one column, and then an abbreviated comment is included in a separate column. Concepts and themes observed in the example comments were notated in the excel table. A difficulty often associated with content analysis is how to satisfactorily categorize and code unstructured data (Daas & Arends-Tóth, 2009). Bolman and Deal’s (2013) four frames provided lenses through which to categorize the concepts and themes observed. A diagram of the analysis of archival documents is shown in Figure 5.

![Diagram of analysis of archival documents using Bolman and Deal’s (2013) four frames.](image)

**Figure 5.** Analysis of archival documents using Bolman and Deal’s (2013) four frames.

Throughout the review of interviews and archival documents, I kept a researcher journal of my impressions of the research and analysis. Faculty were concerned about how to integrate captioning into their course materials, who would provide assistance with this effort, and what funding was designated for the effort. There was no action plan specifying how the captioning
would be accomplished. Eight themes were a dominant presence throughout the study. Figure 6 depicts my interpretation of the factors that influenced the policy development process.

![Figure 6: Factors that influenced the captioning policy process.](image)

A recent excerpt from my journal addresses developments of accessibility in postsecondary education.

Participant One noted in a preliminary meeting at the beginning of this study that this university was one of the first in Florida to tackle the specific issue of accessibility of course materials. At the same time, there were many institutions that relied on a generic method where accessibility was addressed in their general ADA policy. It is possible to implement accessibility to course materials that way but it does not offer the same protection if the institution is sued. Having a policy that addresses scope and timelines does. I then investigated other institutions’ accessibility policies and discovered three. Fast forward a year and a half later and I discovered twelve policies that address accessibility. I also found institutional-wide accessibility committees that meet and discuss issues at their schools. There are third-party vendors that specialize in captioning and interactive transcripts. I discovered grant-funded accessibility studies where the results have been
published in peer-reviewed journals. There is a growing body of research on accessibility in postsecondary education. The captioning policy began as a narrowly defined case study but the topic has broadened in scope.

Data Collection and Analysis Timeframe

The University Institutional Review Board granted approval for this study on September 6, 2017. A copy of this document is included in Appendix E. Table 9 is a summary of the timeline of the data collection and analysis that guided this study.

Table 9

Data Collection, Analysis, and Reporting Timeline

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</table>

Interview Findings

The interviews were conducted during the Fall 2017 semester and were analyzed using the eight themes shown in Figure 6. Each of Bolman and Deal’s (2013) four frames has two themes.

Structural Frame

Bolman and Deal (2013) wrote that organizations work best when rationality prevails over outside pressures. At the time the captioning policy was promulgated, high-profile accessibility lawsuits filed on behalf of students with disabilities by organizations such as the
National Association of the Deaf and the National Federation of the Blind came to the attention of university officials. Organizational circumstances replaced rationality, and the policy process was not followed.

**Legal.** Participant One shared the current trends of accessibility lawsuits and litigiousness facing higher educational institutions as the impetus for the development of the captioning policy.

Part of my role is to keep my eye on current trends and at the time, there were lawsuits against universities because of two things; either the absence of web accessibility or a lack of captioning for both online and instructional materials within the classroom. Students were becoming more vocal about how frustrated they were that they had to wait for materials and did not have access to online classes like everyone else.

Participant One expressed awareness of the litigious climate facing universities. Key legislation such as Sections 504 and 508 of the Rehabilitation Act and Title II of the Americans with Disabilities Act require colleges and universities to provide students with disabilities equal and integrated access to higher education. High profile lawsuits by the National Association of the Deaf (NAD) and the National Federation of the Blind (NFB) on behalf of students have generated considerable interest in research on accessibility of higher education for students with disabilities. No longer a forgotten demographic, students with disabilities are demanding access to course materials and online content.

Participant Ten noted the legal environment within the state and emphasized other issues such as Title IV facing the university.

The university absolutely tries to follow the law and we are accountable to the Board of Governors. The university has been developing many policies as attention has been brought to all kinds of things and one of the significant areas is accessibility and accountability. The university is being as accessible and accountable so that explains the emphasis in actually making it
happen. The university will symbolically be accountable, make itself accessible, and do the right thing. They have done that with this captioning policy and other new policies that address such things as gender issues and this is why the captioning policy is necessary.

The Board of Governors is responsible for enforcing civil rights legislation within the state university system. The university has responded by considering gender issues and implementing a policy that addresses accessibility to media and course materials for students with disabilities. The captioning policy provides guidelines and timelines, so faculty and departments are aware of their obligations to students that make accommodation requests.

Participant Seven talked about a proactive and reactive approach when describing the beliefs that precipitated the captioning policy.

Thinking specifically about the captioning policy, one of the questions I posed was why the university was pursuing what I'm going to call a proactive approach rather than a reactive approach. As I understand it, the ADA law does not require that captions be in place as soon as the material is presented to the students but allows a timeframe to prepare the materials once an accommodation request is made. The answer provided in one of the many meetings was that case law seems to be determining that captioning the materials beforehand is the best practice. Case law was the exact phrase used and I interpret that to mean that court decisions have led us to believe that the university would be vulnerable to a lawsuit if we didn't take a proactive approach. So it was an institutional decision to mitigate risk by taking a proactive approach rather than a reactive approach.

Participant Seven believes the university began discussions on the captioning of media and course materials because it was perceived the institution was vulnerable to legal action and litigation. Participant Seven is of the understanding the ADA allows time to deliver captioned materials once a request is made and delineates between a proactive approach and a reactive approach. As an example, when a student makes a request for a captioned video, the reactive approach would be to provide the student with a captioned video in a specified amount of time.
Having the captioned video available at the time the video is shown in the classroom is a proactive approach. Participant Seven believes the university chose a proactive approach to mitigate risk associated with accessibility lawsuits.

Participant One explained that faculty recognized the importance of complying with the Department of Education's accessibility requirements. Participant One concedes that her span of control is limited to discussions that help a small, yet protected, population of students. Participant One also concedes that faculty have academic authority and that her role is to suggest options and alternative courses of actions based upon her experience with the DIEO office and legal issues facing the university.

VHS collections that are not captioned were identified by Participant Five as a source of concern for library officials. The Department of Education specified that higher education must provide alternatives for students with disabilities when media are not accessible to their students. Participant Five correctly stated that alternatives must be provided when students are not able to access media used in coursework. Going forward, the library is not purchasing media that is not captioned so the university is in compliance with the law.

The legal environment was a positive influence on the policy development process. Key legislation and civil rights enforcement by the Department of Education and the Office of Civil Rights were a strong impetus for colleges and universities to develop policy that addresses accessibility and keeps them in compliance with these mandates. Participant Nine and Participant Ten both recognize that aggressive accessibility guidelines implemented during the Obama administration may not be enforced during the current Trump administration. These insights seem to be taking hold with H.R.620 - ADA Education and Reform Act of 2017. This bill dilutes the rights of people with disabilities and weakens the ADA by placing the burden on
individuals with disabilities to make businesses comply with the law. Rather than placing the responsibility on the business owner to remove barriers to access, individuals must notify the establishment of ADA violations and then wait a minimum of six months to see if business owners make “substantial progress” toward addressing the violations (Hung, 2018).

Procedural. Figure 7 shows the approved policy process at the university while Figure 8 depicts what actually occurred during the promulgation of the captioning policy.

Figure 7. University policy process. Adapted from “University Policy Development Process Flowchart.”

Figure 8. Captioning and Access of Media Used in Course Content policy process. Adapted from “University Policy Development Process Flowchart.”
Participant Five identified the lapse of procedural protocol below:

General Counsel originally drafted the captioning policy and CEPI became aware of the proposed policy. CEPI communicated that there should be discussions of the proposed captioning policy and that additional time in the comment period was needed. The timing of the comment period during the holiday break generated controversy so Academic Affairs got involved and agreed to convene an ad hoc committee. But there were only two ad hoc meetings and the committee chair missed one of the meetings. Additionally, there were no meeting minutes. At one of the meetings there were representatives from Health, Students with Disabilities Services, General Counsel, and a representative from IT that handles media, one other person, and me. The process was more like wordsmithing where they discussed the wording of the policy rather than the content. After the meetings, copies of the changes were not distributed and it became policy without input from the ad hoc committee members. Another committee member commented to me that we never received a copy of the changes and suggested that I take it up with the Provost but I said that I would not do that. I believe General Counsel reviewed the changes with SDS but the committee provided input but we never received a draft. There was no process. Policies were being developed and there was no thought about who it would impact and faculty would be affected by captioning. The timing of the policy was also an issue, it was slipped in over the holiday break. It would also have been helpful to receive copies of the drafts.

General Counsel drafted the captioning policy, and it was posted for the 30-day comment period during the Christmas break. Faculty had already left for the holidays, and Participant Five noted that the timing of the posting generated controversy since the policy would have a significant impact on faculty. After CEPI voiced objections, it was decided to create an ad hoc committee to discuss the proposed captioning policy. Several policy process irregularities were noted by Participant Five including; 1) only two meetings were scheduled, 2) the committee chair missed one of the meetings, 3) there were no meeting minutes, 4) the appearance of a cursory editing process where changes to the text to improve clarity and style rather than changes to content, 5) after the meetings, draft copies of the updated policy were not distributed to the
committee members, and the policy was posted without input from committee members.

Another committee member suggested contacting the Provost Office regarding the policy process irregularities but Participant Five was hesitant to take this action. Participant Five noted there was no process. Indeed, as shown in Figure 6 and Figure 7, the university policy procedure was not followed.

Participate One shared what she learned about the policy development process at the university and reflected the need to follow prescribed steps specified in the University Policy Development Process Flowchart.

I knew that things take a long time at a large university and I have a much deeper appreciation for what that really means. So I did learn that it takes persistence and a willingness to say, "Okay, we've done three drafts, let's do four." I learned that, for the most part, the community is very receptive to doing great things for all of our students, including deaf students. I learned that if I were going to propose a new access policy that impacted all levels of faculty, I would start with a work group instead of just working with General Counsel. I would work with General Counsel and do a draft and then present it to the work group and start discussions before it’s officially posted. Because what happened was it officially posted and people felt as if they hadn't had any input. Had I known that, had I been able to see how folks would react, I would have done it different. It would have saved me from having to defend to the Faculty Union, it would have saved a lot of time, and it would have saved me a lot of heartache. I also think that we ended up with a stronger product. There were items in the first few drafts of the policy that were taken out and re-inserted into the general ADA policy. The caption policy originally talked about public events such as graduation, the President's speech, and other university events that are not classroom related. Someone in the caption work group mentioned that while these are important events, they are public events and public accommodations are addressed in the general ADA policy. So those sections that caused so much consternation were taken out because they did not address course work and put back in the ADA policy. I do believe that having other brains working on something is helpful because people see things from differently and it makes sense.
Participant One acknowledged that the policy process should begin with a committee that includes members of the faculty, General Counsel, Academic Affairs, and others impacted by the policy under consideration. Many universities include accessibility verbiage in the general ADA policy. The committee members delineated between accessibility in the classroom versus accessibility to public events at the university. This resulted in a captioning policy that addressed access to materials used in the classroom. Participant One’s comments reflects her willingness to negotiate under difficult circumstances to realize the ultimate charge of her employment; to assist students with disabilities at the university.

The composition of the committee is an important consideration when developing a policy that impacts students that require assistive and adaptive software and devices. Participant Thirteen expressed a view that emphasized this thought.

The committee could have benefited from having individuals who are involved with the technical aspects of media delivery, including our public facing websites, our online course sites, and someone who is closely involved with how we deliver media through face-to-face courses. I wish the captioning committee had asked us for participation because we had already performed a great deal of research on captioning. We used that research on our campus to get institutional buy in, funding, guidelines, and policies. We could have shared that research and it may have been helpful for them. We did our best to provide comments to the director of SDS to take to those meetings. The information we provided included the technology expertise and understanding of all of the file types, the delivery methods, as well as the generally accepted guidelines like the FCC's requirement for 99.6% accuracy rating. That sort of information could have been included to make this a more robust policy. We have this policy now but who is responsible for implementing it and how is it going to get implemented? You're talking about getting that awareness down to a few hundred faculty on our campus. At Campus A, they have many more than that and who is going to enforce the policy because some responsibility is delegated to the faculty and some is departmental responsibility, there needs to be some sort of action plan in place.
The Distance Learning Accessibility Committee was not asked to participate in the captioning policy formulation. The input from this group was directed to the Director of SDS of Campus B, who then directed comments to the Director of SDS on Campus A, who then directed the suggestions to the captioning policy committee. It is not known if the comments reached the committee for consideration. Broad, system-wide participation in the captioning policy development would have been useful to develop an action plan with realistic timelines and provide concise methods for development and delivery.

Not following the prescribed rules of policy development was a negative influence on the design of the captioning policy. After the policy had been posted for the 30-day comment period during the holiday break when no one was on campus, a committee was perfunctorily formed after faculty voiced their objections. Committee members were not carefully vetted; some members did not contribute while others that could have made a significant contribution were not asked to participate. Participant Thirteen suggested that the Campus B accessibility group would have shared the results of research and helped develop an action plan to make the captioning policy a more robust policy.

**Human Resource Frame**

Bolman and Deal (2013) emphasized that the most important asset of an organization is its people. Assembling the unique skills and talents of employees to accomplish an initiative with adaptive and assistive technology requires careful planning and mobilization. The university must balance personnel strategies such as the size and composition of its workforce with rapid social and operational changes. During the participant interviews, staffing and labor seemed to reverberate among the participants. The university community wondered if overburdened faculty would be required to perform the captioning of their own course materials.
or if there would be centralized funding to hire additional employees or to hire third-party
providers.

**Staffing.** Participant Thirteen shared concerns about faculty being required to caption
their own materials.

Not providing funds is a huge conflict because if a faculty member
is responsible for ensuring class videos has captions that will mean
additional time because they must transcribe. Faculty will need to
call vendors and make sure the videos they get are captioned.
They will say that it is extra time and time is money. Faculty need
money to pay third-party vendors for captioning media that is not
already captioned, and that is a problem. There is general
pushback from faculty members for any extra work. They are not
saying it's not good to do, we all know we need to do it, but maybe
that's something that we either hire a service or hire people to
handle the additional workload because the faculty members are
experts in their content, not necessarily in the technology
integration piece. There's a certain aspect they should be
responsible for but when it comes down to a student having access,
we want to make sure that it's done right.

Participant Thirteen’s perceived lack of central funding reflected a concern of many of
the participants. Everyone recognized that the university had to comply with civil rights
legislation but it was unclear as to how this would be accomplished. The policy document did
not specify these details.

Participant Thirteen’s comment also reflects additional concerns of consistency and
accuracy due to time commitments and skillsets required for captioning. A technology
integration framework identifies technology tools that permits students to solve problems and
learn. Faculty members are experts in their fields, but technology integration is a field of study
that is goal-directed and evaluative (FCIT, 2018).

The lack of staffing to support the captioning effort is a negative influence on the
captioning design process. Faculty are reticent to take on additional responsibilities and
assistance with the captioning effort would alleviate much of the pushback. Faculty are overburdened and assuming the captioning effort places an unreasonable demand on them. The chairs expressed that other departments skilled in this process should be assigned this responsibility. Old movies in VHS format are not captionable and pose a challenge for faculty that use these vintage copies. This issue should be discussed with Innovative Education, Information Technology, the Library, and Students with Disabilities Services to determine what options are available for these faculty.

A strong disability office had a positive influence on the captioning policy. Participant One became aware of accessibility lawsuits and immediately notified General Counsel that the university was out of compliance. During the promulgation process, there were discussions on the timelines for compliance and she negotiated a timeline that was satisfactory to everyone. This example of negotiation is characteristic of her willingness to do whatever it takes to help her students.

Participant Ten resolved disability requests for Undergraduate Studies and in her own college and noted that the Director of Students with Disabilities Services was always quick to find resources for the students.

I proctored students with disability exams for several years and saw firsthand her expertise as a skilled negotiator. This proficiency enables her to assist the students that are dependent on her office for help. Negotiation plays a pivotal role in acting as a liaison between faculty and students with disabilities.

Labor. A recurring theme throughout the participant interviews is the association between the perceived lack of centralized funding and the effort needed to accomplish
Captioning is a labor-intensive task due to software that requires extensive skills to complete the assignment.

Participant Nine noted a recurring theme of consistency when delivering course materials to students. Unlike most colleges where there is one instructor per course, this college has numerous lecturers within one course, and results could vary depending on the faculty member’s expertise with captioning software.

The effort in our college is difficult and we will always have issues due to multiple lecturers having different ways of lecturing. If you have each individual lecturer do their own close captioning, the quality is going to vary as well. So now you're going to have huge variations in quality of captioning and lecturing even within the same course. So, to me, it makes sense that it would somewhat centralized and that somebody would work with the lecturers to do the captioning, just to maintain the same quality, its maintenance. It's not a lecture-specific thing, the captioning should be the same every time you go to class and the quality of the captioning should be consistent. We had one course where we had 29 lecturers and you shouldn't get variations in captioning so that the instruction then will depend on the abilities of the teacher rather than the ability of the teacher to actually add captioning. I don't have any conflict with it but I have significant concerns about how it's going to be implemented, especially in our college.

Participant Ten noted that faculty are overburdened, and the lack of funds directs the captioning effort to the departments and faculty.

The policy places the burden of captioning on the faculty and the department. The policy protects the university but tells the faculty, “You have a big job to do.” The faculty have an enormous job to do and they’re not given money.

Participant Seven works with faculty on teaching practices and shared concerns of faculty.

Faculty have said that it means they wouldn't do this because there isn't a department budget for hiring someone to do the captioning and as a faculty member, they are too busy to do it. That is not a universal faculty position, some faculty members look at this like
the creation of PowerPoint slides and that it's something they have to do because it's necessary for the student experience. So it's not a universal faculty response to say therefore it won't get done but there are some faculty who felt like they wouldn't tackle it themselves if the department is being asked to do it without budget support then they simply wouldn't be able to get it done. The faculty have responded that to be ADA compliant no one will get a lecture now. It's understandable that if they can't caption it themselves and there is not money to caption the lectures then to stay legal you just don't present lectures. Faculty have expressed that as a result of the policy, a minority of students are dictating what the experience looks like for everybody.

The labor necessary for captioning was a negative influence on the captioning policy development process. The university received a great deal of pushback from faculty when they became aware that they would be responsible for captioning their own course materials.

**Political Frame**

The political frame views institutions as being organized by coalitions of groups and individuals with competing interests. Conflict arises when people vie for influence and control. This is accomplished by identifying the power players within the organization and determining their goals and strategies. Within all organizations, there are multiple sources of power. These include channels of communication, access to information, and control of resources. Power also resides in networking, alliances, and the ability to compel support through rewards and coercion (Bolman & Deal, 2013).

Marginalized groups that lack power rely on advocates to support their agendas. This is often accomplished through civil rights legislation promulgated at the top levels of government. Organizations comply with these edicts when the government threatens sanctions and/or withdrawal of funding. Individuals with disabilities have historically been denied equal access to an education and to employment opportunities. Rather than risk loss of financial aid,
postsecondary education is addressing accessibility to course materials by promulgating policy to meet the requirements of Sections 504 and 508 of the Rehabilitation Act and Title II of the ADA.

**Power.** Participant one was aware of high-profile lawsuits against colleges and universities, and this precipitated action that resulted in the captioning policy.

I initially contacted the Provost Office because they have the ability to change the faculty culture and our office often works with them when there is information that needs to go out to the faculty. I then contacted General Counsel because they are in charge of policy and if someone wants to make changes then that is where you start.

The Provost and Senior Vice Provost were both supportive in promulgating the captioning policy. Support from senior administration had a positive effect on the development of this policy.

**Funding.** Participant Two confirmed the captioning effort would not be centrally funded by Academic Affairs but would be the responsibility of the colleges and departments.

Funding is an issue that we went around and around on and it was determined that it would probably not be centrally funded. As of this date, I don’t know that this issue has changed since the interview. I assume associated costs remain the responsibility of decentralized budget agencies. A follow-up to Innovative Education might provide more current information, especially if an individual is developing an on-line component with a sound component to it. It would be interesting to determine if faculty are changing proposed course content because of issues related to captioning (i.e., not including sound components).

Participant Two considered the effects of Responsibility Centered Management and the effect on the captioning policy.

Well, RCM impacts this policy very much and does in this way; the cost was pushed down to the departments, who in turn had to rely on the colleges to be able to fund the initiative. There was talk about sort of what we call a general skim, that is taking an amount out of the [overall university] budget, which effectively every college would be taxed, if you will, and create this central fund.
But it was also felt that it was quite possible that some colleges were going to be much greater users of the services and other resources than others would, and so that there may be some inequity built into that approach. And so, that's why in the final analysis, we just took a deep breath and said that the colleges would essentially have to work it out. There's another reason for it too. And I think in the past, since we've moved to an RCM model, frequently we look to central authority such as the Provost office or the President's office, to fund an initiative like this. Under RCM, the Provost effectively has a budget. He no longer is sitting on this big pot of money that he distributes. The money is pushed out. So the money to fund this initiative no longer resides in the Provost office. So functionally, I really don't think there was much alternative than to push it to the college level.

Participant Ten observed that the Performing Arts is an area where captioning is enormously expensive because there is so much dependence on the media. Participant Ten expressed concern with the three-day timeline specified in the captioning policy for accommodating students with accessible materials for existing courses. When a professor invites a master artist, a distinguished scientist, or a renowned surgeon to speak, it is unreasonable to expect transcription in three days. The professor would be required to substitute the lecture with an alternate assignment or alternative grading. The student experience is enhanced by distinguished speakers, and the three-day timeline may have the unintended effect of changing the classroom learning experience because of the disabilities of possibly one student or by a minority of students. While existing courses have a three-day timeline for accommodating students, new courses must be captioned and receive approval by Innovative Education. Faculty are not always aware of these requirements, so Participant Ten notifies them when she becomes aware that a new online course is being developed in her college. There are no funds to assist faculty with the additional effort for captioning lectures and course materials that Participant Ten is aware of for faculty in that department or college. The captioning policy protects the
university but places the financial burden on the faculty and department/college. Participant Ten also noted the uncertainty of the captioning effort being centrally funded due to the Responsibility Centered Management (RCM) budget model currently being implemented at the university.

The preceding example of inviting a master artist, a distinguished scientist, or a renowned surgeon to speak is illustrative of the dilemma facing the university. Transcription of lectures is time consuming and expensive, yet quality speakers enrich the student experience and enhance the reputation of the university. The fine balance of providing a quality education with unfunded mandates is enigmatic to the policy development process.

**Symbolic Frame**

Bolman and Deal (2013) suggest that the symbolic frame represents the organizational culture that gives meaning to its members. Leadership’s commitment towards integrity and ethical behavior will define the norms and values of the institution. Several of the participants stated the university values diversity and provides fair and equitable opportunity for student success. The promulgation of the captioning policy is an indication that inclusion and accessibility are ingrained in the social fabric of the university.

**Mission.** Participant Thirteen is a member of the Distance Learning Accessibility Committee located at Campus B. This committee reviews online course development and makes accessibility recommendations. This group submitted grant proposals, was awarded grant funding, and published the results in peer-reviewed publications. This research documented test results of students with disabilities using various accessibility software. Participant Thirteen expressed regret that her group was not included in the development of the captioning policy. This group shared the technology expertise required for captioning, delivery methods, and
generally accepted guidelines with the Campus B Director of SDS. This information could have been used to make a more robust policy and provide guidelines for the development and delivery of online courses. These discussions could be used to provide strategies and specific procedures for faculty to follow. Faculty are overburdened and were reticent to take on the additional responsibility of captioning their course lectures and course materials. Information from the Distance Learning Accessibility Committee could have alleviated many of the concerns expressed by faculty by formulating clear guidelines specifying who would do what (responsibilities) and how it would get done (staffing and funding). The Distance Learning Accessibility group could have made a considerable contribution to answering who, what, how, and how much.

I believe the captioning policy conveys that administration values access to education for all of our students but I also think it's very clear that the support is not there. What I mean by that statement is that the heart is in the right place but the execution is not necessarily well implemented. This is an example of a minimum web accessibility standards policy that is just a bunch of bullet points that states this should be accessible. It doesn't specify any actionable items or resources. Having the policy is sort of a front saying like we care. We make sure we're accessible but there is no money to support the effort. Where are the resources, where is the funding, where are the guidelines? How is this being enforced and evaluated? How are we to know what the next step is? Those are all things that I think could put action behind that value and really cement it. We have started to figure out a work plan for meeting this captioning need using the tool mentioned earlier, Panopto, where it does the automated captioning. We actually had one of our media developers go through and do the automated captioning and then make edits to get the transcript up from 86% to 99% or better. For every one hour of media, it took 11 to 11.5 hours to edit that transcript because it was looking up content specific words, saving and coming back into the editing tool. Checking spelling, identifying speakers, averaged us out to be about $164 per media hour for us to do that, or pay $150 for 3Play Media to do it. This has been done on this campus so if they had reached out and to ask, we have this cost benefit analysis of automated captioning, vendor captioning, and of hiring a transcriptionist. We have the
data behind the effort showing that there is a benefit to students with and without disabilities. We are now looking at interactive transcript and seeing how that could be a benefit. So we have all this data and we are happy to share if it informs any sort of action towards the captioning policy. There is not enough sharing between the campuses because you need people from all backgrounds; policies, services, implementation, and technology. You just need that multidisciplinary approach to it.

Some programs may not be captionable. As the Associate Dean in Undergraduate Studies, Participant Ten resolved accommodation requests for undergraduate students and also resolved accommodation requests in her own college. Participant Ten teaches music, and this is an area where a student might not be able to participate in a class if they were hearing impaired. For example, there are some courses of study where an ear-training curriculum would not be suitable for a student with a severe or profound hearing loss. Similarly, there are general education courses available for all majors that require good listening skills to succeed in the course. Participant Ten noted that music requires the ability to perceive and distinguish ranges of pitches; melodic, rhythmic and harmonic patterns; dynamic expressions and many other nuances of sound. Another area of study where captioning might not be relevant is that of speech pathology. Participant Three explained that a Speech Pathologist must be able to discern variations and changes in vocal pitch, quality, or accent. Speech Pathologists utilize special instruments and tests to develop individualized treatment plans for patients and this requires the ability to see the patient speak and hear them as they pronounce words and sentences. Students with a mild hearing loss can succeed in music and speech pathology. Deaf people may sense some part of vibrations in various areas of the brain associated with hearing so that some perception of music occurs. As an example, Beethoven was a brilliant composer that gradually became deaf later in life, but he continued to compose successfully. Yet, as noted by Participant Ten, some students lack judgment in their own capacities due to inexperience. Universities
should examine each situation individually to determine if a student is capable of completing a course or program of study. In these special situations, experts can be alerted to the unique needs of these students and determine the best course of action.

Participant Ten explained the distinctions where students with severe or profound loss of hearing may want to choose other plans of study.

I teach music so hearing is very important and you can't put captions on music, it's a nonverbal thing. Someone with hearing problems would expect that they're going to have trouble getting accommodations in a music class that will satisfy them because there's just a problem. In instances such as this, captioning would not be the primary concern. Finding alternative assignments or alternative grading are more appropriate in situations like this. There will always be challenges because students must have a realistic view of what they can and cannot do. Some of them don't have good judgment yet and they put themselves in an area that is not going to serve them best and for wrong reasons, like they heard a course was an easy A or something. I'm thinking of a particular course in the general education program, the students have many different courses to choose from but they'll often take an online one that they've heard is real popular and is an easy A but it requires them to listen to music. If you can't hear it you need to go into another art form or another humanities course, but you just can't do anything about that. I would ask these students why they wanted to create this hardship for themselves and suggest they choose something where they had a 100 percent ability. This requires the faculty to counsel these students and faculty are oftentimes overworked or just not willing.

Relevancy. Captioning may not be relevant in all programs, and Participant Three explained that hearing and visually impaired students would not be able to complete the course of study necessary to become a Speech Pathologist. A person unable to see and hear will not be able complete standardized tests that are required to become a professional in this field. Participant Three qualified this statement by saying someone with a mild hearing impairment could turn up the volume on their computer to complete the course requirements, but a student
with a severe or profound hearing loss would not be able to complete the course of study necessary to become certified in this field.

The courses I teach have professional standards guidelines. I’m a Speech Pathologist and two critical senses for my profession are hearing and sight. I can’t do my job without hearing or sight. So my question always was why captioning should be a requirement in two courses in my major. I teach articulation disorders, so that’s speech sound disorders, and I teach voice production, all of which relies on a very good ear. If you don’t have a good ear you can’t do that part of the job. I’m not saying you can’t have a mild hearing loss but I’m not going to have someone who couldn’t turn up the volume on their computer and deal with this because if you can’t hear you really can’t be a Speech Pathologist. If you’re blind you can’t be a Speech Pathologist. You can’t give the test according to standards if you can’t see. I can’t transcribe what the person says if I can’t hear. So I kept asking them, “Why does my course have to be captioned if in fact people with hearing impairments should not be in there?” And as evidenced, we tried putting hearing impaired people into our phonetics class and they all dropped out because it relied so heavily on hearing that they came to the conclusion that they couldn’t do it. You can’t hire someone to help them read these tests. We can get them in Braille, but then you’re missing the cues. I look at somebody’s mouth while they’re talking to see how close they are to producing the sound and does it sound good. I try to match those two things up. If you don’t have those skills you can’t have this job. And, so that kind of bothered me, is complying with this policy asking me to do something that that is not attainable or relevant in my profession. So I think that there are some exceptions. At the committee meetings they would say things like, “Well if your PowerPoint is sufficiently detailed then transcription is not necessary.” But I don’t put every word on my PowerPoint slides because the hearing students won't listen because why come to the class if I’m going to read the PowerPoints to them? I also wonder if my slides are sufficient. Who is going to be the judge on that? It doesn't need to be captioned and only needs a transcript, who’s going to be the judge? What is sufficient detail on the slides? Its fine until the student takes the test and misses a question and the student can say that it wasn’t on the slide and it was the comment that you made based on what you had on your slide. So that’s a real interesting dilemma.
Participant Three offered suggestions on how the university could manage exceptions to the captioning policy for students who could not complete a course or program of study. Participant Three believes exceptions could be handled by university committees representing undergraduate and graduate councils. Students with Disabilities Services could also be involved in this process.

**Values.** Participant Fourteen believes the captioning policy stresses the university’s commitment to accessibility.

The captioning policy is putting some teeth behind our claims to be accessible. I attended a conference that had a one-day pre-conference for chairs and program directors and I listened to many people parrot the language of student access and student success and thought about the number of universities that say that but when you look at their actual practices, they’re neither accessible nor really promoting student success. I think our university does a pretty good job of trying to put our money where our mouth is.

Gaining access to a university leads to a diversity of the student population. Participant Three notes the value of diversity at the university.

I think the thing that I’m proudest about at our university is our emphasis on diversity. Graduate students come to our campus and diversity here is easy compared to other places. Let me explain that. We have a very open door, you walk around campus and you see all kinds of different people. That is what the international students tell me at events; everywhere they look they see different kinds of people. I think that this is just another way that we have acknowledged that differences are important to us and we want to put everybody on a level playing field. This is why we’re a nationwide leader in student success and we have leveled the playing field for African-Americans and Hispanics in terms of graduation rates. I think the captioning policy is another step to open up the door to individuals with disabilities because diversity is more than ethnicity and gender. It’s much more than that. So I think that it’s a real testament to the university and to what it really values, which is student success and making education accessible to all.
Participant Three understands the importance of providing an education to students with disabilities, even when her course of study requires the ability to see and hear. Participant Three is a Speech Pathologist and noted this profession requires the two senses of sight and hearing. She offered this response when asked if ethical and moral issues should eclipse pragmatism in developing educational policy.

The ethical and moral do count and you just heard me backpedal. I will transcribe a course for someone that is not severely hearing impaired, understanding that it does help them. Everything that is worth having costs too much money. The value of a college education is tremendous. It makes a difference in your entire life. So I think that's more important for society as a whole, I don't want people not able to have that opportunity. I will tell you that students with learning disabilities and other disabilities are the individuals that end up on the juvenile delinquent list. This is an issue that’s way too big. We don’t even know who it all affects and what people would benefit from having captioning. So when you talk about moral and ethical issues, reducing crime through providing the opportunity to obtain an education and yes, it does take money and might take away from other initiatives such as fellowships. It will be 15-20 years before we see the real impact of providing educational opportunities to students with learning disabilities, physical disabilities, and silent disabilities. I do appreciate that we need to make accommodations because not everyone tells you when they can't hear you and they lose out and their life suffers for it.

Participant Six noted that many people suffer some form of limiting condition, but this does not preclude them from participating in activities that allow a full, complete life. When asked what symbolism the captioning and access to media policy conveys, his response is shown below:

I think the captioning policy really documents that the university is walking the talk about inclusion. Because we all have family or friends that may have limitations but have a burning desire to learn something. And it shouldn't be hindered because of some type of disability. And a lot of times these disabilities come with age, like glaucoma or what have you, and there's no reason that we can't
take the extra steps. We have the computing power and software to do it, why not do it?

The captioning of course materials sends a broad message that the university values diversity and student success. Advances in adaptive and assistive technology will level the playing field and alleviate many of the challenges students with disabilities currently experience in the classroom. Participant Six eloquently expressed that each of us has family or friends with certain limitations, but they aspire to the same dreams and desires to live and learn. The captioning policy represents innovative practices and strategic thinking and strengthens the university's resolve to be inclusive and produce global citizens.

Archived Documents Findings

Seventeen archived documents were collected from seven committees located on three campuses. The documents yielded twenty-three meaningful comments that were analyzed and coded. There were no representatives from Campus B or Campus C on the captioning committee. The captioning policy was discussed on these campuses at the various committee meetings.

Structural Frame

The procedural frame is concerned with goals, outcomes, and assessment. Roles, units, teams, and groups are identified to accomplish specified objectives and directives. It is critical to clearly identify tasks and assign responsibilities with complex work such as captioning and interactive transcripts. The captioning policy was unclear as to who would provide assistance to faculty, where to go for help, and what resources were available.

Procedural. The archived document analysis produced twenty-three meaningful units. Of these, twenty addressed the structural frame. The committees were predominately concerned
about procedural matters such as which departments would provide assistance and who would be responsible for implementing captioning into course materials. The comment below was written in the minutes of the committee that raised concerns about posting the policy during the 30-day comment period at the beginning of the winter break.

Participant Five provided an overview of the proposed captioning policy and its potential impact on the university libraries and faculty. Primary issues discussed were timing of distribution of policy for review (right before winter break); short review period with winter break; concerns about resources to implement policy; and concerns about access to instructional resources that may not be captioned. Several minor edits were suggested: emphasizing that existing courses are the ones that would be evaluated for development of a plan to modify the courses or materials to bring them into compliance; emphasis on course-purposed materials in the development of a phased compliance plan; and emphasis on security captioned resources through inter-library loan or other means. Participant Sixteen will forward the edits to Participant One.

Another area of concern was representation. Captioning is a system-wide policy, yet no other campuses were asked to participate on the captioning committee. The captioning committee did not include stakeholders that could have made this a more robust policy. The committee from Campus B wrote of this concern below.

We are unsure if we have representation on the system-wide committee that is developing this policy. Our committee representative will ask about our representation. Our committee representative will ask the Campus B Students with Disabilities Services representative if he would like to meet with our committee for any feedback or insight.

One committee expressed a recurring theme that faculty were not consulted on the policy. This was a significant oversight because the captioning policy requires faculty to alter their course materials and website access. This lapse caused the university to backtrack, and the captioning committee was hastily formed. The comment is shown below.
Participant One spoke to the Caption and Media Access Policy that is being promulgated. The policy refers to access to course materials and everything else at the university, particularly media and online materials by students with disabilities. PowerPoint with transcripts do not need captions; existing courses must phase into compliance and all courses must be in compliance within five years. Innovative Education will provide assistance as that office has individuals who are knowledgeable about course design and accessibility. Participant One is preparing a Q&A and is also trying to secure funding for the costs associated with access. There was concern that faculty were not consulted on this proposed policy; time will be allotted to ensure that all stakeholders have an opportunity to contribute to the final policy before adoption.

**Political Frame**

Bolman and Deal (2013) posited the political frame is the most important due to influences of power, control, and resources. Those in control have ability to direct resources to accomplish the goals and objectives of the organization. Top administration of the university decided to promulgate the captioning policy to mitigate risk associated with accessibility.

**Power.** The captioning policy emanated from Academic Affairs. The Senior Vice Provost conveyed to the faculty executive committee that the university was not in compliance in regard to accessibility of course materials. The issue of noncompliance is what precipitated the promulgation of the captioning policy. The comment below is contained in the executive committee minutes.

Report from Provost and Executive Vice President. On behalf of the Provost, the Senior Vice Provost provided the following update: The captioning policy will need to be addressed as university is currently out of compliance. It is now in the promulgation process. A Faculty Senate committee will be asked to look at a draft at a later date.

**Funding.** Funding of the captioning effort was discussed by two committees. The committee that expressed concern about the comment period occurring during the winter break.
also noted the lack of central funds committed to the captioning effort. The meeting minutes from this committee are shown below.

Chair reported that, due to possible funding issues, the council has asked that the deadline be extended beyond December 23 for submitting comments on proposed System Policy Captioning and Access of Media.

A committee from Campus C wrote the following.

Participant Eleven further explained that, while a grant is available to assist with the expense of captioning required materials, it has not been determined how those funds will be allocated. In the meantime, the expense for captioning will fall to the department(s) that require it.

Other universities have a grant application process to fund captioning. This university does not have such a process.

**Researcher Journal Findings**

My advisor provided a Bolman and Deal Quick Reference Guide, and the journal entry below reflects my use of the guide during the research process. The document kept me focused on Bolman and Deal’s (2013) frames and how the results of my study answered the research questions. I included copies of the guide in my content analysis spreadsheet and interview protocols and it seemed I had a copy each time I sat down at the computer to conduct research, analyze the data, or write up the findings. Each of Bolman and Deal’s (2013) frames included four categories:

- Key assumptions
- Basic characteristics
- Leadership Task
- Key Organizational Analysis Questions
The document was so incredibly helpful that I referenced it in my journal.

My advisor provided a quick reference guide that identifies embedded interview questions for each of Bolman and Deal’s four frames in terms of how to determine institutional factors that influenced the policy design process. If the organization is working properly, there are some things the committee members should have experienced in terms of the policy design process. Examples: 1) how was the committee structured? 2) what units did you contact in developing the text for the policy? In each frame, these questions will determine how effectively this was accomplished. My advisor uses these embedded questions to help her students understand how the policy process was handled. She suggested I let the Bolman and Deal’s embedded questions drive the interview questions and help in the analysis. Ask each participant the right questions to determine if each frame is being addressed. Go deeper and align questions to frames. The university is not always transparent about what is going on so use the guide to determine what really occurred. As new voices come into the study, use the guide to focus on pertinent issues.

**Structural Frame**

Since this is a policy study, I began my journal trying to understand the policy process at the state level and the university level. Early reflections included comments that addressed the structural frame.

**Procedural.** My study should include how policy is developed at the state level and at the university. This is important because each state promulgates policy differently. There is no magic wand that says you must promulgate policy using this method or that method. It is important to understand how policy is developed within the state because we are a public institution, and there is authority that is delegated to our governing bodies from the state in terms of policy development and policy making. People who don’t live in our state might think things sound a little odd because writing policy that contains regulatory constraints can impede what might seem like a simple, logical process because of the way the policy regulations are written. The university identifies New and Proposed Regulations and Policies and Current Regulations and Policies. There is Regulation and Policy Development. There is a document that references the Board of Governors. University System regulations are adopted pursuant to the Board of Governors (BOG) Regulation Development
Procedure. A document identifies how system policies are adopted pursuant to the University System Policy, Regulation and Policy Development. I then reviewed the policy process visualized in a flowchart. CEPI is working on this because they do not see faculty in the process. There is also a Legal Disclaimer and there are directions that delineate how to begin the policy process. The first two documents are the most important because it tells us what we can and cannot do in regards to policy. This will provide me with the structural frame background. The power of the Florida Board of Governors is granted by statute. This statute also grants the Board of Trustees authority. There is one policy and regulation document from the BOG and two policy and regulation documents from the university. These documents determine the policy process and provided me with a broad understanding of how policy is developed at the state level and the university level.

Summary of Themes

The captioning of course materials and web content is an arduous undertaking, and a number of themes resonated throughout the participant interviews. The university did not follow policy development guidelines posted on the university website when promulgating the captioning policy. When a faculty committee became aware of the policy, it was already in the 30-day comment period. The committee representatives objected, and an ad-hoc committee was hastily convened. Other campuses were not included, and individuals felt the committee members did not accurately reflect the composition of the university community and were not representative of captioning stakeholders. The committee process was done perfunctorily, merely to appease a faculty grievance.

Captioning is a task that requires advanced skills and specialized software. Staffing and labor were considerations that each participant mentioned during the interviews. Faculty are overburdened, and there is general pushback when administration attempts to increase their work load. The university is presently implementing a new budgeting concept known as Responsibility Centered Management where the deans of colleges are given greater budgetary
authority and responsibility over their units. This provides the financial incentive to recruit
students and generate revenue. By reducing expenses, they incur additional cost savings. The
university is no longer centrally funded, and the responsibility for captioning was relegated to the
department and faculty level.

Issues of consistency and accuracy were highlighted due to the uncertainty of resources
and personnel. The university did not have an action framework for implementing the
captioning policy. Availability of resources, university, department, and individual
responsibilities, and identification of those who can assist with the captioning effort were
unclear. Innovative Education is the certifying department for online course development, but
training and resources had not been identified for the actual effort of the captioning of lectures
and course materials and developing accessible websites.

Many institutions have created accessibility committees that discuss contemporary issues
such as universal design principles and search for funding to remove obstacles for students with
disabilities. These committees promote awareness of civil rights legislation and the institution’s
obligation to individuals with disabilities and determine best practices to ensure an inclusive
learning environment. Accessibility committees work in conjunction with their respective
Diversity, Inclusion, and Equal Opportunity offices and with the Student with Disabilities
Services office to create an atmosphere that promotes diversity, inclusion, awareness, and access.
CHAPTER FIVE:
ANALYSIS AND IMPLICATIONS

The purpose of this policy study was to analyze and evaluate the formulation and promulgation of the *Captioning and Access of Media Used in Course Content* policy at a research-intensive state university to determine if these activities produced desired outcomes.

Data were collected through semi-structured, open-ended interviews with nine captioning committee members and the Manager of Instructional Design Services at Campus B in the Fall 2017 semester. Archived data representing faculty committee meeting notes were collected and analyzed in the Summer 2017 semester. A researcher journal was kept throughout the study. Bolman and Deal’s (2013) concept of reframing organizations provided the framework for analyzing the interviews, archived data, and researcher journal.

Chapter Five begins with a cross-case analysis and then discusses the findings, limitations, and future research.

Cross-Case Analysis

Cross-case analysis is a qualitative research method used in the social sciences. Case studies are frequently employed in explanatory research to answer ‘why’ and ‘how’ questions and are useful for analyzing contemporary events over which the researcher has little or no control (Yin, 1994). In this case study, the ‘why’ includes factors that have a positive and negative influence on policy development at a research-intensive university. The ‘how’ includes faculty that are responsible for integrating captioning into their curriculum, staff and third-party vendors assisting in the captioning effort, and colleges/departments responsible for funding the
effort. An interpretive methodology such as case study research has inherent limitations. One limitation is researcher bias, and Yin (1994) posited that researcher bias can lead to a lack of precision when the researcher dismisses certain patterns or mistakenly identifies non-existent ones. I attempted to reduce researcher bias by utilizing thematic coding and content analysis (Hussey & Hussey, 1997) and by using display charts and matrixes of different categories (Miles, Huberman, & Saldaña, 2014).

The participants in this case study hold a variety of positions at the university. These range from faculty with administrative appointments, a faculty representative of chairs, Associate Deans, a faculty representative with expertise in teaching practices, faculty with backgrounds in disability studies, and staff with disability backgrounds. The questions address Bolman and Deal’s (2013) conceptual framework and are directed to each person’s position at the university. The ten participants share a commitment to improve diversity at the university by implementing a policy that levels the playing field for students with disabilities. The responses provide unique insight and interpretation of the captioning policy.

The archived documents are from various faculty committees located on three campuses. Although the captioning committee only included members from Campus A, the captioning policy is a system-wide policy so discussions at Campus B and Campus C committees are included.

Interviews

The ten participants come from vastly different disciplines and have a variety of positions within the university. The interview questions were directed towards their areas of responsibilities and addressed Bolman and Deal’s (2013) four frames of organizational analysis. The interview transcripts were verbatim. Rather than burdening busy faculty and staff with the
complete dialogue, member checking was limited to comments that addressed the four frames in meaningful ways. Figure 9 shows the interview cross case analysis by participant.

![Interview Cross Case Analysis](image)

**Figure 9.** Interview cross case analysis.

**Structural Frame.** The captioning policy came about due to civil rights legislation, so legal issues play an important role in this study. Captioning also requires strategic planning, so procedural issues were a dominant theme. Figure 10 lists the comments that address the structural frame by participant.

![Structural Frame by Participant](image)

**Figure 10.** Structural frame by participant.

**Legal.** Participant One became aware of high-profile accessibility lawsuits, complaints, and settlements and contacted General Counsel. General Counsel then contacted Participant
Participant Two about addressing the university's noncompliance with the Department of Education's accessibility requirements. Participant Two initiated the captioning policy and stated the policy represents the university’s commitment to achieving and maintaining compliance to federally mandated accessibility requirements. The policy also fulfills the intent of the accessibility regulation, which is to ensure that all students are afforded the opportunity for success. This achieves the university’s responsibility of providing access to students with and without disabilities.

Participant Thirteen understood that high-profile accessibility lawsuits filed during this timeframe on behalf of students with disabilities by organizations such as the National Association of the Deaf and the National Federation of the Blind came to the attention of university officials. Participant Thirteen manages the instructional design team at Campus B. When Participant Thirteen was recruited in 2011, Campus B began addressing accessibility, so this campus was proactive. Participant Thirteen was hired because of her background in web accessibility and assistive technology.

Participant Two informed Participant Nine the captioning policy was necessary to meet federal regulations. Participant Nine was included due to his position on a faculty committee. The captioning of coursework materials is not a primary topic of discussion in Participant Nine’s college. Participant Nine does not believe the majority of faculty in his college are aware of the timeframe for compliance that is specified in the policy. President Obama made ambitious educational policies that benefited underrepresented populations, but Participant Nine and Participant Ten are unsure if the Trump administration will enforce the advancements of the Obama administration. The impact on educational institutions of postponing or discontinuing
these policies at the administrative level of government is uncertain, but Participant Nine believes the university is committed to the captioning of course materials.

Participant Seven believes the university began discussions on the captioning of media and course materials because it was perceived the institution might be vulnerable to legal action and litigation. Participant Seven is of the understanding that the ADA allows time to deliver captioned materials once a request is made and delineates between a proactive approach and a reactive approach. As an example, when a student makes a request for a captioned video, the reactive approach would be to provide the student with a captioned video in a specified amount of time. Having the captioned video available at the time the video is shown in the classroom is a proactive approach. Participant Seven believes the university chose a proactive approach to mitigate risk associated with accessibility lawsuits.

Participant Seven believes that each individual comprehends and interprets the captioning policy in different ways. Participant Seven views the policy as university prescience of the legal environment facing higher education. Governmental agencies recognize that accessibility to web content is a precursor to student success and that all students have a legal right to course materials in the needed format. Educational institutions are concerned due to high-profile lawsuits against universities as national organizations seek legal recourse on behalf of students with disabilities. Participant Seven realizes that faculty perspectives are often short term and narrowly defined. The captioning policy is seen as authoritative and not directed towards pedagogy and teaching practices.

Participant Fourteen noted that certain committee members opposed the captioning policy even though it was in the best interest of the university to promulgate a policy that attempts to
comply with civil rights legislation. This pushback was due to lack of resources allocated to assist faculty with the captioning of their lectures and course materials.

The Department of Education follows the accessibility guidelines in Section 504 of the 1973 Rehabilitation Act, the first disability civil rights law to be enacted in the United States setting the stage for enactment of the Americans with Disabilities Act (DREDF, 2018). Section 504 prohibits discrimination based on disability in programs and activities operated by recipients of federal funds. Institutions must accommodate students with disabilities by making media and coursework accessible in a format needed by the students. The university is also under the directive of Title II of the Americans with Disabilities Act of 1990 (ADA), which prohibits discrimination based on disability by state and local government entities, regardless of whether they are recipients of federal funds. The university dispenses federal financial aid to students, so the university must comply with the Department of Education's accessibility requirements or risk losing the ability to distribute federally funded financial aid to students.

Procedural. Participant Five first learned of the captioning policy during a faculty committee meeting. This committee monitors new and proposed policies that may impact faculty. The policy was posted for the 30-day comment period before an actual workgroup or committee was formed. Faculty protested that the policy had not been fully vetted, and the university pulled the policy from the comment period and created an ad hoc committee. Participant One suggested to Participant Two that the Provost Office decide who should be included on the captioning committee. Participant Two considered faculty interests by including faculty on the captioning committee who also served on other faculty committees. Other captioning committee members were selected because they previously worked with Student
Disability Services on captioning, and others were selected who had expertise with captioning. Another committee member was selected due to prior disability studies and research in the area.

Participant Three believes the university policy development process was followed in the formation of the captioning policy and stated the committee members included a broad representation of faculty and individuals of the university community. Participant Six believed that university protocol was followed in the development of the captioning policy. Participant Nine noted that sometimes the university does not set up committees to discuss proposed policies, and they are promulgated with only the 30-day comment period. In this instance, the Provost Office created an ad hoc committee once administration was made aware that faculty wanted representation in discussions of the captioning policy.

Participant Five was the only committee member that understood the university policy development process was not followed. General Counsel drafted the captioning policy, and it was posted for the 30-day comment period during the winter break. After faculty voiced objections, it was decided to create an ad hoc committee to discuss the proposed captioning policy. Only two meetings were scheduled, and the committee chair missed one of the meetings. A scribe from General Counsel attended the meetings, but these notes were not distributed, and there were no meeting minutes. Wordsmithing gave the appearance of a cursory editing process. After the meetings, draft copies of the updated policy were not distributed to the committee members, and the policy was posted without input from committee members.

The captioning committee did not include system-wide input from Campus B and Campus C. The initial Responsible Office lacked experience in assembling a system-wide committee, and there was inadequate representation of interests. Factors to consider when assembling a committee are to include a diverse representation, committee dynamics, roles and
responsibilities, communication protocol, and governance. Faculty and departments opposed captioning due to the lack of central funding. Initial communication was that administration would provide central funding, but administration reversed this commitment when they became aware of the significant investment required. Responsibility for the captioning of coursework was delegated to the departments, and it was implied there would be funding at the department level. Participant Nine felt this aspect was ambiguous, and university support of the captioning effort was not fully communicated to the committee. Responsibility Centered Management (RCM) directs the budget to the colleges, and senior administration delegated accountability for captioning to the colleges. The colleges designated responsibility for captioning to the departments and faculty.

Media accessibility has shifted from a focus on the number of users attempting/gaining access to quantifying the quality of the experience. Quantifying results is difficult due to the absence of a theoretical framework for understanding quality in media accessibility. The Distance Learning Accessibility Committee has conducted research and published the results. Their group offers valuable insight into accessibility standards and requirements and their work will contribute to the accessibility theoretical framework.

**Human Resource Frame.** The organization and its employees have mutual needs, and the relationship is based on respect and reciprocity. Bolman and Deal (2013) believed the organization exists to serve human needs, and this recognizes the value of a firm’s most valuable asset, its people. Equitable salaries, generous holidays and leave time, parental leave, and company travel are lucrative, but employees often express they are happiest when they have a sense of purpose. Visionary leaders invest in employees by job enrichment, promoting from within, continuing education, and professional development and training. Successful
organizations provide a culture of continual improvement that empowers their employees to accomplish organizational goals. Employees are often happiest when their organization creates a feeling of belonging and by giving their employees the freedom to learn and grow.

Captioning requires substantial time and effort. This includes training on how to use captioning software such as Panopto, Camtasia, and Captivate to add Section 508-compliant captions to recordings. Users must possess technology expertise and understand the file types, delivery methods, and the FCC's requirement for 99.6% accuracy rating as well as generally accepted guidelines. There was considerable pushback when faculty were asked to assume the additional responsibility of captioning, and this was reflected in the interviews. Figure 11 lists the comments directed to staffing and labor required for captioning.

![Human Resource Frame by Participant](image)

**Figure 11.** Human resource frame by participant.

**Staffing.** Participant Three did not specify a staffing commitment from university administration to assist faculty in the captioning of lectures and course materials to comply with the captioning directive. Participant Three believes administration thought they addressed staffing and made some suggestions. It is a tremendous monetary commitment, but this is a federal requirement, and the university must comply.
Participant Nine noted that faculty in his college have full workloads, and assuming the additional responsibility of captioning lectures and coursework concerns them. An additional problem is the intellectual property rights of lectures and coursework that are disseminated through books or chapters in books.

Participant Thirteen’s association with students with disabilities began when she started working in the disability office at her undergraduate institution. Her graduate program was special education and assistive technology, and she worked as an assistive technology resource teacher in K-12. Her background met the job requirements of her current position at Campus B. Participant Thirteen is the manager of the instructional design team and was recruited due to her expertise in web accessibility and assistive technology. Participant Thirteen’s initial role was to offer accessibility guidance, but her position evolved to an oversight role where she ensures that instructional designers deliver courses that meet accessibility guidelines that need little alteration or adaption. Participant Thirteen is a board member for the state alliance for assistive services and technology. The goal of Participant Thirteen’s department is to form a collective approach to instructional and curriculum development, to design innovative learning environments, and to utilize technology to achieve academic distinction. This department provides technology training and instructional design support to faculty.

There was no budget designated for staffing the accessibility effort, so the university should capitalize on existing talent. It would be helpful if there was sharing between the campuses on accessibility and online course development. A department located on Campus A is responsible for certifying online courses, and an employee in this department has an Ed.D. in Program Development and serves as the Instructional Design Project Manager. The employee on Campus B has expertise in accessibility. The employees responsible for instructional design
should take advantage of these unique talents to collaborate, capitalize, and communicate recent
developments and best practices in accessibility.

Labor. Participant One’s office initiated the caption policy because they work with
student with disabilities, and their office budget is paying for accessibility requests to university
courses. The number of students requesting accessibility services from this office has increased
significantly, and it became difficult to meet the demand. They initiated the policy to encourage
other units to join in the effort to meet the student's requests. Participant One’s observation
reflects worldwide trends of growing enrollments of students with disabilities in postsecondary
education that has resulted in increased requests for accommodation. With limited resources,
Student with Disabilities Services experienced difficulty in keeping up with the service requests
for accommodation.

Participant Two identified Information Technology and Innovative Education to be
included on the captioning committee because captioning requires expertise in the area of
assistive technology. Captioning requires a significant effort, and faculty have been assigned the
responsibility of captioning their lectures and coursework. This resulted in pushback due to the
lack of resources, budget, and support. Participant Nine expressed concerns of budgeting, labor,
and staffing in the captioning of lectures. Daily workloads may not permit the timely completion
of the captioning of lectures, so the timeline for compliance is also an issue. This is due in part
to the unique nature of how lectures are presented to the students in Participant Nine’s college.
On Campus A, each class typically has one primary instructor and that person is in charge of
ensuring the captioning of lectures. In Participant Nine’s college, one class may have a dozen
lecturers providing instruction in their area of specialty. Consistency and quality of captioning
for multiple lecturers within one course is problematic. If a complete lecture series is being
captioned, then economy of scale is accomplished if each lecturer captions their own lecture materials rather than the course director attempting to caption the complete course. The distinguishing characteristic of multiple lecturers is specific to this college and presents many challenges.

Participant Six suggested a tiered approach that focused on the development of online courses and gave high priority to courses that impact the most people and are routinely taught. Courses already in existence that have videos required additional work, and faculty were concerned about the additional effort necessary to make these courses compliant. This is a graduate program, and faculty in this college felt that since the number of students requiring captioning was small, captioning should be done on a case-by-case basis. Participant Six pointed out that some students do not want to disclose their disability, and handling these requests on a case-by-case basis would require disclosure. Most faculty have complied and modified their course materials.

Participant Seven has an advisory role to assist faculty with their teaching practices, and his office recommends the faculty caption their videos using YouTube. YouTube has CC captioning functionality where the default setting does not show captions. The experience is user driven rather than system driven, and students manage the caption settings themselves. Another option is to provide separate links to one version with captions and one without.

Faculty in Participant Six’s college are research active and are concerned about the required time to make their courses captioning compliant. Participant Six enlisted an online course coordinator who worked with the Office of Online Course Development to develop the skill sets needed for captioning. This coordinator works with faculty in Participant Six’s college to ensure the courses are captioned.
Faculty are overburdened and assuming the captioning effort places an unreasonable demand on them. The department chairs expressed that offices skilled in this process should be assigned this responsibility. Old movies in VHS format are not captionable and pose a challenge for faculty that use vintage copies. This issue should be discussed with Innovative Education, Information Technology, and Students with Disabilities Services to determine what options are available for these faculty.

Assistance with online course development is essential as the number of online course offerings expands and student retention and graduation metrics proliferate. Innovative programs need university employees skilled in the use of assistive technology, so the colleges can make these courses available to their students. Assistance will also allow the faculty to concentrate on research activities. Participant Thirteen believes the university should develop an action framework for implementing the captioning policy. This strategy should include availability of resources, university, department, and individual responsibilities, and identification of those who can assist with the captioning effort. Innovative Education is the certifying department for online course development, but resources have not been identified for the actual effort of developing accessible websites and the captioning of lectures and course materials.

Political Frame. Students with disabilities are a marginalized group that historically lacked influence and power. Ed Roberts, a polio survivor and the first severely disabled student to attend Berkeley, relied on an iron lung and a wheelchair when he attended the University of California in 1962. During this timeframe, it was legal for institutions in the United States to refuse admission to people with disabilities; students were told they could not be accommodated, and there was no recourse (Edelstein, 2010). Mr. Roberts is recognized as the father of the independent living movement for people with disabilities and special needs. In 1975, Gov.
Edmund G. Brown Jr. of California named Mr. Roberts to head the State Department of Rehabilitation. Mr. Roberts served in this capacity until 1983 when he helped found the World Institute on Disability (Elliott, 1995). Revered by people with disabilities across the nation for his trail-blazing work as a disability and civil rights leader, he was inducted into the California Hall of Fame in 2011 in a ceremony hosted by Governor Jerry Brown (UDW, 2011).

Captioning is expensive, and funding was a common theme. The captioning policy was the result of civil rights enforcement from the highest levels of government, the Department of Education and the Office of Civil Rights. The university promulgated the policy at the highest level of the university, the Provost Office, and this is where the ability to authorize spending resides. The political frame addresses comments that are directed to power and funding. The political frame by participant is shown in Figure 12.

![Figure 12. Political frame by participant.](image)

**Power.** Participant One believes the university made a good faith effort when developing the captioning policy. One of the points of concern among the people who reviewed this policy was the timeline to make the media and course materials accessible by 2023. Some thought the timeline was too long, and some thought it was not long enough. Participant One initially
suggested a five-year window because it took two years to promulgate the policy. During
negotiations with different groups, including the Faculty Union, many felt the timeline should be
twelve years. As a compromise, it was decided to select the difference between five years and
twelve. Participant One is skilled at negotiation, and her expertise as a negotiator has served her
well since students with disabilities are dependent on her office for assistance. This example of
the negotiation of dates for compliance is characteristic of her willingness to do whatever it takes
to help her students.

The university is bureaucratic and operates in a state where the legislature plays an active
role in the university system. Participant Fourteen believes the captioning effort is the result of
federal overreach where the Obama administration imposed many educational reforms. The
Trump administration has shifted emphasis to other initiatives and would probably not enforce
the educational directives of the Obama administration. Indeed, it was announced in September
2018 that Betsy DeVos would roll back Obama-era Title IX regulations deemed unfair to the
''accused' (Parke, 2018). Colleges and universities are vowing not to ease the rules to protect
victims and prosecute the accused.

Participant Fourteen regards herself as an advocate since she has conducted many
disability studies. Most people are unaware that someone they know may have a disability and
never consider what it’s like to go through life with low vision or not being able to hear.
Participant Fourteen has written extensively on feminism, and both disability and feminist
studies are extensions of the critical paradigm. Critical theory examines power structures and
discusses methods to exercise self-determination and overcome the social frameworks through
which people are dominated and oppressed. Participant Fourteen sees herself as someone who
can educate others due to her professional and personal background. While some committee
members maintain that captioning detracts from the learning experience, Participant Fourteen explains that individuals have multiple learning styles. Some students are visual learners while others are oral learners and providing course materials in various formats will reach a greater number of students. Captioning allows the student to go back and review the materials and is a progressive educational strategy that empowers the student.

**Funding.** The responsibility for captioning was assigned to the departments and centralized funding was not allocated for the captioning of course materials and media. Participant Fourteen posits that a token amount of funding from Academic Affairs would have alleviated pushback from faculty and chairs.

The university is in the process of implementing Responsibility Centered Management. The foundation of RCM is that deans are given budget autonomy, and this provides the impetus to contain costs and generate revenue by developing innovative programs to attract students. Participant Two explained that RCM effectively moves spending authority from the Provost Office to the colleges. The colleges then decide how to fund their departments. Since the captioning effort is not centrally funded, the colleges must decide how to fund initiatives such as the captioning requirement.

Participant Two expressed concern that providing central funding for the captioning effort would have a significant impact on the university. Program budgeting is a technique which bases expenditures on programs or initiatives such as the captioning effort. An advantage of this budgeting technique is that institutions are more likely to reach their stated goals, yet the reality is that institutional funding is finite and program budgeting can have a detrimental effect on other initiatives and on the university itself. It is difficult to administer programs that involve institutional wide efforts such as the captioning policy and this can impact long-term goals and
change the fundamental objectives of the organization. Trends indicate the downward trajectory of state appropriations for public colleges and universities will continue, and budget shifting from one initiative to another impacts educational performance and productivity. Participant Two shared a parallel situation that has developed for mental health services. The legislature, via the Board of Governors, has directed State University System institutions to significantly increase their efforts in providing mental health services to students and declined to fund the effort. In effect, they have told universities to find the money by cutting out other expenses from the university. As noted by Participant Fourteen, the university operates in a state where the legislature plays an active role in the university system. This bureaucracy creates undue hardships when imposing expensive mandates with no additional funding.

Participant Three perceived that parsimonious funding of the captioning effort resulted in unsuitable alternatives on how to manage the transcription of lectures. The timing for compliance also concerned Participant Three. The required timing specified in the captioning policy includes immediate compliance for new courses or new media. For existing courses and existing media, faculty must develop a compliance plan for transition to an accessible format by 2023. Participant Three believes the extended time for the transcription of class lectures will cause a delay in posting of the class schedule because Participant Three does not want to post an incomplete course.

Captioning requires a tremendous effort from faculty to modify their course materials. Initial funding provided training and helped alleviate push-back from faculty. Funding employees skilled in the use of assistive and adaptive technology shifts the burden from faculty and allows them to concentrate on teaching and research. A delineation is made for new courses and courses already in existence. Courses already in existence require more effort due to old
videos that may not be captioned. Participant Six perceived a lack of funding for old courses and there was no incentive for the faculty to respond. Participant Six provided a staff member to assist the faculty with courses already in existence. University employees skilled in the use of assistive and adaptive technology require funding, and additional centralized funding to support these efforts will help the university meet the needs of a diverse student population and avoid costly accessibility lawsuits. This college is still developing a compliance strategy.

Participant Thirteen said that an initial concern in regard to complying with the captioning policy was a perceived lack of funding. Their office uses the Distance Learning fee to support online courses, but they have no additional support to develop hybrid and face-to-face courses. Hybrid and face-to-face courses require resources such as hiring third-party vendors and training those who will caption their own videos. Money and resources are necessary to educate faculty on finding already captioned materials, ensuring vendors include captioning on course materials, developing their own captioned videos, informing faculty of the requirements for captioning, when transcripts are permissible, and the required accuracy rate. Participant Thirteen would have incorporated information about funding in the captioning policy. This includes where the funds would come from, how to obtain funding, and who would be responsible for delegating the funds.

A perceived lack of funding for the captioning policy is a recurring theme among faculty, staff, and administration. Faculty have heavy workloads, and the captioning of lectures and course materials is unreasonable. Staff charged with online course development are aware of the necessary time commitment. Unfunded mandates are a source of concern because it is impossible to accomplish the work without budget allocated for the effort.
Symbolic Frame. The symbolic frame represents the heart of an organization. Symbols such as branding, logos, and mascots are developed through rich traditions of storytelling, rituals, events, and ceremonies. Symbols replace ambiguity and give meaning, hope, and direction in times of uncertainty and confusion. Bolman and Deal (2013) encouraged people to look beyond the mission and goals of an organization to determine the values, principles, morals, and ideals of its leadership. Only then will individuals be able to determine leadership’s commitment towards integrity, openness, honesty, and ethical behavior. An organization’s leadership drives the culture that fosters confidence and gives meaning to organizational members. Figure 13 reflects participant comments that address the symbolic frame.

![Symbolic Frame by Participant](image)

*Figure 13. Symbolic frame by participant.*

Mission. Participant Two was asked what strategic goals are addressed by the captioning policy, and he responded that it certainly contributes to student success in a variety of ways. The point was made that the hearing impaired would be the primary beneficiaries but that other groups would benefit as well. International students might be more adept at reading English than listening to English, especially in large group settings and if the speaker had an accent with which they were unfamiliar. For that reason, the feeling was that it had the potential to
positively impact a larger group of students than perhaps was initially thought. So, captioning contributes to strategic success, which in turn affects things like retention rate, graduation rate, and the success rate in STEM courses. The percent of STEM graduates is one of the metrics the university is measured by. More than anything else, captioning makes a real contribution to the student’s success effort. In a study conducted by Morris et al. (2016), students reported that captions helped them understand words used by the professor in which they were not familiar. These unfamiliar words included legalese and formal and technical language used in other professions. Other students reported that captions helped them with notetaking. Students can pause, rewind, and fast forward while taking comprehensive notes.

As noted by Participant Two, the captioning policy addresses several strategic goals of the university. Captioning contributes to student success in a variety of ways and benefits many more than those who require them for accessibility. This includes international students and students that are visual learners rather than auditory learners. Captions are also helpful when there is background noise that makes hearing incomprehensible and difficult. Student success contributes to other strategic goals of the university such as retention and graduation rates.

Participant Five offers a unique view of the role of university libraries in the captioning effort because accessibility is a goal of every library, and the library at this university complies with ADA practice. The library acquires ancient manuscripts and unique items for collections. If someone is blind, they are not able to see the manuscript, but it doesn't mean the library wouldn't acquire it. The library would acquire an eCopy of an ancient manuscript since the mission is to acquire materials to support the curriculum. The library works with Students with Disabilities Services to make those items accessible depending on the student's ability or disability. The library’s overall goal is to collect resources and make them accessible. The
library would not collect braille books because not everyone reads braille. There are resources in all formats because not everyone has visual or auditory difficulties. If someone does, the library makes the resource accessible and captioning just makes it easier. Films now have captioning, and Participant Five believes students are accustomed to it, and they probably expect it. Many people use captioning for foreign films, and if someone is sitting in the back of a classroom and has a hearing problem or not, a student may just might rely on captioning anyway. Even if someone understands English, the compact, wireless Bluetooth, or and Wi-Fi speakers might not be adequate, so captioning provides a means to comprehend the content.

The library’s mission is to acquire materials that support the curriculum. If a student’s disability prevents accessibility to the resource, the library finds alternative materials and works with SWDS to make the items accessible to the student. Participant Five noted that captioning reaches a broader population of students who are not disabled and these individuals also benefit from this policy. Participant Five uses captioning for foreign films, and I (the researcher) use captioning when background noise prevents me from hearing the dialogue. The impact of captioning is far greater than students with disabilities. Accessibility is a goal of every library, and captioning helps students, regardless of their ability or disability.

Participant Six believes the captioning policy documents that the university is walking the talk about inclusion. Everyone has family or friends that may have limitations but have a burning desire to learn something, and it should not be hindered because of some type of disability. Many times these disabilities come with age, like glaucoma, and there is no reason the university is not able to take the extra steps. The university has the computing power and software to do it, so why not do it?
The captioning of course materials sends a broad message that the university values diversity and student success. Advances in adaptive and assistive technology will level the playing field and alleviate many of the challenges students with disabilities currently experience in the classroom. Participant Six eloquently expressed that each of us has family or friends with certain limitations but they aspire to the same dreams and desires to live and learn. The captioning policy represents innovative practices and strategic thinking and strengthens the university's resolve to be inclusive and produce global citizens.

Values. Participant One believes the institutional focus on student success and the captioning policy are related because a student cannot achieve success if they do not have the information to complete their course work. The idea of being a good citizen and a global citizen while also being responsive to the needs and the culture around you is a great way for the university to say "we value that." It is important that an institution that is committed to global citizens and student success recognize that a broader population of students who are not disabled can also benefit from this policy. International students, particularly students from Asia and the Middle East, typically learn to read English better than they learn to hear it. They are adept at reading, but they may not necessarily understand the speaker’s accent or pronunciation, or the speed at which their instructor is speaking. Other students study late at night and can benefit from being able to review or watch the lecture without having noise disturb someone in the household. Participant One believes the impact is far greater than students with disabilities. As the nation moves forward with a growing appreciation of diversity and oneness, having captions serves a definite need for students who register for a class and need the information. It sends a much broader message that we do not have to be as separate from each other as we might
otherwise be if somebody goes through many processes to ask for information when you or I can just turn on a website and look at the material.

Participant One's comment reflects the university’s commitment to diversity and student success. Interestingly, many universities first addressed accessibility in the general ADA policy, but the body of research on higher education accessibility policy is increasing. This University is one of a growing number of schools that are promulgating separate accessibility policies that address a broad scope of concerns such as procurement standards, areas of responsibility, and timelines.

Participant Nine believes the administration is trying to make sure that everybody is comfortable here regardless of race, religion, gender identity, height, and weight. Administration is trying to be inclusive, and the captioning policy seems to further the mission of the state to provide access for those with disabilities. It fits with their mindset on being welcoming.

Participant Nine observes that the university values diversity and recognizes the importance of contrasting views and educational debate. The university diversity statement “acknowledges the educational benefits of diversity in education and is committed to maintaining a diverse student body at the undergraduate and graduate levels, as well as perpetuating initiatives that enhance the diversity of the campus climate, curriculum, student body, faculty, staff, and administration.” Participant Nine believes the university furthers this commitment to inclusiveness and accessibility by promulgating the captioning policy for students with disabilities. This is a common theme that reverberates among the participants in the interviews.

Participant Ten encourages her students to be creative when researching a topic and to pursue concepts that make the class come alive. Participant Ten acknowledges that if she had
someone with a disability in her class, she would plan ahead and search for new applications and tools. Educational policies that promote inclusion raise awareness of the value of diversity in the classroom. The captioning policy encourages faculty to develop innovative teaching methods and motivate their students to utilize technology to enhance their learning experience.

Participant Ten shared an experience of a doctoral student that asked to write her dissertation on music for the deaf because the student’s sister was deaf. When the student approached Participant Ten about serving as her major professor, she wondered, “How are we going to do this?” It turned out to be very important lesson regarding ranges of disabilities. Hearing loss is ranked as mild, moderate, severe, or profound. Participant Ten and her student explored the emotive qualities of music and how important these emotional states are to the overall experience. Music and emotions are not only caused by sound, they also caused by other experiences and individuals respond to these feelings in different ways. The professor and her student enjoyed exploring this aspect of music to teach students with different levels of deafness. Participant Ten learned a great deal from this student, and this is an example of a student who provides compelling evidence that deafness is relative because there are ranges of disabilities. This illustration demonstrates that care should be taken not to exclude students but to focus on abilities rather than disabilities.

**Archived Documents**

Seven faculty committees discussed the captioning policy at meetings. A graph of the archived documents by committee is shown in Figure 14.
Figure 14. Archived documents by committee.

The number of archived documents from each campus is shown in Figure 15.

Figure 15. Archived documents by campus.

Seventeen archived documents yielded twenty-three meaningful units. Twenty
comments addressed the structural frame, and three comments addressed the political frame.
Figure 16 is the archived documents cross case analysis.
Figure 16. Archived documents cross case analysis.

**Structural Frame.** The structural frame represents a hierarchy of reporting relationships, task allocation, and controls that ensure employees work towards organizational goals. Bolman and Deal (2013) posited that vertical coordination and clear lines of responsibility increase efficiency and reduce problems associated with uncertainty and lack of understanding. In the university setting, faculty unions and faculty committees ensure there is faculty representation.

The archived documents reveal that faculty recognize the legal constraints faced by the university. When university leadership perceived the threat of accessibility lawsuits, they took swift action to generate a policy to mitigate risk. Faculty committees raised objections because faculty demand the right of governance, and they had not been consulted. The policy was posted for the 30-day comment period during the winter break without thorough vetting by the faculty. Once leadership became aware of these objections, they backtracked and formed an ad hoc committee after the winter break ended beginning in the Spring 2016 semester. Figure 17 lists the archived documents pertaining to the structural frame.
Figure 17. Archived documents structural frame by committee.

*Legal.* The university is bound by Section 504 of the Rehabilitation Act of 1973, as amended, a civil rights law that prohibits discrimination on the basis of disability. Section 508 of the Rehabilitation Act of 1973, as amended, requires that electronic and information technology be accessible to people with disabilities. The Department of Education mandates that if an organization receives federal funding or assistance, they must comply with these laws. The university receives and dispenses federal financial aid, and university faculty are recipients of federal grant money. The university is also bound by Title II of the Americans with Disabilities Act. The ADA civil rights legislation is a broad, anti-discrimination law for people with disabilities. Title II of the ADA addresses web accessibility and closed captioning. Title II prohibits disability discrimination by all public entities at the local and state level, regardless of whether they receive federal aid or not.

In May 2018, the U.S. Department of Education launched a website accessibility technical assistance initiative to assist schools, districts, state education agencies, libraries, colleges and universities in making their websites and online programs accessible to individuals
with disabilities. As more educational opportunities are delivered online, the Department of Education wants to ensure those programs, services, and activities are accessible to everyone. The Office of Civil Rights is providing technical assistance for the benefit of students and parents with disabilities (ED, 2018). The university is under this directive, and three meeting minutes reflect legal considerations.

Participant Nine reported to one faculty committee that the new requirements for the captioning of audio/visual materials will affect many faculty members wanting to fully comply with the ADA and that departments will need to comply and be ready for these accommodations when the policy is finalized.

Campus C noted that the policy mandates that all existing materials that require captioning be compliant within seven years, and all new materials be compliant from creation. The university specified a timeline for existing courses and new courses, so the university displays a “good faith” effort in addressing accessibility. The Office of Civil Rights considers an educational institution’s “good faith” effort to address problems and work collaboratively to address issues through other means such as early complaint resolution. Jonathan Avila, Chief Accessibility Officer of the OCR, wrote “Good faith commitment is not just an accessibility statement – but in my opinion, evidence of efforts to remove barriers, get feedback from stakeholders, and communicate your efforts. It doesn’t mean a perfect site with all accessibility issues addressed immediately.” This does not require the implementation of specific accessibility standards but ensures that a student’s civil rights are protected (Agrawal, 2017).

**Procedural.** The committee meeting minutes reflect concern with procedural matters relating to “who,” “what,” “how,” and “how much.” One committee wrote the policy refers to access to course materials and everything else at the university, particularly media and online
materials by students with disabilities. PowerPoint with transcripts do not need captions; existing courses must phase into compliance, and all courses must be in compliance within five years. Innovative Education will provide assistance as that office has individuals who are knowledgeable about course design and accessibility. Participant One is preparing a Q&A and is also trying to secure funding for the costs associated with access.

There was concern that faculty were not consulted on this proposed policy; time will be allotted to ensure that all stakeholders have an opportunity to contribute to the final policy before adoption.

One constraint is that instructors may not ask if anyone needs captioning, and this is why all materials must be captioned. This committee noted that it was an expectation across the board that all instructors will comply by the end of the phase-in period.

Representation, faculty labor, and funding the captioning effort were dominant themes in the meeting minutes.

The captioning policy generated considerable discussion across the university. One document summarized three primary issues: 1) whether all courses will be made ADA compliant, 2) the role of the oversight committee, and 3) the resources to bring courses into compliance. The Provost requested a Faculty Senate ad hoc committee to vet the policy further. Another document communicated the updates of two committee members that additionally served on the captioning committee. These members provided an overview of the proposed captioning policy and its potential impact on the faculty and the university libraries. The issue of timing was discussed because the distribution of policy for review occurred just prior to the winter break. The committee also noted the short review period since the 30-day comment period occurred during the holiday break. This document also expressed concerns about the
resources needed to implement the captioning policy (discussed in the political frame). Finally, the faculty committee discussed concerns about access to instructional resources that may not be captioned. Several edits were suggested at the captioning committee meeting. These included whether existing courses would be evaluated for development of a plan to modify the courses or materials to bring them into compliance, emphasis on course-purposed materials in the development of a phased compliance plan, and emphasis on security-captioned resources through inter-library loan or other means.

Participant Five and Participant Six attended the captioning meeting and reported on several issues that were discussed including clarification/amplification of definitions; department involvement in cost-share determination; inclusion of media not mentioned in the initial policy draft; specifying course integrated content; providing links to attachments with examples in the policy; issues around You Tube captioning; establishing a priority hierarchy for conversion (e.g., over a 7-year period, priority of high enrollment courses and required courses; and providing another policy review posting period.

Campus C wrote in their student affairs meeting minutes that the Students with Disabilities Services representative from that campus was working with Technology Services, Campus A, and Campus B to find a system-wide solution. The committee minutes also mentioned that the campus Faculty Senate would be included in the process.

Interestingly, a document provided by a distance learning committee on Campus B a year before the captioning policy committee was formed states that the committee developed a captioning procedure based on the results of a captioning study. During this timeframe, an employee of this committee began experimenting with speech-to-text captioning using Dragon. This group also explored closed captioning versus interactive transcripts. Participant Thirteen
reached out to the outside vendor 3Play because this company has experience delivering this kind of transcript. The distance learning group could have shared the results of their research, yet no members from this committee were included on the captioning policy committee.

A faculty executive committee noted in their minutes that Participant Two reported that an ad hoc committee consisting of representation from two faculty committees and an administrator with knowledge of disabilities policy met for the purpose of vetting the revised captioning policy. Process management is a tool to identify critical areas and key processes. A flowchart would have identified other campuses so they could have been included and contributed to the captioning effort. By excluding Campus B and Campus C, the captioning effort lacked key indicators from these campuses.

**Political Frame.** Bolman and Deal (2013) viewed the organization as an alliance of diverse individuals and interest groups with different values, perceptions, goals, and objectives. These differences result in conflict as groups compete for power. Coalitions bargain for control to influence decisions that strengthen their position and support their agenda. Marginalized groups traditionally lacked influence but have developed strategies to secure bargaining position and negotiate for power. This includes legal advocates who lobby the government for civil rights legislation. Congress possesses the “power of the purse.” This not only includes the ability to tax and spend public money for the national government, but also directs policy by passing legislation (U.S. House of Representatives, nd). Students with disabilities now have the legal right to request access to course materials. This legislation resulted in universities addressing accommodation and accessibility, and this study analyzes one university’s response to this mandate.
Two committees expressed comments regarding power and funding. Figure 18 lists the results.

![Archived Documents Political Frame](chart)

*Figure 18. Archived documents political frame by committee.*

**Power.** The Senior Vice Provost spoke with a faculty executive committee on behalf of the Provost and Executive Vice President and conveyed that the captioning policy will need to be addressed as the university is out of compliance and communicated the policy was in the promulgation process. It was further stated that a Faculty Senate committee would be asked to look at a draft at a later date. Senior administration was made aware of high-profile accessibility lawsuits, and this channel of communication served to inform faculty that legal influences outside the university had forced the university to mobilize power and promulgate the policy to mitigate risk.

**Funding.** A faculty committee chair informed the executive committee that, due to possible funding issues, the council requested that the deadline be extended beyond December 23 for submitting comments on the proposed captioning policy. The policy had been released for the comment period with no vetting from faculty.
The student affairs committee at Campus C was informed that, while a grant is available to assist with the expense of captioning required materials, it has not been determined how those funds will be allocated. In the meantime, the expense for captioning will fall to the department(s) that require it.

Ultimately, the cost of captioning was not centrally funded but was relegated to the colleges, who passed the cost to the departments and faculty.

**Researcher Journal**

My advisor mentioned that activities at the university are not often transparent, so I searched for veiled or obscure meanings in what was communicated to me at the interviews and what I read in the archival documents. I attempted to understand the policy process itself, first at the state level and then at the university, and then analyzed what processes were not followed. I also took detailed notes from my meetings with my advisors and with others that were involved in the captioning policy process. I felt this would help me parse out details that might not be apparent to me at the time of writing but would be revealed upon further reflection.

**Structural Frame.** Many entries in my journal address the structural frame due to the procedural nature of policy design. Issues such as division of labor, skills, training, work groups, roles, and tasks were of concern to the faculty and university community.

*Legal.* Under the current presidential administration, accessibility law has no teeth. H.R. 620, the ADA Education and Reform Act, was passed in February 2018 and weakens the ADA. This legislation requires a disabled person to file “written, technical notice” (usually requiring a lawyer), wait 60 days for a response, then wait 120 more days to see if “substantial progress” is made on remedying the violation, before the issue can even be brought to court. This legislation was passed under a president whose personal businesses have been sued at least eight times for ADA violations, and a Secretary of Education who believes schools should get to choose whether to take on students with special needs (Nović, 2018). Term limits ensure the American
people that presidential administrations are not permanent, but I am left to wonder what impact the current leadership will have on the rights of individuals with disabilities when current laws are weakened or not enforced.

Procedural. I had a preliminary meeting with Participant One to obtain a better understanding of the university environment at the time the captioning policy was developed. Participant One mentioned that a colleague from another campus called to ask what would happen in 2023 when the university failed to meet deadlines associated with the projected date of full compliance. Participant One’s role is to help get the policy in place, but her office does not enforce the policy. There are no guidelines for the enforcement of the captioning policy, and Participant One thought that perhaps the university didn’t need formal procedures to enforce the policy. The ADA policy does not have procedures for enforcement; complaints are handled on a case-by-case basis by DIEO (Diversity, Inclusion, and Equal Opportunity).

Participant Seven assists faculty in their teaching practices. An example would be when the university migrated from Blackboard to Canvas; Participant Seven’s department was responsible for training faculty on the new learning management system. While Participant Seven’s unit is not responsible for faculty governance through the Faculty Senate, CTIR, or CEPI (Council on Educational Policy and Issues), his office provides guidance to faculty, instructors, adjuncts, and graduate teaching assistants on best practices for teaching strategies. Participant Seven is often asked to represent the faculty perspective by joining work groups such as the captioning committee. Participant Seven voiced concerns about captioning being the default view. He felt the student should have the option of turning on captions when needed but that it should be user driven rather than system driven. He is the only member that spoke of the pedagogy aspect of captioning and what detrimental effects this might have on learning. I want to mention this at our interview because I often use captioning and my eyes are drawn to the captions and I miss the visuals. I am interested in hearing his viewpoint.

The meeting minutes of a faculty committee noted that Participant Two reported that the ad hoc committee on the captioning policy met. Participant Four noted that she recognized the vetting process needed to be expanded and that the committee's perspectives were very useful and would have been helpful in the policy's construction. These minutes were dated March 2016, four months after the policy was first discussed. This time could have been used to discuss stakeholders to the captioning policy and determine who might be considered subject matter experts. Part of
the difficulty was that the Responsible Office was not fully aware of the skillsets needed to accomplish captioning of lectures and course materials. Not only did this cause a significant delay, but the committee members were not representative of a cross-section of the individuals and groups impacted by the policy.

**Political Frame.** My journal contains numerous entries that address the political frame. Birnbaum (1988) wrote that faculty demand the right of governance, and they were not consulted on the captioning policy; this created sources of conflict. The captioning policy requires faculty to take on additional responsibilities, and it would have been better to consult them to obtain buy-in. The political frame also recognizes the significance of the allocation of scarce resources. The interviews and archival documents repeatedly reference the lack of resources designated for this policy. Within all organizations, there is competition among stakeholders for influence and control. Individuals seek alliances to improve their bargaining positions. Bolman and Deal (2013) emphasized the importance of this frame due to the association between money, power, and politics.

**Power.** Participant One mentioned the captioning policy was a collaborative effort between Student with Disabilities Services, General Counsel, and DIEO (Diversity, Inclusion & Equal Opportunity) from the ADA coordinator perspective of the DIEO. Marginalized groups often lack power and need the long arm of the government to step in and make a situation fair for all those involved.

The Student with Disabilities Services office manages the interpreters and transcription for the students that need those services. Participant One told me that in terms of a time commitment, sheer number of the requests, and the financial commitment, it had become a much greater need than their office could handle because the student body is growing and the number of students taking online courses is increasing. Students taking traditional classes were also using many of the resources in her office. It became apparent that an office with limited time, money, and energy could not manage these activities in a university of this size.
Participant Four recognized the vetting process needed to be expanded and that the committee's perspectives were very useful and would have been helpful in the policy's construction. The captioning committee included representatives from the Faculty Senate, the Council on Educational Policy and Issues (CEPI) and the Council on Technology for Instruction and Research (CTIR). The initial CTIR representative was a staff member, and the Provost Office preferred tenured or tenure-track faculty to give the faculty broad representation. This confirms my observation that considerations regarding the committee formation were not well developed. Subject matter experts (SMEs) are instructional designers that apply specialized knowledge when developing courseware and learning curriculums. SMEs who are fully informed in captioning and interactive transcripts would include supplementary information to bring efficacy to the captioning policy.

Funding. The lack of funding permeates every interview and every document. I am reminded of the lyrics by Terminator X shown below:

It all comes down to the money
Whether it’s rainy, or snowy, or sunny
Funny, but it all comes down to the money…

Performed by Terminator X (Norman Rogers), 1994

Accessibility policies seek to indemnify the university from the very group that they purport to help. Schools wish to be held harmless by writing policies that address accessibility yet provide no central funding to support the effort. Funding is a multifaceted dilemma where organizations reduce their liability by taking proactive measures that shift the burden from the institution to the student. A better strategy is for colleges and universities to actively incorporate digital accessibility resources into the budget planning process. These applications allow users to easily navigate websites, learning management systems, and access course documents. Incorporating these applications into the university technology framework will allow the university to broaden the reach of potential users.

Discussion of Findings

Concerns about the captioning policy revolved around a number of issues that included lack of centralized funding, not designating clear lines of responsibility, disregarding policy
development guidelines, not vetting policy through committee members, staffing/labor, and the timeline for compliance.

The interviews revealed that the university did not designate funds for the captioning of lectures and course materials. Captioning requires software, expertise, and technology, and committee members were concerned that faculty would not be able to comply with this policy without funds. The Department of Education provides funding for captioning. State governments, or groups of colleges/universities within a state, make funds available (Do-IT, 2017). North Carolina State University has grants to assist faculty with creating accessible multimedia. This process targets courses where captioning will be most beneficial such as those that impact the most students or general education courses. By funding captioning, the university recognizes that finding accessible video content may be difficult for some courses and that faculty may not have the resources to create an accessible video (NCSU, 2018). Other alternatives are student technology fees, foundations, endowments, corporations, and state and federally funded grant programs.

The university process for policy development was not followed, and faculty were aggrieved that they had not been notified and consulted of the pending policy. After administration backtracked to form a committee to examine the policy, the committee members were not carefully vetted. Some committee members did not contribute to the policy, and employees who could have made a significant contribution were not included. After the committee meetings, the policy was made more palatable through iterations, but wordsmithing occurred rather than substantive changes. Faculty at the university recognize the importance of complying with the Department of Education's accessibility requirements but expressed concerns about the timeline for compliance. The timeline was prioritized in a three-tiered approach: 1)
new courses being created now, 2) general education courses that are taught each semester and impact the greatest number of people over time, and 3) courses that are routinely taught. It creates conflict when a faculty member is responsible for captioning videos shown in the classroom because that will result in taking additional time to transcribe the video. Faculty must call vendors to ensure the videos they have are captioned properly. This results in additional time, and time is money. Since there were no funds designated for captioning, faculty are not able to hire third-party vendors for captioning media. This results in pushback from faculty members for additional work. The enormity of the task and the timelines will cause some faculty to delay posting their classes.

Implementation with Fidelity is a theoretical framework that refers to the degree to which a program, policy, or intervention is executed as intended (Carroll et al., 2007). The purpose of developing an assessment tool is to list critical elements to determine their contribution to outcomes and their effects on performance. Treatment integrity refers to the accuracy and consistency with which each component of the program or policy is implemented (Lane, Bocian, MacMillan, & Graham, 2004, p. 37). Policy is seldom executed as intended, and guidelines to systematically measure the efficacy of the policy result in better outcomes.

An action plan that answers the questions of “who,” “what,” “when,” “where,” “how,” and “how much” would alleviate uncertainty and provide a basis for assessment. A conceptual framework for Implementation Fidelity is shown in Figure 19.
Limitations of the Study

This case study utilized a purposeful sample of participants to review a socially significant example of policy formation in higher education (Creswell, 1998; Miles & Huberman, 1994). This study is not intended to be generalizable, but, as noted by Denzin and Lincoln (2005), knowledge may be transferable even when it is not formally generalizable.

**Place and period of time.** A case study is bounded by a particular place and specific time period. This policy study is limited to one institution and bounded by a specific time frame. The captioning committee meetings occurred in March 2016 and May 2016 and the interviews did not commence until September 2017 so there is also the risk of recall error.
Findings and conclusions. This study is limited to the perspectives of individuals who may or may not be a representative sample of stakeholders of the captioning policy. These individuals may also have personal biases, political affiliations with administration, or may generally lack awareness of accessibility issues and constraints (Patton, 2002). While the documents provide a method to surreptitiously obtain another perspective of the subject matter, the documents may be limited in content. There may also be a wide range in variability in the content, quality, and completeness of the documents (Patton, 2002).

Institutional context. The setting in which the study was conducted has changed due to changes in the institutional context since the final adoption of the policy. At the time the study began, the university was three independently accredited campuses. On March 11, 2018, the governor signed into law an education bill that eliminates Campus B’s autonomy by merging all university campuses into one system (USF, 2018). Additionally, Responsibility Centered Management has been discontinued as the consolidation moves forward. The assumptions associated with budgeting and financing the captioning effort may no longer be valid. Finally, the university is now providing training to faculty through the unit responsible for certifying online courses. It is unclear what level of support is provided to faculty in this effort.

Opportunities for Future Research

Determining if faculty are choosing alternative course materials due to the constraints of captioning is a limitation that should be addressed. A faculty survey would reveal issues that are most important to the respondents and generate ideas and possible solutions. Additionally, this study would be strengthened by discussions with those impacted by this policy, students with disabilities. Furthermore, since this study began, many universities have developed comprehensive accessibility policies with frameworks for enforcement and assessment.
Studying these policies and determining relationships among policies across colleges and universities would contribute to the growing body of accessibility policy research.

**Faculty survey.** Participant One noted that it was necessary to address the Faculty Union because of the additional responsibility of captioning course materials. Other participants noted there was pushback from faculty due to the corresponding increase in the amount of work they were required to perform. Participant Ten posited that when a professor invites a master artist, a distinguished scientist, or a renowned surgeon to speak, it is unreasonable to expect transcription in three days. Quality speakers enrich the student experience and enhance the reputation of the university, yet the transcription of lectures is time consuming.

The fine balance of providing a quality education and choosing alternatives that require less work is a limitation that should be addressed. Participant Two observed that it would be interesting to determine if faculty altered their courses due to the constraints of captioning. A faculty survey could reveal the issues which are most important to the respondents and generate ideas and possible solutions. The questions should focus on behaviors, attitudes, beliefs, and knowledge of captioning and how these impact curriculum choices. A captioning survey at Bellevue College (2015) revealed that faculty want to offer high quality courses that are accessible to all students yet expressed confusion about what help is available and where to find it, lack of support staff, lack of time and financial support, and lack of training. The surveyed faculty requested staff to help create courses, training, funding, and the ability to hire outside vendors. Involving faculty in pedagogical choices that maximize the student experience will produce learning environments where students develop problem-solving skills and construct their own knowledge (Moore et al., 2015).
**Focus groups with students.** While often associated with market research, focus groups are a powerful construct for developing action-oriented research in education. Williams and Katz (2001) suggest that researchers consider using focus groups comprised of individuals that are impacted by the development of educational programs, tools, or curriculums. Students with disabilities were not represented on the captioning committee, did they attend the meetings, and were not involved in the captioning and access of media policy process (Participant One, personal communication, March 21, 2017). This policy study did not include the student perspective of the experience of attending a university with some form of impairment.

Students that matriculate through a college or university and are the recipients of an accessibility policy would provide an additional frame of reference for future studies.

**Comparative analysis of higher education accessibility policies.** Ongoing discussions on accessibility at colleges and universities is increasing due to litigation by national groups representing students. Legal effects have revealed that universities are attempting to comply with civil rights legislation, but students continue to encounter technology barriers to access. This can have a negative impact on retention and may contribute to such outcomes as higher dropout rates (Carr, 2000). A student’s perspective is shown below.

*The problem is not the fact that I am blind. The problem is the fact that inaccessible technology is woven into the fabric of the collegiate academic experience at many institutions.—Justin, Louisiana student*

(National Federation of the Blind Jernigan Institute, 2017)

To address this disparity of access experienced by students, accessibility policies have been developed by the following universities:

- California State University Accessible Technology Initiative
- Illinois Information Technology Accessibility Act (IITAA)
• North Carolina State University Information and Communication Technology
  Accessibility
• Ohio State University Web Accessibility Policy
• Oregon State University Policy on Information Technology Accessibility
• Penn State Policy and Accessibility Guidelines
• Purdue University Web Accessibility Policy
• University of California Information Technology Policy
• University of Minnesota Accessibility of Information Technology
• University of Montana Electronic and Information Technology Accessibility (EITA)
  Implementation Plan
• University of Texas at Austin Web Accessibility Policy
• University of Wisconsin-Madison Web Accessibility Policy

This is not a comprehensive list but could serve as a resource for institutions who are developing their own accessibility policies (UW, 2018). After reviewing the accessibility policies listed above, there are wide variations among the guidelines. The policies address procurement procedures, scope, responsible parties, implementation schedules, standards, monitoring, compliance, and definitions. Penn State has four policies that address accessibility while many universities such as the University of Washington do not have separate accessibility policies but align their accessibility guidelines with other policies such as State accessibility policies, ADA policies that address discrimination and civil rights, and procurement policies that address accessibility.

Participant Three and Participant Ten noted that exceptions to the captioning policy are appropriate for their professions because students are not able to meet the requirements for their
programs of study. Participant Three suggested a committee representing divergent interests could determine amicable solutions. The University of California addresses exceptions to accessibility by delineating a process for determining exceptions and for ensuring the development, documentation, and communication of effective alternate forms of access. As noted by Participant Ten, alternative accommodations may not be suitable if students lack the judgment to determine if a career trajectory is not suitable for them. The University of California succinctly addresses conformance standards by noting that it might not be feasible due to the nature of the content, the purpose of the resource, the lack of accessible solutions, or an unreasonably high administrative or financial cost necessary to make the resource accessible. They note that complications such as these do not alleviate accessibility obligations to provide alternative formats if requested.

Purdue’s accessibility policy identifies clear lines of responsibility for the Office of Institutional Equity, equal opportunity compliance officers, IT, marketing, colleges, schools, departments, programs, units, procurement/purchasing, faculty, and staff. Establishing clear lines of responsibility and authority removes ambiguity and identifies those who are to be held accountable.

The University of Minnesota identifies contact information by category and by campus. Captioning and interactive transcripts crosses several departments and identifying who is responsible for what helps those seeking assistance resolve problems in an efficient manner without being shuffled from one department to another.

The University of California addresses the authority to revise the accessibility policy. It is critical to review and update the policy as laws and technology change. Identifying who
possesses the authority to make decisions will allow the policy to evolve and give direction to faculty, staff, and students.

Future accessibility policy research could include discussions on digital accessibility software, addressing accessibility as an organization-wide matter, legal risks, utilizing published policies and program implementation advice, and the use of expert advice (NFB, 2018). Vendor software varies widely, and many institutions and industry groups support federal legislation to establish a process for collaboratively drawing up clear accessibility guidelines for instructional technologies. Shared guidelines would reduce many accessibility problems and direct the procurement of accessibility software (McKenzie, 2017).

Participant Thirteen noted that Subject Matter Experts at the university could have made this university’s effort a more robust policy and forming an accessibility committee will promote system-wide collaboration. This committee could review other post-secondary accessibility policies, scan the environment for new digital accessibility software, and search for industry-wide best practices to broaden the scope of knowledge to implement policies that address comprehensive issues such as civil rights legislation and digital accessibility.

**Implications for Practice**

Many universities have created system-wide accessibility committees to oversee a wide range of responsibilities that address accessibility. Another opportunity is the impact that collaboration among campuses would have on the effectiveness of accessibility policies. Finally, the university has not updated the captioning policy since its inception in August 2016. These policies should continually undergo review as legislation, technology, and circumstances change. A discussion of these potential areas for further action are shown below.
System-wide Accessibility Committee. The University of Florida (2018) has a Libraries Accessibility Advisory Committee to ensure that system-wide libraries are responsive to those needing disability accommodations, updating policies, services, and resources to meet the standards of the ADA.

The University of Texas at San Antonio created an ADA Accessibility Committee that serves in an advisory capacity and makes recommendations to the President to develop programs, activities, and facilities that are accessible. The committee is comprised of members of sixteen departments representing the interests of students, faculty, administration, IT, and legal affairs (UTSA, ND).

George Mason University developed an Assistive Technology Initiative department. This department provides an array of services to the university and is a combination of server-based lecture capture systems, voice-recognition solutions, and student transcript editors. The department offers assistive technology assessments, training, and support to all of its students, faculty, and staff (GMU, 2017).

The University of Illinois at Chicago (2018) created a Digital Accessibility Committee that is responsible for policy and procedures relating to accessibility of online information. This committee provides campus-wide training on the utilization of assessment tools and makes recommendations on making websites accessible. They also develop campus-wide guidelines for colleges and departments developing new websites and modifying existing ones.

These examples provide an overview of how other institutions are addressing accessibility at the system-wide level. Students with disabilities would benefit from a university-wide committee composed of leaders representing students, faculty, administration, IT, general counsel, and purchasing. In 2009, Reading Rights Coalition, a cross-disability group of thirty-
two organizations filed a complaint against Princeton University. In the following year, Princeton formed a committee to assess their disability services and to help strengthen the university’s efforts to provide an inclusive, accessible campus environment. This committee reviews the services provided by the Office of Disability Services to effectively meet the needs of faculty, staff, students, and visitors with disabilities. Like this university, Princeton has experienced exponential growth in the population of students requesting accommodation and this committee was created to respond to the evolution of services needed by these students.

Dukes (2011) posits that university administrators expect units to implement activities that meet the goals of the institution, and this includes services that accommodate students with disabilities. In the current environment of fiscal, administrative, and legal accountability, it is essential that institutions utilize assessment tools for ensuring equal educational access to web content and course materials. Three participants wondered what action the university would take when the 2023 compliance date approached and there were still courses not in compliance. An accessibility committee could oversee the use of appropriate criteria to determine delivery guidelines for the phased-in compliance date of 2023. This information could also include the corresponding exemplars for determining courses not yet in compliance and the timeline for completion. This could be accomplished through assessment instruments and surveys (Princeton, 2010).

Dukes (2011) developed an assessment tool that asked postsecondary disability service experts what service components within each domain were essential for inclusion in a program evaluation instrument. These domains include: 1) campus and community collaboration, 2) information dissemination, 3) administration, 4) policies and procedures, 5) evaluation, 6) self determination, 7) universal design, 8) educational access, 9) educational preparation and
professional development. An accessibility committee at this university could broaden the scope to include all units that provide accessibility services. A survey measuring student satisfaction with services can provide insight into the effectiveness of accessibility programs and services offered at the university.

**Collaboration among campuses.** The department responsible for certifying online courses resides on the Campus A. The employee designated in this department as the person responsible for assisting faculty and staff with course compliance has an Ed.D. in Program Development and is the Manager of Instructional and Multimedia Projects. The employee on Campus B has a M.Ed. in Curriculum and Instruction, Assistive and Special Education Technology with a B.A. in English and a Minor in Disability Studies. This employee is also Co-Chair on the Board of Directors at the Florida Alliance for Assistive Services and Technology & State AT Act Advisory Board. Highly skilled employees that synergize their efforts through mutual cooperation produce a combined effort that is greater than the sum of their separate efforts. The disability offices from each campus could coordinate efforts among campuses that utilize employees that are skilled in captioning software and course development. Each campus could identify individuals that are skilled in the features of digital accessibility and ensure that students, faculty, and staff have the training and resources for developing a fully accessible web site and the ability to access course materials.

Higher education institutions have limited resources to invest in policies that require considerable resources. Yet, mandates associated with diverse student populations, technology, and new initiatives that compete for limited funds are a reality for colleges and universities. In this context, collaboration is a tool to measure and gauge the effectiveness of system-wide accessibility policies. Interviewing the office of Students with Disabilities Services at each
campus and eliciting input such as current accessibility initiatives at their respective campus could provide a resource of common practices. The collected information might list projected outcomes, insights, and key indicators of adherence to the policy. Factors that have a detrimental effect on accessibility can be used to reduce conflict and overcome constraints. Bounded by budget considerations, collaboration can lead to proportionate savings through cost containment by sharing research, improvements, and best practices. Activities that promote confluent interests can lead to the development of strategies across multiple campuses (Baldwin & Chang, 2007).

**Captioning policy evaluation and review.** Since this study began, the university has not updated the captioning policy since its inception in August 2016. Accessibility policies are not meant to be stagnant but should be envisioned as active documents to be updated as legislation, technology, and best practices change. To begin, the title could change from captioning to accessibility to reflect the standards of the current environment of disability practice. Additionally, an action framework that facilitates a method for enforcement and assessment could be incorporated into the policy. The policy review could be accomplished by a system-wide accessibility committee comprised of stakeholders and Subject Matter Experts in the area of disability studies and accessibility.

**Conclusion**

Accessibility conveys that people of all abilities and disabilities are important and have a place in this world. Research shows that captioning is not only beneficial for students with disabilities, it's valuable for all students. There is a great deal of content that is missed when students are listening, and if it is possible to watch, listen, and read the subject matter, there is a better understanding and comprehension.
Unfunded mandates where state governments compel local governments to take specific actions without associated state appropriations pose challenges for universities. Universities may not have the capacity to accommodate the volume of students in need of services. Colleges and universities must find creative methods to support their students. Breland-Noble (2018) suggests connecting with community members who can provide assistance and using free software, apps, and other technology to help their students. Another solution is a business model that allows colleges and universities to sell services to generate revenue and accumulate a reserve for unfunded mandates. There are also state and federal grants that provide funding for captioning.

Technology is imbedded in the classroom due to sophisticated learning management systems that deliver course materials and lectures to students (Berrett, 2016). Accessibility policy in higher education is an emerging trend, and educators must ensure all their students have equal opportunity to succeed. Colleges and universities are driven by metrics that analyze and examine student retention and graduation rates. Policies that address accessibility directly impact comprehension, learning, diversity, and student success, and careful attention to the development of these policies will allow universities to raise standards of pedagogical practices.
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APPENDICES
Appendix A. Semi-Structured Interview Protocols

My name is Kimberly Carter and I am a PhD student in the College of Education. My dissertation topic is the design of ‘Captioning and Access of Media’ policy. I am interested in your experience in the design of this policy. I would like to determine the processes and procedures that went into the design of this policy. I am attempting to understand critical issues that help or hinder faculty, administration, and staff from accomplishing this directive. As a participant in this design process, I am very interested in hearing what you have to say about this issue.

To begin, I was wondering if you could tell me something about yourself and your background at the university (probe: what is your prior academic experience in formulating policy, have you ever worked on a policy committee)?

Interview questions in each interview protocol contain embedded Bolman and Deal (2013) frame influences. This will ensure that institutional effects are recognized and documented. Each unit will be asked interview questions relevant to their participation in the captioning and access to media policy design. The questions will also be directed to each unit’s area of responsibility to provide institutional factors relevant to each unit. Each participant will be asked to provide names and units that were contacted in developing the text for the policy. This snowball sampling technique will be utilized to possibly identify other interview candidates. These participants were selected because they are captioning and access to media committee members. Key informants (pseudonyms) include:

a. Participant One, Director of Students with Disabilities Services
b. Participant Two, Senior Vice Provost, Council of Educational Policy Issues Ex-Officio committee member, Dean of Graduate Studies
c. Participant Three, Associate Dean of Graduate Studies
d. Participant Five, Director of Library Services and Chair of the Council of Educational Policy Issues committee
e. Participant Six, Council of Educational Policy Issues committee member
f. Participant Seven, Assistant Dean of Student and Faculty Development, and Director of the Academy of Teaching and Learning Excellence

g. Participant Nine, Professor and Faculty Senate President

h. Participant Ten, Associate Professor and former Associate Dean of Undergraduate Studies

i. Participant Thirteen, Manager of Instructional Design Services, Online Learning & Instructional Technology Services

j. Participant Fourteen, Steering Committee, USF Provost’s Council of Chairs, Chair, Department of Women’s and Gender Studies
Interview Protocol One: Students with Disabilities Services

1. Why did you initiate discussions about the need for policy that addressed students with disabilities having access to course content?
   a. Were there other factors that brought this to your attention?

2. Who did you initially contact about the need for this policy? Why did you choose this person or group of persons?

3. What units were contacted to participate in these discussions?
   a. Why were these units selected?

4. Was it decided to bring in additional units?
   a. Why was this decision made?

5. Were key responsibilities clearly aligned?
   a. Was there a collective accountability among the units?

6. What objections did participants raise?
   a. Were these objections addressed by the policy committee?

7. Were key relationships identified?
   a. Were key responsibilities identified?

8. Do you feel the university made a good-faith effort to develop a policy that benefits students with disabilities? How can the current policy generate long-term benefits for students with disabilities?

9. Is the current policy sustainable in light of RCM?
   a. What potential problems were identified?
   b. What units expressed concerns? Were the concerns justified?
10. What did you learn about the policy development process in regards to the captioning policy?
   a. How will you use this knowledge for future policy negotiation for students with disabilities?

11. Looking back, is there anything you would you have done differently?

12. What is your power or authority in regards to this policy?

13. What values of the organization does this policy convey?
Interview Protocol Two: Academic Affairs

1. Who initially contacted you about the captioning and access to media policy?
2. Who did you contact about the need for this policy?
3. What functional areas were contacted to participate in these discussions?
4. Was it decided to bring in additional units?
5. What additional groups were contacted?
6. Who was delegated authority to develop this policy?
7. How were responsibilities delegated among the units?
8. Was there collaboration among the functional areas?
9. What unit(s) will fund this initiative?
10. How does RCM impact this policy?
11. What strategic goals does this policy address?
12. What values do you think this policy conveys about the university?
Interview Protocol Three: Academic Affairs

1. Who initially contacted you about the captioning and access to media policy?

2. What was your role as a committee member?

3. You serve on the Graduate Council Policy committee. Was this policy discussed at the Graduate Council Policy meetings?

4. Did Graduate Council Policy members express concerns about this policy?
   a. What were these concerns?
   b. Can you share their comments?

5. Were Graduate Council Policy members aware of who was responsible for carrying out the responsibilities of the captioning and access to media policy?

6. Did the captioning and access to media policy committee follow standard protocol for developing policy?
   a. How did it differ from the establishment of Graduate Policy?

7. In light of RCM, did leadership make a financial commitment for compliance?
   a. What units will be negatively impacted by this policy?

8. In light of RCM, did leadership make a human resource commitment to accomplish this initiative?

9. Who has the authority and power to fulfill this initiative?

10. You mentioned that this policy is not necessary in your field. How could flexibility be built into the captioning and access to media policy so that exceptions like you noted could be handled?

11. Should ethical and moral issues eclipse pragmatism in developing educational policy?
12. How does RCM impact this policy? Are there particular units that will suffer more than others in regards to this policy?

13. How does this policy contradict or reinforce the image of graduate education at the university?
Interview Protocol Four: General Counsel

1. Who notified you that USF was considering policy that addressed captioning and access to media used in course content for students with disabilities?

2. Were you provided background information about why this was necessary? Can you share this information?

3. When did these discussions begin? Why was it decided to move forward at this time?

4. This policy was developed before the Christmas break. Was there a sense of urgency?

5. One possible effect of non-compliance is lawsuits, both individual and class-action. What support is needed from the university to accomplish such broad-based efforts to bring each course in compliance with Sections 504 and 508?

6. To what degree did RCM influence the development process of the captioning policy?

7. Did units understand what they were responsible for?

8. Did the units seem to share the same goals?

9. How were objections handled when rewriting the policy?

10. What negotiations occurred to obtain final signatures?

11. Who was the source of authority for this policy?

12. Did this policy process differ from other policies generated through your office?
Interview Protocol Five: Library Services

1. Were you contacted about this policy as a result of your position in the library or as a CEPI member, or both?

2. What is your authority in the library and as a member of CEPI?

3. Do these roles conflict with each other?

4. What were some concerns of the library’s top leadership? How were these concerns addressed by the captioning committee?

5. Did you understand what services the library would be required to provide?
   a. What are areas of concern to the library in regards to resources i.e. technology, staffing, budgets?

6. How does this impact the library’s goals?

7. Were you given funding to accomplish this initiative?

8. The library provides services to all students. Does library leadership possess the power and authority to obtain the resources it needs to accomplish the needs of students with disabilities at the university?

9. What administrative alliances does the library need to obtain resources to support such a broad-based initiative as the captioning policy?

10. Are the values of the library consistent with this policy?

11. How does the captioning and access to media policy complement the library’s goals?

12. How does the captioning and access to media policy clash with the library’s goals?
Interview Protocol Six: Faculty

1. Who contacted you about discussions regarding students with disabilities having access to course content?

2. Why were you contacted, do you serve on a faculty committee?

3. Were you provided background information about why these discussions were necessary?

4. Did the captioning and access to media policy committee follow prescribed rules of policy development at USF?

5. Is there a conflict between your other faculty committee and the captioning and access to media policy committee?

6. What concerns about the captioning and access to media policy have other faculty have shared with you?
   a. Are these objections related to budgets, curriculums, staffing, authority, or power?

7. In what ways has administration addressed the concerns of faculty?

8. What is your bargaining position as it relates to the captioning and access to media policy?
   a. Do you feel empowered as a faculty committee member or do you feel other political players take precedence over your faculty role?

9. What symbolism does the captioning and access to media policy convey?

10. Are your professional values in conflict with the captioning and access to media policy?
Appendix B. Request for Interview Email

From: Carter, Kimberly
Sent:
To: Interview Participant
Subject: Request for Interview from USF Doctoral Student

Dear Interview Participant:

My name is Kimberly Carter and I am contacting you for an interview due to your participation in the development of USF Policy 10-506 Captioning and Access to Media Used in Coursework. I am writing my dissertation on the design of this policy and believe your opinion would be a valuable contribution to my research study. The interview will take approximately one hour, can be scheduled at your convenience, and at a location of your choice.

If you agree to an interview, please let me know a convenient time for an appointment. I will email you the interview questions two weeks prior to our interview. Since my study is qualitative, our conversation may evolve beyond these guiding questions.

The interview will be audio-recorded and professionally transcribed. I value your time and will only send you the portions of the transcription that I will use in my study for you to review for errors or inconsistencies. I will also send you a final copy to determine if my interpretation is what you intended.

My office phone is (813) 974-2915 and my email is kfcarter@usf.edu. I look forward to hearing from you soon.

Sincerely,
Kimberly Carter
Appendix C. Certificate of Completion: USF IRB Researcher Workshop

Certificate of Completion

Kimberly Carter

Has Successfully Completed the Course in

USF IRB Student Researcher Workshop

On

Tuesday, September 09, 2014
Appendix D. Letter of Informed Consent

Informed Consent to Participate in Research Involving Minimal Risk

Pro # 00031549

You are being asked to take part in a research study. Research studies include only people who choose to take part. This document is called an informed consent form. Please read this information carefully and take your time making your decision. Ask the researcher or study staff to discuss this consent form with you, please ask him/her to explain any words or information you do not clearly understand. The nature of the study, risks, inconveniences, discomforts, and other important information about the study are listed below.

We are asking you to take part in a research study called:

One University’s Response to Sections 504 and 508 of the Rehabilitation Act: A Descriptive Case Study of Policy Design

The person who is in charge of this research study is Kimberly Carter. This person is called the Principal Investigator. No other research staff are involved in the study but Kimberly is being guided in this research by her advisors, Dr. Jennifer Wolgemuth and Dr. Judith Ponticell.

The research will be conducted at USF.

Purpose of the study
The purpose of this descriptive case study is to examine policy design to conform with Sections 504 and 508 at a public research university through the lens of Bolman and Deal’s four frames of organizational analysis. These frames include: (a) the structural frame, (b) the human resource frame, (c) the political frame, and (d) the symbolic frame.

Why are you being asked to take part?
You are being asked to take part in this research because you were a committee member and participated in the development of USF policy 10-506 Captioning and Access of Media Used in Course Content.

Study Procedures:
If you take part in this study, you will be asked to:
One interview will be conducted during the Fall 2017 semester (August 21 – December 7). The interview will be approximately 30 minutes in duration. After reviewing each interview transcription, the researcher could possibly place a telephone call to the participant to clarify a concept or idea or to explain inconsistent or vague answers. The interviews will be recorded using an Olympus WS-802 digital recorder. Once transcribed, the document will be emailed to the participant for member checking. Only the PI, the advisor, and the participant will have access to the recordings and transcripts.

The research generated from this study will be utilized to meet the requirements of a dissertation submitted in partial fulfillment for a Doctor of Philosophy degree in the College of Education at the University of South Florida. This fulfills the requirements of the Curriculum and Instruction program, with an emphasis in Higher Education Administration, in the Leadership, Counseling, Adult, Career, and Higher Education department.

The purpose of this descriptive case study is to examine policy design to comply with Sections 504 and 508 at a public research university through the lens of Bolman and Deal’s four frames of organizational analysis. These frames include: (a) the structural frame, (b) the human resource frame, (c) the political frame, and (d) the symbolic frame.

The research questions addressed are:
1. What factors in the University context had a positive influence on policy design as viewed through Bolman and Deal’s (2013) four frames?
2. What factors in the University context had a negative influence on policy design as viewed through Bolman and Deal’s (2013) four frames?

Alternatives / Voluntary Participation / Withdrawal
You should only take part in this study if you want to volunteer. You should not feel that there is any pressure to take part in the study. You are free to participate in this research or withdraw at any time. There will be no penalty or loss of benefits you are entitled to receive if you stop taking part in this study.

Benefits
You will receive no benefit(s) by participating in this research study.

Risks or Discomfort
This research is considered to be minimal risk. That means that the risks associated with this study are the same as what you face every day. There are no known additional risks to those who take part in this study.

Compensation
You will receive no payment or other compensation for taking part in this study.
Costs
It will not cost you anything to take part in this study.

Conflict of Interest Statement
The researcher has no conflict of interest in this study.

Privacy and Confidentiality
We will keep your study records private and confidential. Certain people may need to see your study records. Anyone who looks at your records must keep them confidential. These individuals include:

- The research team, including the Principal Investigator and advisor
- Certain government and university people who need to know more about the study, and individuals who provide oversight to ensure that we are doing the study in the right way.
- The Office of Human Rights Protection.
- Any agency of the federal, state, or local government that regulates this research.
- The USF Institutional Review Board (IRB) and related staff who have oversight responsibilities for this study, including staff in USF Research Integrity and Compliance.

We may publish what we learn from this study. If we do, we will not include your name. We will not publish anything that would let people know who you are.

You can get the answers to your questions, concerns, or complaints
If you have any questions, concerns or complaints about this study, or experience an unanticipated problem, call Kimberly Carter at: Office 813-974-2915 Cell 813-631-9023.
If you have questions about your rights as a participant in this study, or have complaints, concerns or issues you want to discuss with someone outside the research, call the USF IRB at (813) 974-5638.

Consent to Take Part in this Research Study
I freely give my consent to take part in this study. I understand that by signing this form I am agreeing to take part in research. I have received a copy of this form to take with me.

_____________________________________________ ____________
Signature of Person Taking Part in Study Date

_____________________________________________
Printed Name of Person Taking Part in Study

Statement of Person Obtaining Informed Consent
I have carefully explained to the person taking part in the study what he or she can expect from their participation. I confirm that this research subject speaks the language that was used to
explain this research and is receiving an informed consent form in their primary language. This research subject has provided legally effective informed consent.

Kimberly Carter, Signature of Person obtaining Informed Consent                                    Date

Kimberly Carter, Name of Person Obtaining Informed Consent
Appendix E: IRB Approval

10/9/2017

Kimberly Carter
Graduate Studies
4202 E. Fowler Avenue, ALN 226
Tampa, FL 33620

RE: Expedited Approval for Initial Review
IRB#: Pro00031549
Title: One University’s Response to Sections 504 and 508 of the Rehabilitation Act: A Descriptive Case Study of Policy Design

Study Approval Period: 10/8/2017 to 10/8/2018

Dear Ms. Carter:

On 10/8/2017, the Institutional Review Board (IRB) reviewed and APPROVED the above application and all documents contained within, including those outlined below.

Approved Item(s):
Protocol Document(s):
IRB Protocol One University's Response to Sections 504 and 508 of the Rehabilitation Act Version #1

Consent/Assent Document(s)*:
Informed Consent One University's Response to Sections 504 and 508 of the Rehabilitation Act Version #1.pdf
*Please use only the official IRB stamped informed consent/assent document(s) found under the "Attachments" tab. Please note, these consent/assent documents are valid until the consent document is amended and approved.

It was the determination of the IRB that your study qualified for expedited review which includes activities that (1) present no more than minimal risk to human subjects, and (2) involve only procedures listed in one or more of the categories outlined below. The IRB may review research through the expedited review procedure authorized by 45CFR46.110 and 21 CFR 56.110. The research proposed in this study is categorized under the following expedited review category:

(5) Research involving materials (data, documents, records, or specimens) that have been collected, or will be collected solely for nonresearch purposes (such as medical treatment or diagnosis).

(6) Collection of data from voice, video, digital, or image recordings made for research purposes.

(7) Research on individual or group characteristics or behavior (including, but not limited to, research on perception, cognition, motivation, identity, language, communication, cultural beliefs or practices, and social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies.

As the principal investigator of this study, it is your responsibility to conduct this study in accordance with IRB policies and procedures and as approved by the IRB. Any changes to the approved research must be submitted to the IRB for review and approval via an amendment. Additionally, all unanticipated problems must be reported to the USF IRB within five (5) calendar days.

We appreciate your dedication to the ethical conduct of human subject research at the University of South Florida and your continued commitment to human research protections. If you have any questions regarding this matter, please call 813-974-5638.

Sincerely,

Kristen Salomon, Ph.D., Vice Chairperson

USF Institutional Review Board
Appendix F: Informed Consent to Participate

Study ID: Pro00031549 Date Approved: 10/9/2017

Informed Consent to Participate in Research Involving Minimal Risk

Pro # 00031549

You are being asked to take part in a research study. Research studies include only people who choose to take part. This document is called an informed consent form. Please read this information carefully and take your time making your decision. Ask the researchers or study staff to discuss this consent form with you, please ask him/her to explain any words or information you do not clearly understand. The nature of the study, risks, inconveniences, discomforts, and other important information about the study are listed below.

We are asking you to take part in a research study called:

One University’s Response to Sections 504 and 508 of the Rehabilitation Act: A Descriptive Case Study of Policy Design

The person who is in charge of this research study is Kimberly Carter. This person is called the Principal Investigator. No other research staff are involved in the study but Kimberly is being guided in this research by her advisors, Dr. Jennifer Wolgemuth and Dr. Judith Ponticell.

The research will be conducted at USF.

Purpose of the study

The purpose of this descriptive case study is to examine policy design to conform with Sections 504 and 508 at a public research university through the lens of Bolman and Deal’s four frames of organizational analysis. These frames include: (a) the structural frame, (b) the human resource frame, (c) the political frame, and (d) the symbolic frame.

Why are you being asked to take part?

You are being asked to take part in this research because you were a committee member and participated in the development of USF policy 10-506 Captioning and Access of Media Used in Course Content.

Study Procedures:

If you take part in this study, you will be asked to:

One interview will be conducted during the Fall 2017 semester (August 21 – December 7). The interview will be approximately 1 hour in duration. After reviewing each interview transcription, the researcher could possibly place a telephone call to the participant to clarify a concept or idea or to explain inconsistent or vague answers. The interviews will be recorded using an Olympus WS-802 Social Behavioral

Version 0.3

Page 1 of 3
digital recorder. Once transcribed, the document will be emailed to the participant for member checking. Only the PI, the advisor, and the participant will have access to the recordings and transcripts.

The research generated from this study will be utilized to meet the requirements of a dissertation submitted in partial fulfillment for a Doctor of Philosophy degree in the College of Education at the University of South Florida. This fulfills the requirements of the Curriculum and Instruction program, with an emphasis in Higher Education Administration, in the Leadership, Counseling, Adult, Career, and Higher Education department.

The research questions addressed are:
1. What factors in the University had a positive influence on policy design as viewed through Bolman and Deal’s (2013) four frames?
2. What factors in the University had a negative influence on policy design as viewed through Bolman and Deal’s (2013) four frames?

**Total Number of Participants**

Approximately 10 - 15 individuals will take part in this study at USF.

**Alternatives / Voluntary Participation / Withdrawal**

Your decision to participate or not to participate will not affect your job status, employment record, employee evaluations, or advancement opportunities.

**Benefits**

You will receive no benefit(s) by participating in this research study.

**Risks or Discomfort**

This research is considered to be minimal risk. That means that the risks associated with this study are the same as what you face every day. There are no known additional risks to those who take part in this study.

**Compensation**

You will receive no payment or other compensation for taking part in this study.

**Costs**

It will not cost you anything to take part in this study.

**Conflict of Interest Statement**

The researcher has no conflict of interest in this study.

**Privacy and Confidentiality**

We will keep your study records private and confidential. Certain people may need to see your study records. Anyone who looks at your records must keep them confidential. These individuals include:
• The research team, including the Principal Investigator and advisor
• Certain government and university people who need to know more about the study, and
  individuals who provide oversight to ensure that we are doing the study in the right way.
• The Office of Human Rights Protection.
• Any agency of the federal, state, or local government that regulates this research.
• The USF Institutional Review Board (IRB) and related staff who have oversight
  responsibilities for this study, including staff in USF Research Integrity and Compliance.

We may publish what we learn from this study. If we do, we will not include your name. We will not
publish anything that would let people know who you are. You will be identified with a number and
your corresponding interview will be coded with the same number i.e. Participate One will be
identified with Interview One. Your employment title(s) or area of responsibilities will not be included
in the study. The study will disclose that participants were selected due to their involvement in
“student affairs, academic affairs, and/or curriculum development.”

You can get the answers to your questions, concerns, or complaints

If you have any questions, concerns or complaints about this study, or experience an unanticipated

If you have questions about your rights as a participant in this study, or have complaints, concerns or
issues you want to discuss with someone outside the research, call the USF IRB at (813) 974-5638.

Consent to Take Part in this Research Study

I freely give my consent to take part in this study. I understand that by signing this form I am agreeing
to take part in research. I have received a copy of this form to take with me.

Signature of Person Taking Part in Study ________________________________ Date ____________

Printed Name of Person Taking Part in Study ________________________________

Statement of Person Obtaining Informed Consent

I have carefully explained to the person taking part in the study what he or she can expect from their
participation. I confirm that this research subject speaks the language that was used to explain this
research and is receiving an informed consent form in their primary language. This research subject
has provided legally effective informed consent.

Kimberly Carter, Signature of Person obtaining Informed Consent ______________ Date ____________

Kimberly Carter, Name of Person Obtaining Informed Consent ________________________________

Social Behavioral

7/2/17

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## Appendix G: Field Notes

### Examples of Potential Coding Categories Based on Bolman and Deal’s Four Frames

| Structure                      | Institutional units identified  
|                               | Unit positions within organizational structure  
|                               | Responsibilities in the policy  
|                               | Coordination between/among units  
| Human Resources                | Clarity of goals and outcomes in policy  
|                               | Resources identified to support implementation  
|                               | Flexibility for local adaptation of goals and outcomes in implementation  
|                               | Clarity of communication  
|                               | Trust  
| Politics                       | Authority within unit  
|                               | Authority between/among units  
|                               | Role in policy design  
|                               | Role in policy review  
|                               | Role in policy approval  
|                               | Sources of conflict  
|                               | Perceptions of cooperation and collaboration  
|                               | Power games  
| Culture/Symbolism              | Perceptions of organizational norms in policy design/review  
|                               | Perceptions of leadership in policy design/review  
|                               | Perceptions of organizational values  
|                               | Perceptions of purpose and meaningfulness of policy  

Interview Number: 
Date of Interview: 
Participant: 

<table>
<thead>
<tr>
<th>Question</th>
<th>Categories</th>
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# Appendix H: Archived Documents Coding Matrix

<table>
<thead>
<tr>
<th>Committee</th>
<th>Date</th>
<th>Meeting Comments</th>
<th>Subcode</th>
<th>Code</th>
<th>Frame</th>
<th>FrameNum</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEPi</td>
<td>1/15/2016</td>
<td>The Captioning Media policy is generating considerable discussion across campuses. Participant Five provided an overview of the proposed captioning policy and its potential impact on the USF Libraries and faculty. Primary issues discussed were timing of distribution of policy for review (right before winter break); short review period with winter break; concerns about resources to implement policy; and concerns about access to instructional resources that may not be captured. Several minor edits were suggested: emphasizing that existing courses are the ones that would be evaluated for development of a plan to modify the courses or materials to bring them into compliance; emphasis on course-based materials in the development of a phased compliance plan; and emphasis on security captioned resources through inter-library loan or other means. J. Ponticelli will forward the edits to Participant One.</td>
<td>Communication</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>CEPi</td>
<td>2/19/2016</td>
<td>The Captioning Media policy continues to generate considerable discussion across campuses. Three primary areas are: whether all courses will be made ADA compliant, the role of the oversight committee, and resources to bring courses into compliance. The Provost has requested a Faculty Senate ad hoc committee to vet the policy further.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>CEPi</td>
<td>3/11/2016</td>
<td>Participant Two reported that the Ad Hoc Committee on the Media Captioning policy met. Participant Four noted that she recognized the vetting process needed to be expanded and that the committee's perspectives were very useful and would have been helpful in the policy's construction.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>CEPi</td>
<td>3/11/2016</td>
<td>Participant Five and Participant Six attended the meeting and reported on several issues that were discussed including clarification/amplification of definitions; department involvement in cost share determination; inclusion of media not mentioned in the initial policy draft; specifying course integrated content; providing links to attachments with examples in the policy; issues around YouTube captioning; establishing a priority hierarchy for conversion e.g., over a 7-year period, high enrollment courses and required courses first; providing another policy review posting period. No decisions have been made as yet; funding remains a primary concern.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>DLA</td>
<td>1/26/2015</td>
<td>Closed Captioning OLTS Procedure Update: As a result of our study, we have developed a procedure. The captioning procedure has been added to the draft of the course design support procedures for review.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>DLA</td>
<td>1/26/2015</td>
<td>Committee will be experimenting with the speech-to-text captioning using Dragon.</td>
<td>Practice</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>DLA</td>
<td>6/10/2015</td>
<td>CC Study, Data update. The data file is so large that it has trouble opening on Casey’s machine. He is exploring a technique to make the data more usable and slim down the file. Future study idea: CC vs an interactive transcript. Participant Thirteen will reach out to SPI to see if they have experience delivering this kind of transcript.</td>
<td>Practice</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>Committee</td>
<td>Date</td>
<td>Meeting Comments</td>
<td>Subcode</td>
<td>Code</td>
<td>Frame</td>
<td>FrameNum</td>
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<tr>
<td>DLA</td>
<td>1/26/2015</td>
<td>System-wide Captioning Policy Update. Participant fifteen updated the group that the most recent draft has been released. Participant Thirteen will upload this to Basecamp so that others can send any comments to Participant Fifteen by the end of May.</td>
<td>Communication</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>DLA</td>
<td>1/26/2016</td>
<td>We are unsure if we have representation on the system-wide committee that is developing this policy. Committee will ask about our representation. Committee will ask him if he would like to meet with the committee for any feedback or insight.</td>
<td>Representation</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>SEC</td>
<td>12/2/2015</td>
<td>Council on Educational Policy and Issues (CEPI) - Chair reported that, due to possible funding issues, the council has asked that the deadline be extended beyond December 23 for submitting comments on proposed System Policy Captioning and Access of Media. Report from Provost and Executive Vice President. On behalf of the Provost, Senior Vice Provost provided the following update: The captioning policy will need to be addressed as university is currently out of compliance. It is now in the promulgation process. A Faculty Senate committee will be asked to look at a draft at a later date.</td>
<td>Budgets</td>
<td>Funding</td>
<td>Political</td>
<td>3</td>
</tr>
<tr>
<td>SEC</td>
<td>2/2/2016</td>
<td>Report from Provost and Executive Vice President. On behalf of the Provost, Senior Vice Provost provided the following update: The captioning policy will need to be addressed as university is currently out of compliance. It is now in the promulgation process. A Faculty Senate committee will be asked to look at a draft at a later date.</td>
<td>Administration</td>
<td>Power</td>
<td>Political</td>
<td>3</td>
</tr>
<tr>
<td>SEC</td>
<td>3/5/2016</td>
<td>Council on Educational Policy and Issues (CEPI) Update - CEPI activities for the past month included review of the captioning policy is still in progress.</td>
<td>Representation</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>SEC</td>
<td>5/10/2016</td>
<td>Council on Educational Policy and Issues (CEPI) Update - CEPI activities for the past month included review of the captioning policy is still in progress.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>FSSM</td>
<td>1/29/2016</td>
<td>If you use any video materials in your course, the materials must be captioned. If the video materials are available, work with Library Services and their budget to get the materials required. YouTube.com automatically captions any videos created yourself. If the materials cannot be captioned you may provide a transcript or work with Information Commons for a suitable alternative assignment.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>FSSM</td>
<td>1/29/2016</td>
<td>If you use any video materials in your course, the materials must be captioned. If the video materials are available, work with Library Services and their budget to get the materials required. YouTube.com automatically captions any videos created yourself. If the materials cannot be captioned you may provide a transcript or work with Information Commons for a suitable alternative assignment.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>FSSM</td>
<td>1/29/2018</td>
<td>If you use any video materials in your course, the materials must be captioned. If the video materials are available, work with Library Services and their budget to get the materials required. YouTube.com automatically captions any videos created yourself. If the materials cannot be captioned you may provide a transcript or work with Information Commons for a suitable alternative assignment.</td>
<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>PST</td>
<td>2/27/2018</td>
<td>captioning Access for Media - Participant Nine reported that the new requirements for the captioning of audio/visual materials will affect many faculty members wanting to fully comply with the ADA. However, the document is still in promulgation. There is a form for comments on the website that is open until February 1, 2016. Departments will need to comply and be ready for these accommodations when the policy is finalized.</td>
<td>Compliance</td>
<td>Legal</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>PST</td>
<td>1/29/2016</td>
<td>Discussion of new System Policy 10-506 Captioning and Access of Media. If you use any video materials in your course, the materials must be captioned. If the video materials are available, work with Library Services and their budget to get the materials required. YouTube.com automatically captions any videos created yourself. If the materials cannot be captioned you may provide a transcript or work with Information Commons for a suitable alternative assignment.</td>
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<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>FSSM</td>
<td>1/29/2018</td>
<td>If you use any video materials in your course, the materials must be captioned. If the video materials are available, work with Library Services and their budget to get the materials required. YouTube.com automatically captions any videos created yourself. If the materials cannot be captioned you may provide a transcript or work with Information Commons for a suitable alternative assignment.</td>
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<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>FSSM</td>
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<td>Process</td>
<td>Procedural</td>
<td>Structural</td>
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<tr>
<td>AGAM</td>
<td>8/29/2016</td>
<td>Captioning Policy. Participant Eleven joined the meeting to discuss USF System policy 10-506 on Captioning and Access of Media In Course Content. The policy mandates that all existing materials that require captioning be compliant within seven years, and all new materials be compliant from creation.</td>
<td>Compliance</td>
<td>Legal</td>
<td>Structural</td>
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</tr>
<tr>
<td>AGAM</td>
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<td>Legal</td>
<td>Structural</td>
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<td>AGAM</td>
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<td>Legal</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>AGAM</td>
<td>8/29/2016</td>
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<td>Compliance</td>
<td>Legal</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>UGC</td>
<td>1/11/2016</td>
<td>10-506 Captioning and Access of Media Participant One spoke to the Caption and Media Access Policy that is being promulgated. The policy refers to access to course materials and everything else at the university, particularly media and online materials by students with disabilities. Powerpoint with transcripts do not need captions; existing courses must phase into compliance and all courses must be in compliance within five years. Innovative Education will provide assistance as that office has individuals who are knowledgeable about course design and accessibility. Deborah is preparing a Q&amp;A and is also trying to secure funding for the costs associated with access. There was concern that faculty were not consulted on this proposed policy; time will be allotted to ensure that all stakeholders have an opportunity to contribute to the final policy before adoption.</td>
<td>Dissemination</td>
<td>Procedural</td>
<td>Structural</td>
<td>1</td>
</tr>
</tbody>
</table>
## Appendix I: Interview Coding Matrix

<table>
<thead>
<tr>
<th>Participant</th>
<th>Question</th>
<th>Participant</th>
<th>Additional Participant Comments</th>
<th>Subcode</th>
<th>Code</th>
<th>Frame</th>
<th>Premise</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>What units will fund this initiative?</td>
<td>The captioning effort will not be funded by Academic Affairs but will be the responsibility of the colleges and departments.</td>
<td>As of this date, I don’t know if this issue has changed since the interview. I assume associated costs remain in the responsibility of decentralized budget agencies. A follow-up to Innovative Education might provide more current information, especially if an individual is developing an online component with a sound component to it. It would be interesting to determine if faculty are changing proposed course content because of issues related to captioning (i.e., not including sound components).</td>
<td>Budgets</td>
<td>Funding</td>
<td>Political</td>
<td>3</td>
</tr>
<tr>
<td>7</td>
<td>Were you provided background information about why these discussions were necessary?</td>
<td>Thinking specifically about the captioning policy, one of the questions I posted was why the university was pursuing what I’m going to call a proactive approach rather than a reactive approach. As I understand it, the ADA law does not require that captions be in place as soon as the material is presented to the student but allows a timeframe to prepare the materials once an accommodation request is made. The answer provided in one of the many meetings was that case law seemed to be determining that captioning the materials beforehand is the best practice. Case law was the exact phrase used and I interpret that to mean that court decisions have led us to believe that the university would be vulnerable to a lawsuit if we didn’t take a proactive approach. So it was an institutional decision to mitigate risk by taking a proactive approach rather than a reactive approach.</td>
<td>Participant Seven believes the university began discussions on the captioning of media and course materials because it was perceived the institution may be vulnerable to legal action and litigation. Participant Seven is of the understanding the ADA allows time to deliver captioned materials once a request is made and still leaves between a proactive approach and a reactive approach. As an example, when a student makes a request for a captioned video, the reactive approach would be to provide the student with a captioned video in a specified amount of time. Having the captioned video available at the time the video is shown in the classroom is a proactive approach. Participant Seven believes the university chose a proactive approach to mitigate risk associated with accessibility lawsuits.</td>
<td>Risk</td>
<td>Legal</td>
<td>Structural</td>
<td>1</td>
</tr>
<tr>
<td>8</td>
<td>What concerns about the captioning and access to media policy have other faculty have shared with you? Are those objections related to budgets, curricula, staffing, authority, or power?</td>
<td>It was the typical things that faculty worried about, how much work is it going to be, how much time was it going to take, when does it need to be implemented, who’s going to pay for it, all the same things that pretty much any time you changed something the faculty are interested in, those things they’re interested in how much is it going to affect us in terms of you know, our teaching, our ability to teach, and our curriculum. Many of the faculty are concerned about intellectual property, because these lectures are owned, they’ve developed their own lectures. Sometimes they utilize the lecture notes into a book or charts or things like that and they were worried about dissemination. At the same time we were doing the captioning, we were also doing the self-authored course materials policy for faculty. These two issues kind of merged end and again we’re thinking about both of them at the same time.</td>
<td>Faculty have full workloads and assuming the additional responsibility of captioning their lectures and coursework concerns them. An additional problem is the intellectual property rights of lectures and coursework that are disseminated through books or chapters in books.</td>
<td>Rights</td>
<td>Staffing</td>
<td>Human Resource</td>
<td>2</td>
</tr>
<tr>
<td>10</td>
<td>Is what ways has administration addressed the concerns of faculty?</td>
<td>The policy places the burden of captioning on the faculty and the department. The policy protects the university but tells the faculty, “You have a big job to do.” I think it’s good that they are trying to help the student and I think that’s probably the reason for the three-day turnaround. Some decisions are made so that the student doesn’t lose time. When they’re actually taking the course they get behind very fast. So someone has to address it, that may be why it was decided but I don’t know. The faculty have an enormous job to do and they’re not given money.</td>
<td>Participant Ten perceives the three-day turnaround for accommodation requests to be a hardship for overburdened faculty. The policy protects the university by placing the responsibility for captioning on the faculty and department without designating resources for the additional work funds allocated for staffing training, and software support would alleviate much of the workload associated with the captioning of course materials. Participant Ten noted that the university quantified a three-day turnaround so the student does not get behind in the class. Once a student loses time, it is often impossible to catch up with assignments.</td>
<td>Workload</td>
<td>Labor</td>
<td>Human Resource</td>
<td>2</td>
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</tbody>
</table>
## Appendix J: Interview Display Matrix

<table>
<thead>
<tr>
<th>Structural Frame</th>
<th>Human Resource Frame</th>
<th>Political Frame</th>
<th>Symbolic Frame</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Procedural</strong></td>
<td></td>
<td><strong>Power</strong></td>
<td><strong>Mission</strong></td>
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<tr>
<td><strong>Legal</strong></td>
<td></td>
<td><strong>Funding</strong></td>
<td><strong>Values</strong></td>
</tr>
<tr>
<td><strong>Staffing</strong></td>
<td></td>
<td><strong>Provision</strong></td>
<td><strong>Vision</strong></td>
</tr>
<tr>
<td><strong>Labor</strong></td>
<td></td>
<td><strong>Coping</strong></td>
<td><strong>Mission</strong></td>
</tr>
</tbody>
</table>

### The policy was officially posted and people felt as if they had no say in it. Revisions started with a hot topic. It was a draft, presented in the work group, and sent back for discussion before it was officially posted.

- **Everyday people** praised that it was a good thing, a necessary thing, and that they were aware of the juncture who needs this service.
- **Everyone** agreed that it was a good thing, a necessary thing, and that they were aware of the juncture who needs this service.
- **I acknowledge that faculty have multiple academic priorities, so I'm not thinking that it is a significant policy impact**. If I'm the one who's communicating that we do this, the students will be more successful, you will be happier, or the university will be protected.
- **I initially contacted the Provost Office because they have the ability to change the faculty culture and our office either**. This is a policy that is something that is going to affect the student experience.
- **Providing access is a priority. Who will find the process to make it happen?**
- **The institutional focus on student success started at the same time as the capturing policy and it is very applicable because we can't be a successful student if you don't have the information you need to complete your course work.**

### It was decided that the committee must include the faculty because we also contacted people who had expertise in the area and worked with the office on capturing. The goal was to bring in a diverse array of people who had multiple interests and also had experience with the issue.

- **The university was out of compliance with the Department of Education's accessibility requirements. A decision was made to develop a policy that addressed capturing and bring it into compliance.**
- **What we're going to do is we're going to bring in a diverse array of people who have multiple interests and also had experience with the issue.**
- **Coping can be labor intensive and the Department of Educational Technology has developed a mental health services response. The BOD has directed RSC initiatives to significantly ramp up their efforts to provide mental health services to students and to provide a support system for students who are coping with the stress.
- **The amount of time and effort we put into this is very significant**. If this is a policy that is something that is going to affect the student experience, it is something that is going to affect the student experience.
- **The capturing effort shows a commitment to bringing a federal accessibility compliant university. Not only to stay legal, but also to the student experience. In this case, it is the student's experience that will make all the difference.**

### The committee had representation across categories. Faculty had representation through CEPA and the Faculty Senate and many members on the committee also served on faculty roles. So it wasn't just the law and Innovative Ed making the decisions.

- **There was minimal financial support and that is going to dramatically affect the committee because the transcription of lectures is trivialized. It was at the meetings that work study students could do it. That will not work because work study students do not have the technical language used in many professions.**
- **Administration believes they made a staffing commitment and it didn't work with that. They did acknowledge that it was a tough job. They gave us time and five years is certainly sufficient. They made some suggestions, that is a huge capacity commitment and I get it.**
- **I think the issue is twofold. If the student is not able to transcript these lectures in a digital form or text, we would not want to put people in a class.**
- **The critical and moral debate is that it is important for society to have knowledge about what is happening in the classroom.**
- **We are a national leader in student success because our university emphasizes diversity. Differences are important to us. We have a special concern for African-Americans and Hispanics in terms of graduation rates and the coping policy is another step to open the door for individuals with disabilities. It is a testament to what the university is about.**

### The timing of the policy was a issue, it was dropped at the last minute. The Provost Office continued a committee, but there were only two meetings. There was no discussion. The wording of the policy was discussed rather than the content. The committee coordinator met with General Counsel reviewed the changes with the Provost Office, but the policy was not distributed and became policy without input from the committee.

- **Accessibility is a goal of every library and we are in line with ADA practice.**
- **All of the libraries in my department have responsibilities to assist our communities. NLI is responsible for managing and organizing the librarians who provide reference, instruction, and research services. The Library Liaison Services Department.**
- **When we found out about the capturing policy, we reached out to the public relations department. We will reach out to the public relations department.**
- **We work closely with the ILS to ensure that all the resources are for the students who need them.**
- **The Library is the campus organization tasked through its mission and goals to provide students and faculty with resources to support the academic and research endeavors. The Library ensures accurate and unique items for our collections. If you think you can't use them, then it doesn't mean we won't provide them. We need everyone to access resources in the library, no matter whether disability they have, or ability, I made sure the policy stated that the library would support an alternative solution to a piece of media that was not captioned.**
<table>
<thead>
<tr>
<th>Structural Frame</th>
<th>Human Resource Frame</th>
<th>Political Frame</th>
<th>Symbolic Frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procedure</td>
<td>Legal</td>
<td>Staffing</td>
<td>Power</td>
</tr>
<tr>
<td>As I knew of policy process, yes, they absolutely did. We met three or four times and there was back and forth between the committee members and then we would draft something and it would go to university council. University council would inform us of what we could and could not do and an item was unclear. Someone who didn’t understand an issue would push back and there was a very recursive kind of process. As far as I knew it was all absolutely according to that rule.</td>
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<tr>
<td>I had just finished developing an online class when the captaining committee was formed. It was an interesting problem for me to ensure that everything on my site was screen-readable and captioned and the effort took a great deal of time. I do Lectures by video and don’t have captioning software so I would try my best as a screen-readable PDF. The blind students don’t need the screen-readable version since they can hear the lecture but I thought someone might want to read it rather than sit through the better. I am not really skilled at processing information easily so I prefer written dialogue. We are a bureaucratic university and Florida is a state where the legislatures meddles in the university system. The captaining policy is a result of meddling by the federal government. Obama’s administration was active in enforcing many accessibility orders at universities and pushed for Title IX and disability access. The college administration has taken these away and the Dept of Education would probably not use a university over disability access. I really wanted our university to implement the captaining policy before last November.</td>
<td></td>
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<tr>
<td>Inside the decision to discard some videos where closed captioning was not available because I couldn’t capture them and didn’t have time to transcribe them. I wish I had an assistant who could do this work for me. So I do feel this tension.</td>
<td></td>
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<tr>
<td>Our university is big and complex and I know it’s complicated and political but I’m not always convinced that we invest our funds in exactly the way that we should. The university would have gotten less pushback if they had devoted a small amount of money to help with the effort and applied the funds to help pay for the captaining. Had this been done, I believe they would have had virtually no pushback at all, and I think it could have been a very small amount of money. I guess you could say it would be symbolic buy-in, so to speak.</td>
<td></td>
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<tr>
<td>I saw my role as one of educating those who may not realize their students have needs or are struggling with accessibility. I tell the faculty it is not only a payroll for your students with disabilities but also a payroll for all your students because we know that students have multiple learning styles. When you provide something in multiple modes you do a better job of educating your students. Students who are visual learners will hear the course material. Students that are visual learners will do better with captions.</td>
<td></td>
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<tr>
<td>The captaining policy puts teeth behind our claim to be accessible. I attended a pre-conference for chairs and program directors and listened to many people parent the language of student access and student success and thought about universities that they promote access and success but their actual practices show they’re neither accessible nor really foster student success. I think we are doing a pretty good job, all things considered. I think our university does a pretty good job of trying to put our money where our mouth is.</td>
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</table>
ABOUT THE AUTHOR

Kimberly F. Carter completed her Ph.D. studies at the University of South Florida. Her coursework in the College of Education included two graduate papers that highlighted the experiences of a visually-impaired graduate student matriculating through college. This student’s determination to overcome barriers inspired the author to write a dissertation on accessibility policies in higher education.

The author received bachelor’s degrees in Accounting and Management Information Systems and a Masters of Business of Administration degree from the University of South Florida. Kimberly is licensed as a Certified Public Accountant in the state of Florida and can be reached at kimberlycartercpa@gmail.com.