Submission to the Higher Education Standards Panel consultation

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Supporting people with disability in higher education
Response to consultation questions 6 and 7

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About the author

Carly Austin is an Accessibility Coordinator working in higher education, with over 20 years' experience supporting students, academics, and professional staff across a range of university contexts. She brings both lived experience of studying at university with a disability and extensive professional experience supporting students with disability. Carly has subject matter expertise in digital accessibility, assistive technology, and inclusive learning environments, with a focus on practical, sustainable approaches to access that are workable within contemporary university settings. This submission is made in an individual capacity and reflects her professional experience and personal expertise in supporting students with disability in higher education.

Introduction

This submission responds to consultation questions 6 and 7 of the Higher Education Standards Panel consultation on supporting people with disability in higher education. It focuses on the themes of inclusion, universal design, and institutional governance for accessibility, and considers the extent to which these themes are likely to improve equity, student outcomes, accountability, and provider practice across the higher education sector.

The consultation paper proposes strengthening inclusion and encouraging broader adoption of universal design as mechanisms for improving the participation and outcomes of students with disability. These objectives respond to long-standing concerns raised by students, disability practitioners, and advocacy organisations regarding uneven implementation of disability support obligations across the sector, including limited understanding of obligations relating to reasonable adjustments and inconsistent implementation across higher education providers.[1]

This submission supports the intention to strengthen institutional practice and improve outcomes for students with disability. However, universal design and broader inclusion initiatives will not reliably improve outcomes unless accessibility requirements are explicit, measurable, and embedded within institutional governance and quality assurance processes.

In contemporary higher education environments, teaching and learning are increasingly mediated through digital systems, including learning management platforms, recorded lectures, online resources, and digital assessment environments. Within these contexts, equitable participation depends not only on inclusive design principles but also on accessibility requirements that clearly define the conditions necessary for students with disability to access learning materials and institutional systems.

The submission therefore examines the relationship between universal design, accessibility standards, and institutional governance in digital learning environments. It argues that while universal design can improve usability for many learners, accessibility must be treated as a baseline requirement supported by measurable standards and embedded within institutional systems and digital service design.

Together, these issues speak directly to consultation questions 6 and 7. Inclusion and universal design can contribute to more supportive learning environments, but meaningful improvements in participation, accountability, and student outcomes are more likely to occur when accessibility requirements are clearly defined, measurable,

[1] Disability Discrimination Legal Service, *Access to Education for Students with Disability: Submission to the Senate Inquiry into the Current Levels of Access and Attainment for Students with Disability in the Education System* (2015).

and embedded across institutional governance structures and digital learning environments.

The submission first examines the relationship between universal design and accessibility, then considers the role of accessibility standards in digital learning environments, before illustrating these issues through the example of captioning and transcripts and concluding with implications for institutional governance.

Strengthening inclusion and universal design within the Threshold Standards will only translate into improved outcomes when accessibility requirements are clearly defined, measurable, and embedded within institutional governance and digital service design.[2]

Universal design and accessibility

Universal design provides an important framework for improving inclusion in higher education. Originating in the work of Ron Mace and colleagues, universal design promotes the design of environments and products that are usable by the widest possible range of people without the need for adaptation or specialised design.[3] In higher education, these principles have been applied to curriculum design, learning technologies, and teaching practice to improve usability for diverse learners and reduce unnecessary barriers to participation.[4] In this respect, the consultation paper is correct to highlight universal design as a mechanism that can support more inclusive institutional practice.

Universal design emerged primarily in the context of architectural and environmental design, where its principles were applied to physical environments, products, and services.[5] While these principles have since been adapted for education through approaches such as Universal Design for Learning, contemporary higher education is now heavily mediated through digital systems and platforms.[6] Teaching materials, lecture recordings, learning management systems, assessment platforms, and administrative services increasingly operate through digital environments. In these contexts, inclusion cannot rely solely on general design principles. Digital environments

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2 Department of Education, Skills and Employment, *2020 Review of the Disability Standards for Education 2005: Final Report* (2021) Recommendation 3.

3 Ronald L Mace, Graeme J Hardie and Jaine P Place, *Accessible Environments: Toward Universal Design* (Center for Universal Design, North Carolina State University, 1991).

4 Sheryl Burgstahler, *Universal Design in Higher Education: From Principles to Practice* (2nd ed, Harvard Education Press, 2015).

5 Mace, Hardie and Place, Accessible Environments.

6 David Peterson, 'Universal Design for Learning and Digital Accessibility: Compatible Partners or a Conflicting Marriage?' (2018) *EDUCAUSE Review*.

introduce specific accessibility barriers that require technical accessibility standards capable of identifying and removing those barriers in measurable ways.[7]

Accessibility therefore operates differently from universal design. It focuses on identifying and removing specific barriers that prevent people with disability from accessing content, systems, and digital learning environments. Achieving accessibility depends on clearly defined requirements and technical standards that specify what accessible design looks like in practice.[8] Without this level of specificity, inclusive design risks being interpreted inconsistently across institutions and implemented unevenly across systems and learning materials.

The distinction between these approaches is important. Designing for accessibility removes barriers that prevent people with disability from accessing digital learning environments. When these barriers are removed, the resulting systems and materials are typically usable by a broader range of students and therefore align with the goals of universal design.[9] Designing primarily for universal usability, however, does not automatically eliminate barriers experienced by students with disability.[10] A learning environment may therefore be designed with inclusive intent while still containing features that prevent some students from accessing core learning materials or participating on an equal basis.[11]

For this reason, universal design should be understood as a complementary framework that encourages proactive inclusive practice. It should not replace explicit accessibility requirements. In contemporary higher education, where learning environments are increasingly digital, accessibility depends on clearly defined and measurable requirements that ensure learning materials and systems can be accessed by students using assistive technologies and alternative access methods.

Accessibility should therefore be understood as a baseline requirement rather than an aspirational design outcome. Universal design encourages institutions to create learning environments that work well for the greatest number of students. Accessibility, by contrast, ensures that students with disability are not excluded from those environments in the first place. Framing accessibility as a subset of universal design risks treating access as an optional enhancement rather than a fundamental condition of equitable participation. In regulatory contexts such as the Higher Education

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7 World Wide Web Consortium, *Web Content Accessibility Guidelines (WCAG) 2.2* (2023) https://www.w3.org/TR/WCAG22/.

8 World Wide Web Consortium, *WCAG 2.2*.

9 Burgstahler, Universal Design in Higher Education.

10 Terrill L Thompson and Katie Mallett, 'Universal, but for whom? Reconsidering the promises and pitfalls of Universal Design for Learning' in A L Baldwin (ed), *Introduction to Accessibility in Digital Learning* (EdTech Books, 2022).

11 Thompson and Mallett, 'Universal, but for whom?'.

Standards Framework, accessibility must instead be recognised as a minimum expectation that defines whether learning environments are genuinely inclusive.

These requirements are already articulated through established accessibility standards that identify specific barriers and define measurable conformance criteria. In digital environments, the most widely recognised of these is the Web Content Accessibility Guidelines (WCAG) developed by the World Wide Web Consortium.[12]

Accessibility standards in digital learning

If the proposed themes are to improve equity and student outcomes in practice, accessibility must be articulated in ways that are measurable and enforceable. In digital learning environments, accessibility is already operationalised through established technical standards that define specific barriers and the criteria required to remove them.[13]

The most widely recognised standard for digital accessibility is WCAG. WCAG provides a structured framework for ensuring that web-based technologies and digital documents can be accessed by people with disability. The guidelines are organised around four core principles. Digital content must be perceivable, operable, understandable, and robust so that it can be accessed by users with diverse sensory, cognitive, and physical needs.[14]

Within this framework, WCAG identifies a series of guidelines and success criteria that correspond to specific accessibility barriers. Each success criterion represents a measurable requirement that digital systems or content must meet to avoid excluding users with access needs. This approach is significant because it moves accessibility beyond general design intentions and establishes concrete, testable expectations for accessible content. Unlike broader inclusion frameworks such as universal design, which function primarily as guiding principles for inclusive practice, accessibility standards define specific conditions under which accessibility barriers arise and provide measurable criteria for removing those barriers.[15]

WCAG also applies graded levels of conformance to reflect the impact of barriers on users:

- **Level A** addresses barriers that prevent users from accessing content entirely

[12] World Wide Web Consortium, *WCAG 2.2*.
[13] Peterson, 'Universal Design for Learning and Digital Accessibility'; World Wide Web Consortium, *WCAG 2.2*.
[14] World Wide Web Consortium, *WCAG 2.2*.
[15] World Wide Web Consortium, *WCAG 2.2*.

- **Level AA** addresses barriers that users may be able to overcome only with appropriate assistive technologies, technical knowledge, or workarounds
- **Level AAA** addresses additional requirements that are particularly important for some users and circumstances, even if they are not required for all contexts.[16]

In practice, students with disability in higher education frequently rely on individual reasonable adjustments that correspond to barriers addressed across this hierarchy. Some adjustments respond to fundamental accessibility barriers captured at Level A. Others address barriers that fall within Level AA or Level AAA success criteria. Many of the adjustments commonly coordinated through disability services, such as alternative formats, transcripts, or structured navigation for complex materials, correspond to requirements that accessibility standards already identify but are not consistently implemented through baseline design practices.[17]

This illustrates an important limitation of relying solely on broad inclusion frameworks such as universal design. Where accessibility requirements are not embedded explicitly in institutional systems and digital content, higher education providers often respond to barriers only after they are experienced by individual students, a pattern reflecting ongoing problems with inconsistent implementation and limited understanding of reasonable adjustment obligations.[18] As a result, accessibility is frequently delivered through reactive adjustment processes rather than through proactive design that removes predictable barriers before learning materials are produced and distributed.[19]

In higher education, where teaching and learning increasingly rely on digital platforms, recorded lectures, online resources, and digital assessment environments, accessibility standards such as WCAG provide a practical mechanism for ensuring that students with disability can access core learning materials on an equal basis with their peers. Clarifying accessibility requirements through reference to established standards strengthens the capacity of the Threshold Standards to support inclusive and equitable learning environments and addresses the 2020 Review of the Disability Standards for Education finding that providers require clearer obligations and stronger regulatory guidance.[20]

Captioning and transcripts in practice

A clear illustration of how accessibility standards operate in practice can be seen in the requirements governing captions and transcripts for recorded learning materials, which

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16 World Wide Web Consortium, *WCAG 2.2*.
17 Hibbert, 'Reaching All Learners by Leveraging Universal Design for Learning'.
18 Disability Discrimination Legal Service, *Equal Before the Law*.
19 Peterson, 'Universal Design for Learning and Digital Accessibility'.
20 Department of Education, Skills and Employment, *2020 Review of the Disability Standards for Education 2005*.

highlight the distinction between inclusive design principles and explicit accessibility requirements. As higher education providers increasingly rely on recorded lectures, video content, and multimedia learning resources, these formats have become a central component of contemporary teaching and learning environments.[21]

Within WCAG, captions for prerecorded synchronised media are identified as a Level A success criterion. This reflects the fact that the absence of captions creates a fundamental access barrier for users who cannot perceive audio content. Where captions are not available, students who are deaf or hard of hearing may be unable to access the information presented in the recording at all.[22] Captions also support a wider range of learners who experience differences in auditory processing, attention, or language comprehension, and who benefit from being able to read spoken content while engaging with multimedia materials.[23] In this context, captions are not an enhancement or optional feature. They are a baseline accessibility requirement necessary to ensure that core learning materials can be accessed.

Transcripts represent a related but distinct accessibility provision. Transcripts provide a text-based version of the information contained within audio or video content, allowing spoken material to be accessed, reviewed, and searched in written form. These transcripts support access for a wider range of users, including students who rely on screen readers, students who have difficulty processing auditory information, and those who need to review spoken content in written form.[24] Within WCAG, transcripts are associated with higher-level success criteria that recognise their importance for specific accessibility contexts.[25]

Caption quality is also directly connected to student learning outcomes. When captions are inaccurate, poorly segmented, or out of synchronisation with the audio, students must expend additional effort interpreting the information presented. This increases extraneous cognitive load, diverting attention away from understanding the subject matter and toward deciphering the captions themselves.[26] Inaccurate or poorly timed captions can therefore impair comprehension, particularly for students who rely on captions to support their interaction with lecture content. When caption quality is poor, recorded learning materials become harder to use, reducing students' independence in engaging with these resources. These learning impacts demonstrate that accessibility standards do not simply address technical compliance but also support effective participation in learning environments.

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21 Hibbert, 'Reaching All Learners by Leveraging Universal Design for Learning'.
22 World Wide Web Consortium, *WCAG 2.2*.
23 Peterson, 'Universal Design for Learning and Digital Accessibility'.
24 Peterson, 'Universal Design for Learning and Digital Accessibility'.
25 World Wide Web Consortium, *WCAG 2.2*.
26 Hibbert, 'Reaching All Learners by Leveraging Universal Design for Learning'.

Together, captions and transcripts demonstrate how accessibility standards identify specific barriers and define the mechanisms required to remove them. The absence of captions may prevent access for some users entirely and significantly reduce access for others, while the absence of transcripts can limit equitable participation depending on how individuals interact with digital content.[27] In higher education, where lecture recordings and multimedia resources form a significant part of the learning environment, these requirements represent predictable accessibility needs rather than exceptional circumstances.

While automatic speech recognition tools can provide a useful starting point for generating captions, they do not reliably satisfy accessibility requirements. Accessible captions require more than basic transcription accuracy. They must be synchronised with speech, segmented into readable phrases, identify speakers where relevant, include punctuation and formatting that support comprehension, and convey meaningful non-speech information such as sound effects or changes in tone.[28] These elements form part of the communicative context through which teaching and learning occur. When captions are generated automatically without these features, the result may still create barriers for students who depend on captions for meaningful access.

In practice, however, captioning and transcripts are frequently treated within higher education providers as individual adjustments provided in response to student requests rather than as baseline accessibility features of digital learning environments.[29] Many institutions now rely on automatic speech recognition tools as their primary proactive measure for supporting accessibility. While these tools can assist in generating draft captions, they are often treated as a complete solution despite well-documented limitations. This creates situations where students continue to experience accessibility barriers and face an additional hurdle when negotiating adjustments, as the presence of automatically generated captions leads staff to believe that accessibility requirements have already been met.

This pattern reflects a broader issue within the sector. Accessibility is often treated as negotiable because it is framed as an optional enhancement rather than a baseline requirement of digital learning environments.[30] As a result, institutions may implement partial solutions that improve usability for some students while leaving fundamental accessibility barriers unresolved.

Embedding accessibility requirements such as captioning and transcripts at the point of content creation reduces reliance on reactive adjustment processes and ensures that students with disability can access learning materials on an equal basis with their

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27 Peterson, 'Universal Design for Learning and Digital Accessibility'.
28 World Wide Web Consortium, *WCAG 2.2*.
29 Peterson, 'Universal Design for Learning and Digital Accessibility'.
30 Thompson and Mallett, 'Universal, but for whom?'.

peers. These measures therefore illustrate how explicit accessibility standards can support more equitable and inclusive higher education systems.

The example of captioning illustrates a broader pattern in higher education accessibility. Many barriers in digital learning environments are predictable and well understood, yet they are often addressed only after individual students encounter them rather than being removed through institutional design and governance processes.[31]

Accessibility in institutional governance

The effectiveness of the proposed themes will ultimately depend on how clearly accessibility requirements are articulated within institutional governance and quality assurance processes. This approach aligns with the 2020 Review of the Disability Standards for Education, which emphasised the need to embed accountability for disability standards throughout the education system, including through strengthened regulatory arrangements for providers.[32] While many higher education providers express strong commitments to inclusion and universal design, the absence of explicit accessibility requirements often results in uneven implementation across teaching practices, digital systems, and learning materials.

In practice, accessibility is frequently treated as a reactive support process rather than a core design requirement. Barriers within digital learning environments are often addressed only after individual students disclose disability and request adjustments through institutional disability services. While these adjustment processes remain an important safeguard, reliance on case-by-case intervention indicates that accessibility barriers are being identified too late in the design and delivery of learning environments, reflecting documented issues with inconsistent implementation across higher education providers.[33]

When essential learning materials or digital systems are not accessible, the issue is not simply a matter of individual adjustment but a failure in the design of the learning environment itself. Addressing these barriers through reactive accommodation places the burden on students with disability rather than ensuring that institutional systems function as intended for all users.[34]

A practical pathway for strengthening accessibility requirements already exists within the Australian Government's digital governance frameworks. Higher education increasingly operates through digital platforms that function as core services for

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31 Peterson, 'Universal Design for Learning and Digital Accessibility'.
32 Department of Education, Skills and Employment, *2020 Review of the Disability Standards for Education 2005*.
33 Disability Discrimination Legal Service, *Equal Before the Law*.
34 Peterson, 'Universal Design for Learning and Digital Accessibility'.

students, including learning management systems, recorded lectures, digital assessments, and online course materials. The Australian Government Digital Service Standard and associated digital inclusion commitments provide clear guidance on designing digital services that are usable and accessible to the public.[35] These frameworks incorporate established accessibility standards, including WCAG, while allowing institutions to implement them within broader service design processes.[36] Referencing these existing government frameworks within the Higher Education Standards Framework would provide higher education providers with practical guidance for improving accessibility without imposing rigid technical compliance requirements. Importantly, it would also establish a measurable benchmark for evaluating whether digital learning environments and services enable equitable participation for students with disability, consistent with the 2020 Review of the Disability Standards for Education's recommendation to strengthen monitoring and accountability arrangements.[37]

Comparable international developments illustrate the growing expectation that digital educational content must be accessible by design. In the United States, the National Association of the Deaf successfully brought legal action against Netflix for failing to provide captions for streaming video content, resulting in a settlement requiring captioning across the platform's catalogue.[38] Similar litigation was brought against Harvard University and the Massachusetts Institute of Technology for failing to provide accurate captions for publicly available educational video content.[39] These cases were supported by the United States Department of Justice and resulted in agreements requiring captioning improvements, accessibility procedures, and institutional oversight mechanisms.

Although these cases arose in the United States under the Americans with Disabilities Act, they reflect a broader international trend towards recognising that digital services, including educational platforms and online learning materials, must be accessible to people with disability.[40] In Australia, comparable obligations arise under the Disability Discrimination Act 1992 (Cth) and the Disability Standards for Education 2005 (Cth),

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35 Australian Government Digital Transformation Agency, *Digital Service Standard* https://www.digital.gov.au/policy/digital-experience/digital-service-standard.

36 World Wide Web Consortium, *WCAG 2.2*.

37 Department of Education, Skills and Employment, *2020 Review of the Disability Standards for Education 2005*.

38 *National Association of the Deaf v Netflix Inc*, No 3:11-cv-30168 (D Mass, 2012).

39 *National Association of the Deaf v Harvard University* (United States District Court (Massachusetts), No 3:15-cv-30023-MGM, 12 February 2015); *National Association of the Deaf v Massachusetts Institute of Technology* (United States District Court (Massachusetts), No 3:15-cv-30024-MGM, 12 February 2015).

40 Peterson, 'Universal Design for Learning and Digital Accessibility'.

which require education providers to ensure that students with disability can participate in education on the same basis as other students.

Taken together, these developments highlight the importance of moving beyond general commitments to inclusion and ensuring that accessibility requirements are embedded within regulatory frameworks that govern higher education practice. Aligning institutional practice with established government digital service frameworks would provide practical guidance for higher education providers while clarifying the expectation that digital learning environments must be designed in ways that enable equitable participation for students with disability.[41]

Conclusion

The themes proposed in the consultation paper, including inclusion, universal design, and institutional governance for accessibility, have the potential to support more equitable higher education systems. However, the extent to which these themes improve student outcomes will depend on whether accessibility requirements are articulated clearly and embedded within institutional practice.

Universal design provides a valuable framework for encouraging inclusive teaching and learning environments. However, as a design philosophy it does not in itself ensure that barriers experienced by students with disability are consistently identified and removed. Achieving equitable participation requires accessibility to be treated as a baseline requirement supported by measurable standards that define what accessible learning environments look like in practice.

A practical pathway for strengthening accessibility requirements already exists within the Australian Government's digital governance frameworks. The Digital Service Standard and related digital inclusion initiatives provide clear guidance for designing digital services that are usable and accessible to the public. These frameworks translate accessibility principles into practical service design expectations that institutions can implement across digital platforms, systems, and learning materials.

Importantly, these frameworks incorporate established accessibility standards, including WCAG, while presenting them in ways that guide implementation rather than relying solely on technical compliance language. This approach provides institutions with clearer direction for improving accessibility in practice while ensuring that digital services and learning environments meet recognised accessibility standards.

Embedding accessibility requirements within institutional governance by aligning higher education practice with existing government digital service frameworks would therefore

[41] Australian Government Digital Transformation Agency, *Digital Service Standard*.

strengthen the Higher Education Standards Framework. This approach would provide practical guidance for higher education providers, establish measurable benchmarks for digital accessibility, and reduce reliance on reactive adjustment processes.

Recognising accessibility as a baseline condition of inclusive learning environments would enable the Higher Education Standards Framework to more effectively support equitable participation and improved student outcomes for students with disability.