

# Pedagogy of Privacy: Inclusive Teaching and Disclosures of Disability

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Colleges and universities have long offered online degree programs, courses, and training opportunities. The ongoing COVID-19 pandemic, however, has made online learning a necessity rather than just an option. In many cases, the rapid shift from in-person to online learning has resulted in unintended breaches of privacy. Accessibility concerns and inequities in student accommodation procedures, for example, force students to disclose disabilities or trauma to navigate online classes successfully. Students experience a variety of invisible circumstances that negatively impact their learning, such as attention or comprehension problems, lived trauma, low vision, impaired hearing, and more.

While postsecondary institutions have services available to support students who have disabilities or who have experienced trauma, access is dependent on students disclosing personal information to secure support. These processes can often be time-intensive, and some students have negative encounters with instructors when they seek institutionally mandated accommodations for learning. While students without disabilities may never need to discuss their personal health or lives with university personnel, students with disabilities or who have experienced trauma report additional time and energy spent connecting with student services on campus, meeting with instructors to discuss accommodations and disclosing information which may be deeply personal or traumatic (Wilks, 2022).

This chapter explores the challenges of invisible barriers in the online classroom and how to leverage inclusive pedagogy to proactively mitigate those barriers, reducing the need for personal disclosures. Inclusive pedagogy prioritizes the creation of a supportive learning environment where all students have equal access to learning. Studies show that students of all backgrounds perform better in an inclusive environment (Coughlan et al., 2019; Hand et al., 2012). There are many ways to cultivate inclusive learning environments. For example, Universal Design for Learning (UDL) offers a framework to eliminate barriers for students by designing learning experiences that are accessible to as many learners as possible. Trauma-informed teaching is a pedagogical practice that recognizes trauma and its impact on the individual, and endeavours to create inclusive learning environments. Finally, Culturally Responsive Pedagogy (CRP) bridges the gap between instructor and student by connecting students' cultures, languages, and lived experiences with what they learn in the classroom; it focuses on what students can do rather than what they cannot. No single method or strategy will make a learning experience accessible to all learners. However, UDL, trauma-informed teaching, and CRP emphasize using diverse teaching methods and having flexibility built into the course.

## Literature Review

Research shows that designing online courses with accessibility in mind is beneficial for instructors as well as students, as it can reduce the amount of time spent developing alternate formats and structures to accommodate individual students (Basham et. al., 2010; Cook & Rao, 2018; Johnson-Harris & Mundschenk, 2014; Michael & Trezek, 2006; Taylor, 2016). Literature on Universal Design for Learning highlights the model's benefits for accessibility by increasing student agency to select content, formats, and expressions of learning that best suit their skillsets. However, the ramifications that accommodation procedures have on student privacy are still largely unacknowledged.

Similarly, the implications of trauma-informed teaching and CRP for students with disabilities' experience in the classroom are understudied. Frequently, researchers discuss underdiagnosis of disability due to misunderstandings of students' culture, especially if they have moved from another country and have English as an additional language (Blanks

& Smith, 2009; Gallagher, et al., 2011; Scott, et al., 2014). Nonetheless, very few researchers discuss disability as a form of culture or a lived experience—the primary example is a blog post and not a scholarly journal article (Dufour, n.d.).

We argue that the nexus of UDL, trauma-informed teaching, and CRP can mitigate students' privacy concerns by reducing the need for disclosures and building inclusive classrooms where disability is embraced as a key component of society. Bringing together research on accessibility, culture, and trauma can provide deeper insights into the lived experiences of students in the classroom, both in-person and online, to support them holistically. Throughout this chapter, we draw upon our backgrounds as Educational Developers and educators at McMaster University to explore how UDL, trauma-informed teaching, and CRP can eliminate or drastically reduce the need for disclosures of disability and address unintended breaches of privacy in remote learning environments.

## Student Accessibility Services at Canadian Institutions

Students in Canada have access to a wide range of options for postsecondary education. Laws supporting the rights of students with disabilities to access postsecondary education have facilitated a significant increase in the number of individuals who enroll in universities, colleges, and other postsecondary institutions. The dramatic upswing of online course offerings that resulted from the COVID-19 pandemic further created opportunities for disabled students who could now access higher education from home. In Ontario alone, there are currently 828 online programs offered by postsecondary institutions (eCampusOntario, 2022).

Postsecondary institutions operate independently and are free to determine their own academic and admissions policies, programs, and staff appointments. However, they are governed by the *Charter of Rights and Freedoms*, as well as provincial human rights statutes regarding the accommodation of students with disabilities. All publicly funded postsecondary institutions in Ontario, for example, must have centres or offices for students with disabilities. These centres or offices are responsible for coordinating services and supports for students with disabilities (Ontario Human Rights Commission, 2002). Although variously titled at different institutions, we will refer to these centres or offices as Student Accessibility Services (SAS) throughout.

*The Federal Disability Report* (2010) drafted by Human Resources and Skill Development Canada indicated that approximately 15% of university students and 16% of college students identify as having a learning disability. These statistics, however, are incomplete; they do not include individuals who have undiagnosed and/or undisclosed disabilities. Lack of access to healthcare, limited transportation options, or communication barriers are just a few reasons why an individual may have an undiagnosed disability. Stigma, prejudice, and stereotypes may also cause people with a diagnosed disability to avoid making a disclosure to protect their privacy. Beyond incomplete statistics, the real problem is that those who have undiagnosed and/or undisclosed disabilities are effectively cut off from accessing accommodations in postsecondary institutions.

Although the implementation of academic accommodations may vary across institutions, the onus of accessing those accommodations consistently falls to the student. At a bare minimum, the student must disclose their disability to Student Accessibility Services. However, most institutions have a policy that requires formal documentation signed by a registered and regulated health professional (e.g., medical doctor, registered psychologist, registered occupational therapist, registered speech and language pathologist) or a recognized and credible expert (e.g., an institutionally appointed sexual assault response coordinator) to access accommodations (McMaster University, 2020; University of Guelph, 2016; University of Saskatchewan, 2021; Western University, 2019). For many individuals, this is a daunting and time-intensive process (McKenzie, 2015).

Although there may be variations across institutions, most postsecondary institutions follow a similar process. To secure academic accommodations, a student must first notify the institution of their need for accommodations by

registering with Student Accessibility Services. The student then completes intake forms, during which they are asked to provide documentation regarding their disability. At McMaster University, the focus is on the functional limitations related to a disability that restrict performance in a postsecondary environment. Officially, students are not required to reveal medical information, though intake forms suggest that “this information can be helpful in completing a thorough assessment for accommodation and support needs” (McMaster University – SAS, n.d.). Even without sharing a diagnosis, a regulated health professional must sign the intake forms, confirming that the student does indeed have a disability. This process can be invasive and intimidating for students, especially those who struggled to secure a diagnosis and may feel that their disability is in question. The process of seeking accommodations then can become a violation of privacy.

Once a student has completed the necessary forms and provided documentation acknowledging their disability, the student then meets with a coordinator from Student Accessibility Services to negotiate appropriate accommodations. Students are frequently involved in this process and are active participants in determining appropriate accommodations. However, final approval does rest with Student Accessibility Services to determine what accommodations will best support the student. This is based on consideration of a student’s experienced difficulties and history using accommodations, information from medical documentation, and information regarding course requirements. At the University of Saskatchewan, for example, the “Duty to Accommodate” states that “students must participate in developing and implementing strategies related to their own academic success and be open to trying solutions proposed by [SAS]” (University of Saskatchewan, 2021).

Already, the process of securing accommodations may seem daunting. Students must gather documentation and meet with Student Accessibility Services to develop an accommodation plan. This can take time away from students’ coursework and other obligations. Once an accommodation plan is in place, the student must still go through the process of ensuring those accommodations are implemented in each of their courses. At McMaster University, students use a self-registration portal to activate their accommodation plans for each individual course. The instructor then receives a letter outlining the accommodations granted, which could include consideration for extensions, additional time on tests and exams, recordings of lectures, or leniency for missed classes. Students are responsible for following up with the instructor as needed to ensure that their accommodations are being implemented (McKenzie, 2015).

Accommodations are intended to be strictly confidential and based on functional limitations; instructors are never informed of diagnoses, and they are not supposed to ask. Confidentiality is always a key phrase linked to accommodation policy in order to protect the privacy of students, yet the process of securing accommodations is inherently predicated on disclosure. Students must reveal that they have a disability to activate their accommodations, even if they do not need to share the formal diagnosis. Moreover, students are often expected to negotiate with instructors to ensure that their needs are being met, a burden that students without disabilities do not experience. In the case of extensions, a student may need to inform an instructor for each assignment that they have encountered a barrier and need to activate their accommodations. Even when the accommodation process is functioning as intended, students are forced to share personal information to receive equitable opportunities in the classroom.

There are, of course, scenarios in which the accommodation process does not function as intended. Some instructors falsely believe that accommodations reduce academic rigour and give some students an unfair advantage in the classroom. These instructors can be belligerent, making demands of students with disabilities that are unfair and unwarranted (Olney & Brockleman, 2003). Moving away from an accommodation model to an accessibility model, however, allows all students the opportunity to succeed without burdening students and placing them in a position where they must advocate for equitable treatment.

In talking about moving towards an accessibility model as a way to mitigate privacy concerns, we must first define some key frameworks and pedagogical practices: Universal Design for Learning (UDL), trauma-informed teaching, and Culturally Response Pedagogy (CRP).

## Universal Design for Learning

Universal Design involves designing products, buildings, and environments so that they can be accessed and readily used by a variety of users. The idea is to remove barriers through the initial designs by considering diverse needs, rather than overcoming barriers later through individual accommodations or adaptations. Essentially, universal design means creating something with everyone in mind (Rose et al., 2006).

In recent decades, Universal Design has been applied to higher education as Universal Design for Learning (UDL). The Centre for Applied Special Technology (CAST) created the Universal Design for Learning framework and guidelines to help instructors transmit information, and support and foster the growth of knowledge and skills (CAST, 2022). This is accomplished by embedding accessible pedagogy through multiple means of representing information, multiple means for expression of knowledge, and multiple means of engagement in learning (CAST, 2018). Universal Design for Learning recognizes that students are individuals with unique experiences, and that they may have differences in the way they perceive and comprehend information. This is especially important for students with disabilities who may find some forms of representation, expression, and engagement completely inaccessible.

First, “multiple means of representing information” captures the importance of presenting information in a multitude of ways because there is no one way of representing information that will address the needs of all students (Rose et al., 2006). Students with vision impairment, for example, may struggle to access information that is presented only in a visual format. Instructors might consider providing audio files or braille versions of texts. However, physical disabilities are only one consideration, and instructors should also consider students who may be English Language Learners (ELLs), or who come from a cultural background with different classroom experiences. Presenting information in a multitude of ways make it possible for students to engage more fully in the classroom without the need for accommodations.

Second, “multiple means for expression of knowledge” acknowledges that students navigate learning environments and express their learning in different ways. A student with attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD), for example, may have a wide variety of skills but lack the executive functions necessary to achieve long-term goals. There is also the reality that some students express themselves best in one medium over another (Rose et al., 2006). Instructors might consider allowing students to choose from different types of assessments, such as essays, presentations, or multimedia assignments. If instructors provide students with choice in the ways that they demonstrate their learning, they can better support students.

Finally, “multiple means of engagement in learning” recognizes that students have different motivations for learning. Individual variation can be the result of neurology, cultural background, personal experience, and background knowledge. Where one student might be engaged by spontaneity, another may be disengaged or even frightened (Rose et al., 2006). One student may prefer to work independently, and another may enjoy collaborating within a group. As CAST articulates, there is no one means of engagement that will optimally engage every student (CAST, 2018). By providing options, students are given a chance learn on their terms.

## Trauma-Informed Teaching

Trauma-informed teaching embraces many of the same strategies as UDL. Trauma-informed teaching recognizes that students have different lived experiences and encourages instructors to proactively consider how trauma may impact learning. The dynamics of complex trauma can negatively impact several executive functions, including inhibitory control (the capacity to regulate strong emotional or impulsive behavioural response), cognitive flexibility (the ability to think about multiple ideas or switch quickly between ideas), and working memory (the ability to process and remember new information). A student who has experienced trauma may struggle with these executive functions and, as a result,

have difficulty fully engaging with course content (Barr, 2018). Research indicates that as many as 68% of children experience at least some kind of trauma event, and while many will not experience post-traumatic effects from these experiences, others will carry this trauma forward into adulthood (Cavanaugh, 2016). Understanding how trauma can hinder learning allows instructors to better support students by meeting their individual needs and allowing them to engage with course content in ways that do not cause further trauma.

Trauma-informed teaching is rooted in the understanding that trauma is individual, and a traumatic event for one person may not prompt a trauma response for another. Instructors therefore should consider what content in their course may be triggering for students and provide students with information so that they can make informed decisions about their own well-being while still engaging in learning (Sitler, 2009). For example, an instructor may include content notice in advance of teaching a topic that could be traumatic for some students and articulate that students may choose to opt out of those discussions. Topics like racism, sexual violence, and domestic abuse can prompt a trauma response for certain individuals, and by giving them notice of the topic and providing them with options for how to engage or not, the student is not put in a situation where they must prioritize learning over their mental or physical health.

## Culturally Responsive Pedagogy

Culturally Responsive Pedagogy (CRP), as the final framework discussed here, considers the cultural identities and lived experiences of students. It is a direct response to growing concerns over academic achievement differentials on the basis of race, socioeconomic class, and level of English-language ability. Research indicates that racialized students, students from lower socioeconomic classes, and English language learners have long been undervalued in higher education, and their cultural differences are seen as barriers to learning (Vavrus, 2008).

The term CRP was coined by Geneva Gay who recognized the value of aligning academic knowledge and skills with the lived experiences and frames of reference for students. This creates more meaningful learning, and students are more likely to become more engaged (Gay, 2000). In this context, culture refers to the customs, languages, values, beliefs, and achievements of a group of people. Students are inherently shaped by their culture, and it impacts how they make sense of the world and navigate learning environments.

There are five components of culturally responsive teaching. First, instructors should develop knowledge of cultural diversity; they must understand the cultural values and traditions of different racial and ethnic groups and incorporate these into their instruction. Next, instructors should ensure that course content includes a diversity of perspectives. This might mean showcasing readings by individuals of varying race, class, ethnicity, and gender. Students will be better able to see themselves in the curriculum and begin to understand their place in the learning that is taking place. Third, instructors should have the same expectations for all students. All students should be expected to perform at the highest level regardless of race, gender, class, and ethnicity. Fourth, instructors should appreciate different communications styles. Indigenous cultures, for instance, place high value on storytelling and oral history, yet these communication styles have long been derided and considered inferior to other communication styles or record keeping. By embracing these different communication styles, instructors can create more space for students of different backgrounds to participate in the classroom. Finally, instructors should connect course content to students' prior knowledge and cultural experience; there is value in the unique experiences of individuals, and instructors can highlight this through CRP (Gay, 2002).

## Strategies for Inclusive Teaching

Combined, UDL, trauma-informed teaching, and CRP, can improve student wellbeing in the classroom – in-person or online – and protect their privacy while also ensuring they feel supported as a whole person. Since UDL is premised on student agency and choice, its implementation in courses can prevent the need for students with disabilities to activate their accommodations altogether. CRP goes one step further, helping students feel that their experiences and identities are not a hindrance but rather a unique and valuable perspective. That said, respecting students' choices and providing space to share rather than pressuring students to share is fundamentally important, as trauma-informed teaching demonstrates. Though not always the case, disabilities can stem from very traumatic events, so it is important to welcome students' perspectives without making them relive trauma or feel impelled to share that trauma in a classroom setting (Morrison & Casper, 2012). Cultivating a careful balance of accessible content, valuing students' life experiences, and allowing students choice regarding what they keep private and what they are comfortable sharing will help create a more robust and engaging learning environment for all.

A key cornerstone of UDL, of course, is to provide choice in the types of learning materials (engagement) and the methods of assessment (expression). For example, introducing a choice between reading a written text, watching a video, or listening to a podcast can allow students to select the option which works best for their own learning. A student with epilepsy may choose to avoid the video and instead listen to the podcast. They do not need to request an accommodation or reveal that they are unable to watch videos with certain visual stimulation, which may feel uncomfortable since it is a symptom easily linked to the condition. Similarly, providing choice in how students express or demonstrate their learning provides them with agency to choose the most appropriate way to show their comprehension. Instead of writing an essay, a student with learning disabilities which affect their written work might instead choose to present verbally. Hosting materials online for remote learning has made it easier for instructors to provide materials in multiple formats thereby increasing accessibility.

Another key form of choice that benefits students with disabilities is flexibility with deadlines. While a timeline is important, especially when assignments are designed to scaffold or build on previous work, students can benefit from clear policies which allow limited extensions. For example, clarifying in the syllabus that while a specific deadline is provided, students can take up to an additional week to submit the work without penalties or need to contact the instructor can mitigate burden on students to activate accommodations. In the case of McMaster University's SAS accommodations, consideration for up to a week of extension on an assignment deadline is a common accommodation (McMaster University – SAS, 2022). That said, it requires students to contact an instructor in advance of the deadline to arrange and confirm the extension. Providing a blanket policy for the entire class can benefit instructors, who may no longer need to liaise with numerous students to negotiate individual accommodations for each assessment. The limited length of the extension keeps students close to being on track and can also spread out the burden of grading, providing space between assessments' submission.

UDL also proposes that instructors should vary the means of representation, which aligns well with culturally-responsive teaching practices. Though individual instructors cannot change broader societal and systemic biases against individuals with disabilities, they can address their own classroom environments and create space for students' contributions from their lived experiences. Beyond eliminating the need for disclosures which violate student privacy, CRP advocates including and welcoming culturally varied perspectives in the classroom, including disability perspectives. As Dufour explains, though disabilities (in her case, specifically learning disabilities) are not inherently the result of culture, students with disabilities have "cultural knowledge" which "stems from students' lived experience" and "presents opportunities for enhancing learning." Bringing representations of disability into course content can help students with disabilities in the classroom feel more confident that their perspectives and lived experiences are valuable (Dufour, n.d.).

On a practical scale, incorporating CRP for disability can be very simple. If providing case studies, particularly when

visual aids are used, consider incorporating an individual with a disability. The purpose is not to call attention to any perceived limitations that that individual may face, but rather to show individuals with disabilities living in the world, as a natural component of society. Instructors may also consider incorporating work written by or created by individuals with disabilities where appropriate, which share their own perspectives on living with disability. These approaches are similar to educators' responses to calls to diversify reading lists and incorporate perspectives beyond traditional power-holders in society (MacPherson Institute, 2021). In addition to helping students with disabilities feel confident in their identities, the exposure to broad cultural perspectives is also beneficial to students without disabilities, who may not have engaged with, or been aware of engaging with, individuals with disabilities, particularly when those disabilities are invisible. Demystifying disability helps to destigmatize it.

While including students with disabilities and ensuring their needs are met is important, it is also beneficial to student wellbeing to avoid any perceived pressure to disclose. Disclosures can be traumatic for students and may impede their learning by inducing anxiety or even triggering post-traumatic stress disorder. Trauma-informed teaching strategies recognize that students may experience all sorts of trauma, including, but not limited to, violence or medical trauma which may cause disability. Indeed, the CDC reported in 2019 that 61% of adults surveyed across 25 states reported experiencing at least one form of "adverse childhood experience (ACE)" before the age of eighteen (Centers for Disease Control and Prevention, 2021). Though it would be incorrect to assume that all individuals with disabilities have experienced trauma related to those disabilities, educators need to acknowledge that for some, this may be the case. By including examples of individuals with disabilities in course content and cultivating an environment in which all students' perspectives and cultural currency are clearly valued, educators can cultivate space for students to share if they are comfortable. Shaping course content to minimize the need for students' disclosures in the form of accommodation requests is crucial, and it is important that educators do not replicate that pressure in the classroom. Again, though maintaining awareness of students' potential traumas is beneficial for students with disabilities, the problem of ACE is not restricted to this population. Thus, incorporating this teaching technique is broadly beneficial to students as well.

Though the term "confidentiality" is a hallmark of accommodations policies, students' privacy can be better protected by instructors, SAS, and the university more broadly. Inherently, the accommodation process at most institutions requires disclosure of a disability, whether visible or invisible. This act of disclosure may not include describing the specific type of disability, but it still requires students to prove that they need specific accommodations to achieve equitable learning conditions. In this model, the onus is placed on the individual student to ensure that they can access their education. An instructor may also need to provide accommodations of different types to many students in the class, requiring additional work on the instructor's part.

Many instructors, however, report feeling overwhelmed at the thought of having to completely redesign a course to ensure accessibility, equity, and inclusion. Nonetheless, the goal should be progress, not perfection. Improving accessibility, adding choice, and incorporating trauma-informed pedagogy and CRP is an ongoing process. Awareness of the possibilities and the benefits of applying these teaching practices to courses is crucial. Students' privacy is of fundamental importance and, as a by-product of protecting students with disabilities' privacy, those students and their peers can benefit from more diverse ways of knowing and more ways to learn and show comprehension. In addition, instructors may benefit from fewer accommodation requests, as fewer students will have difficulty accessing materials.

## Conclusion

The incorporation of UDL, trauma-informed teaching, and CRP can support students with disabilities and limit their need to disclose personal circumstances to others. If educators consider how to improve flexible course design, inclusion and representation of disability in content, and respect for students' lived experiences, not only will students

with disabilities require fewer accommodations, but all students will benefit. Limiting the time that students with disabilities spend liaising with SAS or its counterparts—perhaps necessitating extra visits to medical professionals and revisiting traumas in their past—and working to ensure educators implement the proper accommodations will leave students with more capacity to focus on their studies. Beyond simply advocating for equitable access to course content, CRP is a useful tool to ensure students with disabilities feel valued in the classroom, with the caveat that students should not feel impelled to share their conditions. Instead, students should be provided with multiple means of representation, ensuring that they can see themselves in course content, and that they have space to share their own perspectives, informed by their lived experiences. In this way, we can mitigate breaches of privacy and allow students to focus on learning.

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