

Great Lakes Chronicle

ILLINOIS * INDIANA * MICHIGAN
MINNESOTA * OHIO * WISCONSIN



JULY 2006

VOLUME 2 ISSUE 10

Welcome to the Great Lakes ADA and Accessible IT Center's monthly Newsletter

Trainings & Events

ADA Transportation Training

This training program will provide participants with a comprehensive understanding of the ADA's Transportation requirements through a combination of presentations, question/answer sessions and smaller group settings. Participants will have an opportunity to explore for themselves in a hands-on way what solutions the ADA provides for common transportation difficulties experienced by people with disabilities across the United States.

July 11-13, 2006

Las Vegas, Nevada

www.dlrp.org/html/forms/ada_transportation.html

Universal Design and Visitability: From Accessibility to Zoning

Hosted by Ohio State University. The concepts of Universal Design and Visitability will be explored as they apply in a variety of areas, including design, public policy, zoning and advocacy.

July 13-14, 2006.

www.knowlton.osu.edu/ped/universaldesign.htm

In the Headlines

The U.S. Department of Justice (DOJ) has entered into settlement agreements with the cities of Waukegan IL and Maui, HI as part of its Project Civic Access program. Project Civic Access is an outreach effort to ensure that counties, cities, towns, and villages comply with the Americans with Disabilities Act. By eliminating physical and communication barriers governmental entities insure that individuals with disabilities have an opportunity to fully participate in community life. The DOJ has conducted reviews in 50 states, as well as Puerto Rico and the District of Columbia. Read more about DOJ settlement agreement with the cities of Waukegan, IL and Maui, HI.

www.ada.gov/civcac.htm#Anchor-49575

The Office of Disability Employment Policy (ODEP) within the Department of Labor has released the 2006 Disability Employment Month poster. A copy of the poster can be downloaded for printing from the ODEP web site. Individuals may request a copy of the poster via a web based form or by calling (866) 633-7365. Read more about ODEP's 2006 Disability Employment Month poster.

www.dol.gov/odep

The U.S. Department of Transportation has extended the public comment period on proposed changes to the transportation regulations under the Americans with Disabilities Act. Comments must be received by July 28, 2006. DOT is seeking comments on requirements that transit providers make reasonable modifications to policies in order to provide access for individuals using Para transit service, requiring full access to rail platforms in addition to seeking comments on other areas. Read more on DOT extended period for public comment (PDF).

http://dmses.dot.gov/docimages/pdf95/387799_web.pdf

The National Council on Disability (NCD) issued a statement encouraging the U.S. Election Assistance Commission (EAC), to continue work on guidelines that would address access for individuals with disabilities to voting systems. NCD urged the development of guidelines that address privacy concerns for paper ballots, audio for electronic voting machines, and paper ballots that are accessible to voters that are visually impaired. Read more about NCD's statement on Voluntary Voting System Guidelines.

www.ncd.gov/newsroom/publications/2006/voluntary_voting.htm

The U.S. Access Board's Courthouse Advisory Committee will hold its next meeting July 20 and 21, 2006 in Boston, MA. The Committee continues to work on developing best practices in courthouse design and the development of technical assistance materials. The Committee consists of designers, members of the judiciary and, representatives from disability organizations. Read more about Access Board's Advisory Committee.

www.access-board.gov/news/caac-mtg7.htm

ADA 16th Anniversary town hall meeting and seminar

Hosted by the National Council on Disability (NCD).

July 26, 2006

9:00am-1:00pm

National Press Club

Washington, D.C.

For more information, please contact Mark Quigley at ncd@ncd.gov.

www.ncd.gov/newsroom/news/2006/a06-508.htm

2006 TASH Conference

The conference entitled, "Living the Vision Together: Today, Tomorrow and Beyond", is the largest and most progressive gathering of individuals that focuses on strategies for achieving full inclusion for people with significant disabilities.

November 8-11, 2006

Baltimore, Maryland

www.tash.org/2006tash

ADA Basic Building Blocks

An introductory web course on the Americans with Disabilities Act of 1990 (ADA) that explores the legal requirements and spirit of the ADA.

www.adabasics.org

The U.S. Department of Labor's Office of Disability Employment Policy (ODEP) will make up to \$5.6 million available to increase the opportunities for individuals with disabilities to start businesses. ODEP will partner with others to identify strategies, best practices and models that will increase business ownership by individuals with disabilities. A national technical assistance center will be funded for \$1.5 million for a 36 month period. Read more about ODEP's Grants for Self-Employment Pilots for People with Disabilities.

www.dol.gov/opa/media/press/odep/odep20060970.htm#content

Seven businesses received the "Freedom to Compete" award for best practices in employment from the U.S. Equal Employment Opportunity Commission (EEOC). Cari M. Dominguez, Chair of the EEOC, presented the awards to the companies for their programs that promoted access and inclusion. Two organizations were recognized for their work with or on behalf of individuals with disabilities. The U.S. Department of Defense was recognized for its Computer/Electronic Assistance Program (CAP). Linking Employment, Abilities and Potential of Cleveland was recognized for their work assisting individuals with disabilities in locating and retaining employment. Read more about EEOC's "Freedom To Compete Award" Presentation.

www.eeoc.gov/press/6-14-06.html

The U.S. Department of Agriculture (USDA) awarded 21 states more than \$3.7 million in grants to fund AgrAbility projects. The program AgrAbility assists farmers with disabilities by educating professionals on how to accommodate individuals with disabilities in agricultural areas. The funds are available to land-grant Universities that partner with disability service organizations. Since the USDA began AgrAbility in 1991 it has provided assistance to over 12,000 farmers with disabilities. Read more about the USDA grants awarding.

www.csrees.usda.gov/nea/economics/in_focus/publicpolicy_if_agrability.html#content

Joseph A. Cirillo, R.A., of Middletown, Rhode Island, Elizabeth A. Stewart of Winter Haven, Florida, and John C. Wyvill of Little Rock, Arkansas were appointed by President Bush to the U.S. Access Board. The Access Board is an independent federal agency that develops guidelines under the Americans with Disabilities Act and the Architectural Barriers Act. Half of the Access Board's members represent various federal agencies while the President appoints the remaining members. The majority of the members appointed by the President must be individuals with disabilities. Read more about President Bush's appointment to the U.S. Access Board.

www.access-board.gov/news/members06.htm

The U.S. Department of Justice has entered into a settlement agreement with RAY HAND, Ph.D. and issued a consent decree involving Advanced Eye Care Associates. The settlement agreement involving Hand stems from a Title III complaint alleging that Hand failed to provide a qualified interpreter as a means of insuring effective communication. The consent decree involving Advanced Eye Care also involved allegations that the place of public accommodation had failed to provide appropriate auxiliary aids and services. Read more about DOJ's settlement with Ray Hand.

www.ada.gov/advancedeyecr.htm

For more information please call 800-949-4232 (V/TTY) or online at:

<http://www.adagreatlakes.org/WebForms/ContactUs/>

Great Lakes ADA and Accessible IT Center

University of Illinois at Chicago

Department of Disability and Human Development (MC 728)

1640 West Roosevelt Road, Room 405

Chicago, Illinois 60608-6904

The Great Lakes Center offers technical assistance on a variety of issues under the ADA and Accessible Information Technology.

Federal Agencies

The **U.S. Equal Employment Opportunity Commission** (EEOC) is responsible for enforcing Title I's prohibition against discrimination against people with disabilities in employment.
www.eeoc.gov

The **U.S. Department of Justice** (DOJ) is responsible for enforcement of Title II and Title III of the ADA and adopts the Accessibility Standards for enforcement under the ADA. Visit the site to access a copy of the currently enforced accessibility standards under the ADA.
www.ada.gov

The **Office of Civil Rights within the Federal Transit Administration of the U.S. Department of Transportation** ensures full implementation of civil rights and equal opportunity initiatives by all recipients of FTA assistance.
www.fta.dot.gov/17851_ENG_HTML.htm

Great Lakes In Focus

Readily Achievable

While the ADA was signed into law over 16 years ago, businesses continue to struggle with understanding their obligations. Many businesses covered by Title III of the ADA do not realize that they are required to do what is readily achievable in order to remove existing architectural and communication barriers. Readily achievable barrier removal is defined as barriers which can be removed without much difficulty or expense.

Examples of barrier removal include but are not limited to:

- Installing ramps
- Making curb cuts at sidewalks and entrances
- Repositioning shelves
- Rearranging tables, chairs, vending machines, display racks, and other furniture
- Repositioning telephones
- Adding raised markings on elevator control buttons
- Installing flashing alarm lights
- Widening doors
- Installing offset hinges to widen doorways
- Eliminating a turnstile or providing an alternative accessible path
- Installing accessible door hardware
- Installing grab bars in toilet stalls
- Rearranging toilet partitions to increase maneuvering space
- Insulating lavatory pipes under sinks to prevent burns
- Installing a raised toilet seat
- Installing a full-length bathroom mirror
- Repositioning the paper towel dispenser in a bathroom
- Creating designated accessible parking spaces
- Installing an accessible paper cup dispenser at an existing inaccessible water fountain
- Removing high pile, low density carpeting

To get additional information regarding readily achievable barrier removal you may contact the Great Lakes Center by calling (800) 949-4232 (V/TTY) or by visiting our on-line contact form.

www.adagreatlakes.org/WebForms/ContactUs

For more information please call 800-949-4232 (V/TTY) or online at:

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The **Office of Civil Rights within the U.S. Department of Education** ensure equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights.
www.ed.gov

The **Federal Communications Commission (FCC)** has rules requiring telecommunications manufacturers and service providers to make their products and services accessible to people with disabilities, if readily achievable.
www.fcc.gov

Great Lakes Affiliates

ADA Illinois
20 N Michigan, Suite 300
Chicago, IL 60602
Phone: 877-232-3601
www.ada-il.org

Accessible Information Technology (AIT)

The Great Lakes Accessible Information Technology (AIT) Initiative provides individuals, educational institutions, advocacy groups and organizations with technical assistance, training, referrals, materials, and resources on information technology and its accessibility. The Center's trainings are customized to fit the specific needs of the organizations requesting the presentations. Visit the AIT section of the Great Lakes web site (www.adagreatlakes.org/AIT) for more information on the services provided by the Center.

To get additional information about AIT in K-12 settings visit the K-12 Bulletin (www.adagreatlakes.org/Publications/AITBulletin). You may reach the Great Lakes Center by calling 800-949-4232 (V/TTY) or through our on-line contact form (www.adagreatlakes.org/WebForms/ContactUs?attention=ait).

The Docket

Bradley v. Arlington County, VA

The 4th U.S. Circuit Court of Appeals ruled that an obsessive-compulsive applicant was not regarded as having a disability under the Americans with Disabilities Act (ADA.) The court ruled that if a plaintiff can only show that an employer found that person unfit to undertake a specialized job rather than a broad range of jobs there was no claim under the ADA.

Douglas Bradley applied for the position of firefighter/emergency medical technician for Arlington County, Va. Bradley received a contingent job offer that was based on the completion and results of a mental health examination. The offer was withdrawn when the exam revealed that Bradley suffered from obsessive-compulsive disorder and depression. The county believed that Bradley might not be able to handle certain duties required for the position. The district court granted the county's motion for summary judgment, holding that Bradley was not disabled under the ADA and the 4th Circuit affirmed. Read more on Bradley v. Arlington County, VA.
www.uscourts.gov/courtlinks

Great Lakes Vine

ADA Illinois

The Illinois ADA Project is moving forward in planning the 2006 Illinois ADA Project Conference scheduled for September 25th. The conference will again focus on employment and accessibility issues affecting businesses and other organizations. The four sessions planned for the conference are: Reaping the Rewards of Accessibility; Emergency Evacuation Procedures; Emerging Legal Issues; Practical Applications of the ADA.

In addition, the ADA Project is planning a workshop for the State of Illinois ADA Celebration on accessible voting issues. The workshop will discuss ADA and HAVA requirements and there will be accessible voting equipment for individuals to examine. It is anticipated that Deputy Registrars will be available to register people to vote.

For more information please call 800-949-4232 (V/TTY) or online at:

<http://www.adagreatlakes.org/WebForms/ContactUs/>

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ADA Indiana

2853 East Tenth Street
Bloomington, IN 47408-2696
Phone: 812-855-6508
www.iidc.indiana.edu/cpps/ada

Michigan ADA Steering Committee

29200 Vassar Blvd.
Suite 200
Livonia, MI 48152-2116
Phone: 248-473-2990
www.adamich.org

ADA Indiana

On July 26th, ADA-Indiana will release their new ADA Report Card for Indiana this month. The Report Card is the result of collecting opinions from people with disabilities, family, advocates, and other community members about how well their community is implementing the ADA, and what could their communities be doing better. Find out more about Indiana's ADA Report Card on ADA-Indiana's website.

ADA-Indiana's 2006 Local Community ADA Implementation Projects The Southern Indiana Center for Independent Living (SICIL) was funded by ADA-Indiana this year to provide training for people with disabilities on the ADA and transportation in Bloomington. The project is a collaborative effort of SICIL, City of Bloomington Transit, and service providers with customers in the Bloomington area.

For more information about ADA-Indiana's Community ADA Implementation Projects, visit our website at www.adaindiana.org.

ADA Update Audio Conference

In July, ADA-Indiana will be offering Great Lakes' audio conference on ADA Update: 16 Years Later, in six Indiana locations: Bloomington, Evansville, Indianapolis (two locations), West Lafayette, and Westville. The audio conference is free (at the ADA-Indiana sponsored site locations) and open to the public and no pre-registration is required. The site locations and times are available on the ADA-Indiana website:
www.adaindiana.org.

Michigan ADA Steering Committee

The Michigan ADA Steering Committee will have a booth at the Disability Network's ADA 2006, which is scheduled for Wednesday, July 26th, from 11 am until 2 pm at Kearsley Park in Flint, Michigan. Food and beverages will be provided to all who attend, and there will be a DJ to provide entertainment.

The Michigan ADA Steering Committee website at www.adamich.org is still being worked on but will be updated with a new look before long.

The Committee is working on funding a grant with the Michigan Paralyzed Veterans of America to advocate for civil rights and maximize the independence of its members. The next meeting will be held September 13th, in Marquette, as the Steering Committee will be taking part in the annual Upper Peninsula Action Day conference on disability issues

For more information please call 800-949-4232 (V/TTY) or online at:

<http://www.adagreatlakes.org/WebForms/ContactUs/>

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ADA Minnesota

1600 University Avenue
West, Suite 16
Saint Paul, MN 55104
Phone: 888-630-9793
www.adaminnesota.org

ADA Minnesota**ADA CELEBRATION: 16 Years Later
What Do Recent Supreme Court Decisions Mean for the ADA Today?**

An evening celebration has been planned in honor of the 16th anniversary of the signing of the Americans with Disabilities Act (ADA). The evening will include entertainment by locally known performers Kevin Kling and Michael Deutsch. The evening also includes a keynote address by Barry Taylor, legal advocacy director, Equip for Equality, Inc., the Illinois Protection and Advocacy system. Mr. Taylor will discuss current Supreme Court decisions and the state of the ADA today.

**Wednesday, July 26
6:30 – 9:30 p.m.**

**Radisson University Hotel
615 Washington Avenue SE, Minneapolis**

A cash bar will be available and light refreshments will be served. Admission is free! Accommodation requests must be received no later than July 12, 2006. Please RSVP for the celebration and/or make accommodation requests to Betty at bettyc@mcil-mn.org, or call 651-646-8342, TTY 651-602-2001. For more information visit www.adaminnesota.org

Sponsors of this event include: ADA Minnesota, Access Press, Minnesota State Council on Disability, Metro Center for Independent Living, UCP, Institute on Community Integration, DOER, VSA Arts of Minnesota, Minnesota Department of Human Service/State Operated Services, Courage Center and ARC-Greater Twin Cities.

ADA Ohio

ADA-OHIO is one of the collaborators in presenting a two-day seminar on "Universal Design and Visitability" on July 13-14, 2006, at The Ohio State University in Columbus, OH. Planners, designers, planning commissioners, elected officials, disability professionals, and the general public all can benefit from this conference. Registration is available on-line or on-site.

The conference will have a distinguished set of keynote speakers. The theme, "Universal Design and Visitability", encompasses a variety of areas (design, public policy, zoning and advocacy) and cuts across different places and scales (residential, institutional, city/regional).

A limited number of scholarships are available for those working for a non-profit or other agency that would be unable to afford the registration fee. The scholarships will allow professional participants to register at the student rate. Additionally, a limited number of full student scholarships

ADA Ohio
700 Morse Road, Suite 101
Columbus, OH 43214
Phone: 800-232-6446
www.ada-ohio.org

For more information please call 800-949-4232 (V/TTY) or online at:

<http://www.adagreatlakes.org/WebForms/ContactUs/>

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ADA Wisconsin
1302 Mendota Street, Suite
200
Madison, WI 53714-1024
Phone: 608-244-5310
www.adawipartnership.org

The Great Lakes offers resource materials on a variety of issues under the ADA and Accessible Information Technology.

Resources from the Technical Assistance Desk

Individuals may contact the Great Lakes Center to get materials on the Americans with Disabilities Act and other disability laws by calling 800-949-4232 (V/TTY) or via our [on-line contact form](#).

Accessible Temporary Events Planning Guide

Nondiscrimination on the Basis of Disability in State and Local Government
www.ada.gov/reg2.html

are available courtesy of SPH Planning and Consulting Ltd.
NOTE: At this time we only have conference scholarships available to participate in the on-line version of the conference. To apply for a scholarship to attend the on-line conference, submit a letter explaining your interest in the conference and any financial constraints to ped@knowlton.osu.edu.

This program qualifies for AICP Continuing Education Credit and AIA Continuing Education Credit.

For more information, contact Jennifer Evans-Cowley at 614-247-7479 or by e-mail at cowley.11@osu.edu.

ADA Wisconsin

The Wisconsin ADA Partnership was pleased to be a co-sponsor of the 17th Annual Juneteenth celebration held in Madison, Wisconsin on Saturday, June 17, 2006. Juneteenth commemorates the freeing of the last African American slaves in 1865 and the Madison event annually draws over 8,000 participants. One focus of the event is to provide education on health and social issues. The Wisconsin ADA Partnership, in cooperation with Disability Rights Wisconsin offered an afternoon presentation on the topic of Voting Rights and Accessibility. The Partnership staffed an exhibit booth and shared information and resources to a great number of attendees on employment, disability rights and accessibility issues. ADA Wisconsin has also been involved revising and marketing a popular publication: *Voting in Wisconsin: A Guide for Citizens with Disabilities*. This will be disseminated statewide as a collaborative effort of the Wisconsin Council on Developmental Disabilities, Disability Rights Wisconsin, Wisconsin State Elections Board, Rehabilitation For Wisconsin, Inc. and the Wisconsin Coalition for Independent Living Centers.

Technical Assistance Desk

Question of the Month

Q. The county where I live is holding the annual county fair in a few weeks. I am an individual that has a mobility impairment and one of my friends uses a wheelchair. Does the county need to provide access to this type of event?

A. Title II of the Americans with Disabilities Act (ADA) requires that all programs, services and activities of state and local governments are accessible to and useable by individuals with disabilities. This would include but is not limited to temporary events such as street festivals, craft fairs, parades, music events, state and county fairs, regattas, air shows and, sports tournaments. The fact that an event is temporary doesn't exempt governmental entities from their obligations to insure that individuals with disabilities have an equal opportunity to participate.

Temporary events may pose unique barriers for individuals with disabilities.

For more information please call 800-949-4232 (V/TTY) or online at:

<http://www.adagreatlakes.org/WebForms/ContactUs/>

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Uneven terrain, temporary structures and gravel and grass paths are just a few of the unique situations that face temporary event organizers. However, taking accessibility issues into consideration when planning temporary events should help eliminate obstacles that would prevent individuals with disabilities from full participation.

Organizers should consider:

- Accessible Parking
- Accessible Paths of Travel from parking locations
- Accessible Paths of travel to all areas open to the public
- Accessible temporary structures such as viewing stands
- Wheelchair locations at performing areas
- Accessible toilet facilities
- Accessible picnic areas
- Directional Signage

This is not an exhaustive list of things to consider when planning a temporary event. Technical assistance and materials exist to assist entities planning temporary events.

Obligations extend beyond ensuring that the physical environment of a temporary event is accessible. Event organizers must provide auxiliary aids and services to ensure that communication is as effective for individuals with disabilities as it is for individuals without disabilities. This may include providing sign language interpreters for an individual attending a musical performance or producing written materials in alternative formats such as the schedule of events and event locations.

In addition, entities must make reasonable modifications in policies, practices and procedures when needed to provide an equal opportunity for an individual with a disability. This might include modifying "No Pet" policies for an individual with a disability using a service animal.

To get information on planning accessible temporary events individuals may contact the Great Lakes Center by calling (800) 949-4232 (V/TTY) or via our on-line contact form.

www.adagreatlakes.org/WebForms/ContactUs

For more information please call 800-949-4232 (V/TTY) or online at:

<http://www.adagreatlakes.org/WebForms/ContactUs/>

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