

# Great Lakes Chronicle

ILLINOIS \* INDIANA \* MICHIGAN  
MINNESOTA \* OHIO \* WISCONSIN

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Welcome to the DBTAC:  
Great Lakes ADA Center's  
monthly Newsletter

## Trainings & Events

### ADA Audio Conference Series » Accommodating Diabetes in the Workplace

Diabetes is one of the most commonly identified medical conditions in the workplace. Court cases are split in regards to coverage of diabetes under the ADA. Join this session to learn more about the prevalence of diabetes in the general population and how individuals are working with employers to identify accommodations that will enable qualified individuals to retain their jobs. Various types of accommodations will be discussed across a variety of work settings. Learn about best practices for accommodation that can be implemented in the workplace to support both the employee and the employer.  
September 18, 2007  
1:00-2:30pm Central Time  
[www.ada-audio.org](http://www.ada-audio.org)

### U.S. BLN 2007 Conference: Building the New Workforce- Inclusion and Innovation

The 2007 Conference will take place at The Buena Vista Palace and Spa in Orlando,

## In the Headlines

### Equal Employment Opportunity Commission (EEOC)

The U.S. Equal Employment Opportunity Commission has decided to discontinue its National Contact Center (NCC) pilot project. The NCC had been handling calls for the agency since 2005, providing basic information on the federal laws enforced by the EEOC. The EEOC will use an in-house phone answering team. The NCC contract expires September 20, 2007. Read more about the EEOC announcement at <http://eeoc.gov/press/8-13-07.html>.

### U.S. Access Board

The U.S. Access Board has announced the formation of an advisory committee to examine access to vessel emergency alarm systems. The committee includes representatives from disability organizations, the vessel and cruise ship industry, the National Fire Protection Association, and other interested groups. The committee will look at the issues concerning access to emergency alarm systems by passengers with hearing impairments. Read more about the committee at [www.access-board.gov/news/vessel-alarms.htm](http://www.access-board.gov/news/vessel-alarms.htm).

### U.S. Department of Justice

The U.S. Department of Justice has announced several new settlement agreements. They include:

- West End YMCA Child Care Centers, located in Ontario, CA. The agreement resolves a complaint filed with the Department claiming the YMCA had failed to modify its policies, practices or procedures in order to afford a child with autism an equal opportunity to benefit from the services being provided by the child care center. The YMCA agrees not to discriminate on the basis of disability and to modify policies, practices or procedures when needed to afford a child with a disability an opportunity to benefit from the child care services. In addition, the YMCA will designate an employee as its ADA coordinator and they will submit their modified policies to the Department within 60 days. Read more about the West End YMCA Child Care Centers settlement at [www.ada.gov/westend\\_ymca.htm](http://www.ada.gov/westend_ymca.htm).
- Joseph David Camacho, a private attorney in Albuquerque, NM. The agreement requires that the law offices establish a policy ensuring effective communication for clients with disabilities, including providing qualified sign language interpreters services when needed to provide effective communication. The settlement resolves a complaint filed under Title III of the ADA alleging the attorney failed to provide effective communication to a deaf individual. Read more about the Camacho settlement at [www.ada.gov/albuquerque.htm](http://www.ada.gov/albuquerque.htm).
- Covenant Retirement Communities Inc. and its subsidiaries. The lawsuit, which was settled, had charged that the provider of retirement housing violated the Fair Housing Act because its policies discriminated against individuals with disabilities. According to the complaint individuals that used mobility aids were required to provide documentation demonstrating the need for the device and were required to show their ability to use the

FL. The Conference will include:

- National launch of AAPD Disability Mentoring Day
- 2007 Exceptional Leadership Awards
- National Career Fair with over 30 Fortune 500 Companies
- Attendance of over 400 business and community leaders
- Pre-conference sessions - Youth to Work Coalition, Assistive Technology Forum and BLN Strategic Planning
- Over 40 Educational Sessions

September 23-26, 2007  
Orlando, FL

[www.newworkforceconference.org](http://www.newworkforceconference.org)

#### **The National Association of ADA Coordinators (NAAC): Fall 2007 National Conference**

The NAAC fall conference will take place in Salt Lake City, UT. The conference will include six tracks on the following topics:

- Accessibility
- Employment
- Higher education
- Transit
- Emergency preparedness
- Law enforcement

October 22-25, 2007

[www.jan.wvu.edu/naadac/naadac/conferences.html](http://www.jan.wvu.edu/naadac/naadac/conferences.html)

#### **Road to Freedom Bus Tour**

The Road to Freedom Bus Tour is a year-long cross country bus ride that educates audiences across the United States on the story of the Americans with Disabilities Act and the

mobility device. Additionally, individuals were not allowed to use their mobility devices in certain common areas including dining rooms. The agreement requires the adoption of new policies, employee training and monitoring of the new non-discriminatory policies. Read more about the Covenant Retirement Communities Inc. settlement at [www.usdoj.gov/opa/pr/2007/August/07\\_crt\\_651.html](http://www.usdoj.gov/opa/pr/2007/August/07_crt_651.html).

The U.S. Department of Justice has posted the latest issue of its Disability Rights Online Newsletter to its web site. The newsletter is a bi-monthly update about the Department's Civil Rights Division's activities regarding the enforcement of federal disability laws. Read more about the Disability Rights Online Newsletter at [www.ada.gov/disabilitynews.htm](http://www.ada.gov/disabilitynews.htm).

### **U.S. Department of Labor**

The U.S. Department of Labor, Office of Disability Employment Policy, held a summit August 16-17, 2007 that was designed to enhance leadership development of youth with disabilities. More than 200 people representing federal, state and local government agencies; other policymakers, service practitioners, youth and leadership organizations, foundations, and youth and their family members attended the two day summit. Read more about the summit at [www.dol.gov/opa/media/press/odep/odep20071161.htm](http://www.dol.gov/opa/media/press/odep/odep20071161.htm).

## **Great Lakes In Focus**

### **Visual Verification on Websites**

CAPTCHA is a security measure on many websites that is used where information is exchanged. It is designed to detect if a person or an automated computer program is submitting the information via an input form. The process can be completed by humans, but current computer programs cannot automatically fill out the input form. If you have ever been asked to type the somewhat distorted numbers or letters you see on the screen in to a box while using a web site, you have used CAPTCHA.

Unfortunately, the way this information is displayed prevents screen readers, such as JAWS, from conveying this information to a blind user. On some web sites, such as Yahoo, if you cannot complete the visual verification, you cannot sign up for or use many functions of the site.

There are alternatives to visual verification that are accessible to persons with disabilities. For example, many implementations of CAPTCHA permit users to opt for an audio CAPTCHA in addition to an image based one. It is important that audible access option be clear and understandable.

While the combination of audio and visual verification methods provides more accessibility than visual methods alone there are some users who are unable to use either of these methods. Therefore, it is important to offer phone or email support to manually provide access to users who are unable to solve a CAPTCHA.

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

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

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University of Illinois at Chicago

Department of Disability and Human Development (MC 728)  
1640 West Roosevelt Road, Room 405  
Chicago, Illinois 60608-6904

history of the disability rights movement. Visit the Road to Freedom web site for information on the dates and times for the stops along the tour.

<http://roadtofreedom.wordpress.com/freedom-bus-tour-schedule/>

### **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](http://www.adabasics.org)

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](http://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

## **Accessible Information Technology (AIT)**

The DBTAC Great Lakes Accessible Technology Initiative provides individuals, businesses, governmental entities, 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 accessible technology section of the Great Lakes web site for more information on the services provided by the Center at [www.adagreatlakes.org/AIT/](http://www.adagreatlakes.org/AIT/).

To get additional information about accessible technology visit the Accessible Technology Bulletin at [www.adagreatlakes.org/Publications/ATBulletin/](http://www.adagreatlakes.org/Publications/ATBulletin/).

For technical assistance questions contact the Great Lakes Center by calling 800-949-4232 (V/TTY) or by visiting our on-line contact form at [www.adagreatlakes.org/WebForms/ContactUs/](http://www.adagreatlakes.org/WebForms/ContactUs/).

## **The Docket**

### **Colbert v. Blagojevich**

([www.equipforequality.org/news/pressreleases/august\\_22\\_2007illinois\\_residents.php](http://www.equipforequality.org/news/pressreleases/august_22_2007illinois_residents.php))

Five Illinois Residents have filed suit against state officials alleging violation of the Americans with Disabilities Act (ADA). The suit claims that the state has failed to Provide Community Services in the most integrated setting forcing individuals to remain in nursing homes even though the individuals wish to live in community settings. The class action lawsuit seeks to require that residents of Cook County have the opportunity to receive services in an inclusive setting. The plaintiffs are represented by Access Living of Metropolitan Chicago, Equip for Equality, the American Civil Liberties Union of Illinois and Stephen F. Gold, a national disability rights lawyer based in Philadelphia, and the law firm Ross, Dixon & Bell, LLP.

### **Lockett v. Catalina Channel Express**

([www.metnews.com/sos.cgi?0807%2F0556483](http://www.metnews.com/sos.cgi?0807%2F0556483))

The U.S. 9th Circuit Court has ruled that a ferry boat operator was not in violation of the Americans with Disabilities Act (ADA) for excluding a blind passenger from taking a guide dog into a premium seating area designated as an animal-free zone. The designation of the area as animal free was done at the request of a frequent passenger concerned about animal dander. The Court ruled that it was reasonable for the ferry boat operator to exclude the guide dog from the area while it examined the impact of having the animal in the area on passengers with allergies. Prior to the lawsuit being filed the ferry boat operator had agreed to modify its policy in order to allow passengers with guide dogs to travel in the premium seating area.

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

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

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the ADA.

[www.ada.gov](http://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](http://www.fta.dot.gov/17851_ENG_HTML.htm)

The **Office of Civil Rights within the U.S. Department of Education**

ensures equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights.

[www.ed.gov](http://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](http://www.fcc.gov)

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

**Great Lakes  
Affiliates**

## Technical Assistance Desk

**Question:** My local transit agency recently posted signs on its vehicles and trains stating that eating and drinking was prohibited. Does the transit operator need to include language stating that individuals with disabilities may ask for a modification of this policy if they need to eat or drink because of their disability? For example a diabetic having an insulin reaction.

**Answer:** Nothing in the Americans with Disabilities Act (ADA) transportation regulations would require the transit agency to include any language about individuals with disabilities having the ability to request a modification of the no eating or drinking policy. However, the transit agency should provide training for its employees on the requirements of the ADA. The transit agency should make it clear that a transit employee may need to modify the policy for an individual with a disability. Information about the transit agency's obligation to make reasonable modifications in policies, practices and procedures when needed to allow an individual with disability an equal opportunity to benefit from the service should also be included in the transit agency's employee manual.

Failure to provide training for its employees or failure of its employees to make reasonable modifications may result in the transit agency violating the ADA. While including language on the signs is not required it may be a good practice for the transit agency to work with local disability organizations to educate individuals with disabilities about their right to request a modification in policies, practices or procedures.

For more information, individuals may contact the DBTAC: Great Lakes ADA Center by calling **800-949-4232 (V/TTY)** or by visiting our on-line contact form at [www.adagreatlakes.org/WebForms/ContactUs/](http://www.adagreatlakes.org/WebForms/ContactUs/)

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Chicago, Illinois 60608-6904

**ADA Illinois**

20 N Michigan, Suite 300  
Chicago, IL 60602  
Phone: 877-232-3601  
[www.ada-il.org](http://www.ada-il.org)

**ADA Indiana**

2853 East Tenth Street  
Bloomington, IN 47408-2696  
Phone: 812-855-6508  
[www.iidc.indiana.edu/cpps/ada/](http://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](http://www.adamich.org)

**ADA Minnesota**

1600 University Avenue  
West, Suite 16  
Saint Paul, MN 55104  
Phone: 888-630-9793  
[www.adaminnesota.org/](http://www.adaminnesota.org/)

**ADA Ohio**

700 Morse Road, Suite 101  
Columbus, OH 43214  
Phone: 800-232-6446  
[www.ada-ohio.org](http://www.ada-ohio.org)

**ADA Wisconsin**

1302 Mendota Street, Suite  
200  
Madison, WI 53714-1024  
Phone: 608-244-5310  
[www.adawipartnership.org](http://www.adawipartnership.org)

**The network of Regional DBTAC ADA Centers**

Your comprehensive resource for information on the Americans with Disabilities Act and accessible information technology. Call toll free at **800-949-4232 (V/TTY)** for the **MOST** complete and experienced services available to American businesses, government entities and the public. To find your local Center or for more

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information, visit their website.

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**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](#).

Part 37--Transportation Services for Individuals with Disabilities  
[www.fta.dot.gov/printer\\_friendly/civil\\_rights\\_3906.html](http://www.fta.dot.gov/printer_friendly/civil_rights_3906.html)

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

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