

Great Lakes Chronicle

ILLINOIS*INDIANA*MICHIGAN*MINNESOTA*OHIO*WISCONSIN

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In The Headlines

ADA 15th Anniversary

To commemorate 15th Anniversary of the Americans with Disabilities Act, Great Lakes ADA & Accessible IT Center is providing the following items. Click on the images for a larger preview.

To request these items submit a request via our [contact form](#).

Magnet:



Bracelet:



Poster:



July 26th marks the 15th Anniversary of the ADA

To mark this historic occasion, several activities have been planned across the country. You can check out whether or not there are any in your area by visiting the Association of Persons with Disabilities (AAPD) website which is hosting a [calendar of events](#). In addition, the AAPD has collaborated with several disability-related organizations to draft and publish a "[Statement of Solidarity on the 15th Anniversary of the ADA](#)". To date, over 475

organizations and entities have signed the statement.

The Department of Justice has archived the ADA Signing Ceremony in the [video gallery](#) on their website. This video chronicles the events of this historic occasion.

Audio Conference Series

The ADA [Audio Conference Series](#) is a collaborative effort of the 10 Regional Disability and Business Technical Assistance Centers. The sessions provide continuous education on regulations and trends under the Americans with Disabilities Act. Each sessions is scheduled from 1:00 to 2:30 pm Central Time (90 minutes) and is [real-time captioned](#) on the Great Lakes ADA Center web site. A written transcript and digital recording of each session is [archived](#) on the Great Lakes ADA Center web site.

Just Hop up! Access to medical equipment – where are we?

[June Issacson Kailes](#), Faculty, Western University of Health Sciences, Center for Disability Issues in the Health Professions (CDIHP), a partner on the [Rehabilitation Engineering Research Center on Accessible Medical Equipment](#)

"I know I can get my wheelchair through that door, but I don't know how I going to get my body into that machine!" Hear about: new data from the RERC on Accessible Medical Instrumentation national consumer needs assessment survey on medical equipment; strategies for getting accessible medical equipment into offices of health providers, existing resources for accessible equipment (exam tables, chairs, scales, mammography); using tools to communicate with providers about your accessible equipment needs; and the project's next steps - designing new equipment, effecting change within the medical equipment and health care industry and health care public policy.

Great Lakes ADA Center - In Depth

The Great Lakes ADA and Accessible IT Center joined over 600 organizations from the United States and around the world in supporting an Americans with Disabilities Act (ADA) Anniversary Statement of Solidarity in recognition of the 15th Anniversary of the signing of the law. You may read a copy of the letter below. If you wish, you may also refer to the [list of all the Organizations that signed it](#). The statement of solidarity was developed by the National Council on Independent Living's Civil Rights Committee and the American Association of

People with Disabilities (AAPD) Board of Directors.

Statement of solidarity on 15th anniversary of Americans with Disabilities Act July 26, 2005

Fifteen years ago today, with bipartisan support in Congress and broad endorsements from the civil rights coalition, President George H. W. Bush signed into law the Americans with Disabilities Act (ADA), calling for the "shameful wall of exclusion" to come tumbling down. As we mark this significant anniversary, we celebrate improvements in access to polling places and the secret ballot, government services and programs, transportation, public places, communication and information technology. Parents pushing strollers, workers delivering packages, and travelers pulling roller bags have grown accustomed to curb cuts, ramps, and other accessibility features less common in 1990. Our country is more accessible today thanks to the ADA, and all Americans are better off.

Although substantial progress has been made, we are reminded every day of the significant remnants of the "shameful wall of exclusion" that continue to prevent this great country from realizing the full promise of the ADA.

The majority of Americans with disabilities continue to live in poverty and unnecessary isolation. Most adults with disabilities are either not working or not working to their full potential, robbing the economy of the contributions of tens of millions of would-be workers. Children and youth in special education continue to drop out of school in alarming numbers before obtaining a regular high school diploma. The promises of higher education, accessible and affordable housing and transportation, quality affordable healthcare, and a living wage continue to elude many adults with disabilities and their families. The ADA is slowly driving policy changes that have enabled more people with significant mental and physical disabilities to live independently in the community, but the ongoing institutional bias in the Medicaid program keeps too many people trapped in nursing homes and other institutions, unable to enjoy the freedoms and personal choices about where and how to live that other Americans take for granted.

New technologies are increasing the independence and productivity of many Americans. Yet, advances in technology alone are not guaranteed to improve the lives of people with disabilities. As we develop applications like Voice-over-Internet-Protocol (VOIP) telephony, wireless telecommunications, widespread broadband internet connectivity, new medical devices, new computer applications, and a plethora of new genetic tests, it is critical that these technologies be designed and used in a way that increases the inclusion, independence, and empowerment of Americans with disabilities as well as Americas growing senior population.

The ADA has begun to change the landscape of our cities and towns, but a civil rights law alone does not create the kind of transformation of attitudes that Americans with disabilities, their families, and allies are fighting to achieve. This kind of change requires widespread discussion, education, and consciousness-raising.

In 2005, how do fears, myths, and stereotypes continue to artificially limit understanding and acceptance of disability as a form of human diversity? What role do the mass media and entertainment industries play in forming public perceptions of disability, and how can decision makers in these important fields be influenced to produce more content that depicts the actual life experience and first person perspectives of people with disabilities? What can be done to further improve accessibility at the design stage of new products and programs? How can disability awareness and disability-friendly practices create more productive places of business and learning? What concrete actions can worship communities and sports and recreation programs take to foster full participation of children, youth, and adults with disabilities in these activities? Why do so many Americans continue to view disability as a fate worse than death, and how do these views affect surrogate medical decision making and the application of new genetic testing technologies? These questions form the basis of an American conversation that still needs to take place.

Widespread social change cannot simply be legislated, and it will not occur without bold leadership from all sectors of American society.

Public and private employers, in particular, must make a serious, concerted effort to recruit and advance qualified workers with disabilities within their labor force. Election officials must take the necessary actions to ensure that every adult is able to enter his or her polling place and cast a secret and independent vote. School administrators and university presidents must embrace their responsibility to deliver a world-class education to all their students.

It is time for leaders across America—business owners, little league coaches, moms and dads, sheriffs and clergy—to reject exclusion, paternalism, and segregation and to take personal responsibility for removing barriers to full participation that still exist in every community in this country.

With the aim of making America work better for everyone, the undersigned organizations pledge to build on the progress of the last 15 years and join together to promote the full participation and self-determination of the more than 50 million U.S. children and adults with disabilities. We believe that disability is a natural part of the human experience that in no way should limit the right of all people to make choices, pursue meaningful careers, live independently, and participate fully in all aspects of society. We encourage

every American to join us in this cause, so that our country may continue on the path that leads to liberty and justice for all.

Federal Agency Update

2005 National Disability Employment Month Theme Announced

Secretary of Labor Elaine L. Chao announced the official theme of the October's National Disability Employment awareness month "Workers with Disabilities: Ready for Tomorrow's Jobs Today". Chao emphasized during her announcement that this year's theme is meant to communicate the fact that people with disabilities are important to the country's economic future. The theme will be used by the private sector, state and local governments and advocacy organizations to plan events and programs that showcase the abilities of individuals with disabilities and their value to the workforce.

EEOC Launches Spanish-Language Version of their YOUTH@WORK Website

EEOC launched the [spanish-language version](#) of their [Youth@Work website](#) to coincide with the summer youth employment season. This site provides information to a very vulnerable population of individuals, youth who only speak Spanish or have limited English Language Proficiency. The purpose of the site is to provide information on the employment rights and responsibilities of individuals so that they can understand the types of discrimination that may occur and provide strategies for they can use to help prevent discrimination from occurring.

The Youth@Work web site is part of EEOC's YOUTH@WORK Initiative which is a national education and outreach campaign to promote equal opportunity in employment for America's next generation of worker's.

US Access Board Launches their Redesigned Web Site

In June, the US Access Board implemented a complete redesign and overhaul of its [website](#). The revised site features a new look and organization, improved navigational and search features, and additional on-line services. Visitors can now order Board publications through the site in addition to subscribing to the Board's newsletter or filing a complaint under the Architectural Barriers Act.

National Council on Disability (NCD) Issues Report on the Status of Public Transportation for People with Disabilities

NCD issued their report "[The Current State of Transportation for People with Disabilities](#)" on June 13, 2005. The report identifies the advances that have been made in the area of public transportation for people with disabilities but also identifies where problems remain and where more work needs to be done. The purpose in undertaking this project was to develop a better understanding of access to transportation and mobility for people with disabilities, including access to traditional public transportation systems, private transportation services, alternative transportation initiatives, and the pedestrian environment; to identify transportation barriers as well as promising practices and models; and to develop recommendations in keeping with the goals of President Bush's New Freedom Initiative to, "expand transportation opportunities for people with disabilities."

The report highlights industry best practices and successful initiatives that can serve as models for communities for enhancing transportation and mobility for people with disabilities. This report also sets forth a variety of recommendations for service improvements and for additional research that will lead to greater options for the 6 million Americans with disabilities who have difficulties obtaining the transportation they need to live independent and productive lives.

US Access Board Plans to Mark the 15th Anniversary of the ADA

The US Access Board will mark the 15th Anniversary of the ADA by holding a number of [forums and meetings](#) to advance their work under the ADA. These include:

Public Hearing on Passenger Vessels (July 25th 10:00 – 12:00)

The Board will hold a public hearing on access to passenger vessels on the morning of July 25th. The public is invited to provide comments on [materials](#) the Board released in November on its rulemaking for access to passenger vessels, including draft guidelines for large vessels, such as cruise ships, and a notice outlining several different options on addressing access to smaller vessels, such as water taxis and excursion boats. This event follows similar hearings held in D.C. last January and in Los Angeles at the end of June. For further information, contact Paul Beatty at 202-272-0012 (V), 202-272-0082 (TTY).

Meeting on Promoting Education on Accessible Design (July 25th 1:30 – 4:30)

An information meeting will be held later on the same day on a new Board initiative to promote accessibility in the education of architects, planners, and engineers. The Board seeks recommendations on ways this goal can be advanced through education curricula, design competitions, outreach to colleges, universities, and accrediting organizations, and other means. For

further information on this event, contact Jim Pecht at 202-272-0021 (V), 202-272-0082 (TTY).

Forum on Board Agenda and Services (July 26th 9:30 – 11:00)

The Board will hold a public forum on its work developing and maintaining guidelines, sponsoring research, and providing information and services through its website. This forum will provide an opportunity for the public to provide input on the Board’s agenda for rulemaking, research, technical assistance, and training. Recommendations are sought on topics or issues that the Board should address through its work writing guidelines for accessible design, its research program, or other means, such as information meetings. The Board also seeks recommendations on new guidance and training materials and how this information and related services can be delivered most effectively to its various audiences, particularly through its website. For further information, contact Kathy Roy Johnson at 202-272-0041 (V), 202-272-0082 (TTY).

This latter event is part of a program of seminars organized by the National Council on Disability (NCD) in cooperation with various Federal agencies. The full program, “The ADA: 15 Years of Making a Difference,” includes an opening plenary session, five other ADA-related workshops in addition to the Board’s session, and a closing session. For information on the full program, contact the NCD at 202-272-2004 (V) or 202-272-2074 (TTY).

The Marriott at Metro Center, where these meetings will be held, is located at 775 12th Street, N.W. in Washington, D.C.

DISABILITYINFO.GOV Website Redesigned

The US Department of Labor, Office of Disability Employment Policy announced the redesign of the DisabilityInfo.gov web site to improve its accessibility, appearance and ease of navigation. The website is organized by subject areas including education, employment, housing, transportation, health, income support, technology, community life and civil rights.

Accessible IT

NIMAS in IDEA???

The Secretary of Education proposes to establish the National Instructional Materials Accessibility Standard (NIMAS) as required under sections 612(a)(23)(A) and 674(e)(4) of the Individuals with Disabilities Education Act, as amended by the Individuals with Disabilities Education Improvement Act of 2004 (IDEA). The purpose of the NIMAS is to help increase the availability

and timely delivery of print instructional materials in accessible formats to blind or other persons with print disabilities in elementary schools and secondary schools.

NIMAS files are XML-based DAISY-3 files, which have similar structure as HTML files, but have the ability to implement enhanced features and capabilities within the file format. DAISY-3 (NIMAS) files are sometimes referred to as Digital TextBook (DTB) files, and have 6 different types:

- Audio with Title Element only (DTBs consisting of audio files with no book structure or book text provided in the file)
- Audio with NCX (DTBs consisting of files containing audio and a file that contains all points in the book to which the user may navigate, but no book text provided)
- Audio with NCX and partial text (DTBs consisting of audio files and containing book structure, and items such as indices and glossaries)
- Audio and full text (**The** most complete DTBs, consisting of audio files, files that contain book structure, and complete book text, and contain audio and text synchronization)
- Full text and some audio (DTBs containing files that indicate book structure, complete book text, and only some pre-recorded audio files, mostly supplementary, such as dictionary words and pronunciations)
- Text and no audio (DTBs that have electronic text with structure, complete book text, but no audio files)

As a digital textbook format, NIMAS files are transformable, in that they can be changed into speech (for the visually impaired), haptic (for readers of Braille), and can be converted to other languages (such as sign language or other verbal languages). Digital textbooks in the NIMAS format also have the added benefit of being able to incorporate embedded supports, such as supplemental graphics or video, prompts, vocabulary supports, and assessment and feedback.

NIMAS files address some of the problems that standard printed files and books have, such as The NIMAS format was considered because of its incorporation of Universal Design (UD) principles – namely, it is transformable media that allows it to be presented in multiple formats for different abilities and learning styles. By incorporating UD in its architecture, NIMAS file format increases learning opportunities for everyone.

More information about NIMAS can be found at the Center for Applied Special Technology (CAST) site for NIMAS at: <http://nimas.cast.org/>

If you have any questions about NIMAS, IDEA 2004, or any other electronic text concerns contact the Great Lakes ADA & IT Center's Accessible IT Initiative [online](#) or toll free at 800-949-4232 (V/TTY).

Disability Law Update

US Department of Education Issues a Notice of Proposed Rule Making to Adopt A National Instructional Materials Accessibility Standard

The Secretary of Education has issued a notice of proposed rulemaking that will establish the National Instructional Materials Accessibility Standard (NIMAS) under IDEA. The purpose of the NIMAS is to increase the availability and timely delivery of print instructional materials in accessible formats to blind or other individuals with print disabilities in elementary and secondary educational settings. The public comment period is through September 12, 2005. Comments can be submitted [on-line](#). For more information regarding this notice you can contact: Troy R. Justesen at 202-245-7468.

For more information regarding NIMAS, see the [article in this issue of the Chronicle](#).

The Docket

7th Circuit Court of Appeals takes a stance on the use of the Minnesota Multi-Phasic Personality Inventory (MMPI) in the employment process.

The [7th Circuit Court of Appeals](#) held in *Karracker v. Rent-A-Center, Inc.* F3rd (June 2005) that the Minnesota Multi-Phasic Personality Inventory (MMPI) was a "medical examination" under the ADA. Its use was, therefore, illegal as a pre-employment test that screened out, or had the effect of screening out, job applicants with disabilities.

Three brothers who worked for Rent-A-Center brought a class action lawsuit alleging violations of the ADA after the three brothers were denied promotions because they failed the APT Management Trainee-Executive Profile. The APT was a series of 9 tests designed to measure such things as math and language skills as well as personal interests and personality traits.

Rent-A-Center argued the MMPI portion of the test measured simply

whether someone works well in groups or is comfortable in a fast-paced office. Rent-A-Center argued that the MMPI was a personality test permitted by the Equal Employment Opportunity Commission's enforcement guidance, not a prohibited medical examination.

The Court noted however, that the MMPI measures traits such as depression, hypochondrias, hysteria, paranoia and mania. Elevated scores on portions of the MMPI can also be used to diagnosis psychiatric disorders. They held that Rent-A-Center's use of the MMPI was illegal because it measured traits that are not relevant to promotion. The Court noted that psychological tests designed to identify a medical disorder or impairment qualify as medical examinations, but psychological tests that measure personal traits such as honesty, preferences and habits do not.

This is the first case in which a federal court addressed the permissible uses of MMPI as a pre-employment test.

Events

National

28th Annual Association on Higher Education and Disability (AHEAD) Conference August 2 - 6, 2005 Milwaukee, Wisconsin

The [2005 AHEAD Conference](#) will be held at the Midwest Airlines Center in downtown Milwaukee. It will feature workshops divided into three tracks: Education, Service, and Research. Among the workshops and events being offered are a two-day E-Text publication workshop, full day pre-conference institutes that will cover areas such as Assessment of Learning Disabilities and Designing an Effective Assistive Technology Program for Your Campus.

14th Annual Worker's Compensation and Disability Conference and Exposition - November 15-17, 2005 Chicago, Illinois

The [National Worker's Compensation and Disability Conference](#) offers a comprehensive list of programs targeting individuals who work in the field of worker's compensation or disability management. This conference is sponsored by LRP Publications Pre-conference sessions are offered with a more intensive study of topics related to the ADA, Worker's Compensation and Disability Management. Over 30 sessions are offered across a variety of tracks including Claims Management, Disability Management, Legal/Regulatory Issues and Safety & Ergonomics.

Regional

Making the ADA Work for Business - September 12, 2005 Chicago, Illinois

The [ADA Illinois Project](#), an affiliate of the Great Lakes ADA And Accessible IT Center is hosting a conference focused on the Employment Provisions of the ADA. The [conference](#) will be held at the UBS Conference Center at 1 W. Wacker, Chicago, IL. Topics include:

- Reasonable Accommodations: Low Cost and No Cost Solutions
- Accessibility of Electronic Information in the Workplace
- Interaction between the ADA and the Family Medical Leave Act (FMLA)
- Emerging ADA Legal Issues

National Speakers include Adele Rapport, JD, Attorney, Equal Employment Opportunity Commission and Susanne Bruyere, Director of the Employment and Disability Institute, Cornell University.

For more information, contact the Illinois ADA Project at 877-232-3601 (V) or 800-610-2779 (TTY).

The ABC's of the ADA - August 10th in Wausau, Wisconsin and August 11th in Madison, Wisconsin

The ADA WI Partnership, an affiliate of the Great Lakes ADA and Accessible IT Center is hosting a [conference](#) to assist business and government agencies better understand their responsibilities under the Americans with Disabilities Act of 1990. The conference was developed as a positive response to a string of negative lawsuits filed this year in northeastern Wisconsin that targeted small business regarding ADA non-compliance. Conference topics include employment, architectural access and access to local/state government programs and services. Representatives from the EEOC as well as the US Department of Justice Civil Rights Division will be featured speakers. SHRM, AIA and CRCC credits will be available for attendees. For more information, contact 608-334-8105.

Access For All: Expanding Employment Transportation for People with Disabilities - August 23, 2005 Chicago, Illinois

The Community Transportation Association of America (CTAA) in collaboration with the University of Iowa Health Policy and Disability Law Center are sponsoring a one day [conference](#) covering topics which include:

- Why transportation is critical to meeting today's workforce goals
- Tried and true methods for documenting mobility needs
- An overview of how transportation services are funded and sustained
- The benefits of strong transportation planning partnerships, with highlights from communities who have developed community-based planning models
- Reports from the field: What states and local communities are doing to expand transportation options for people with disabilities

For more information, contact Gabrielle Sivage, Employment Transportation Specialist at 800-891-0590 x720.

The Great Lakes Vine

The Great Lakes Vine features information from Region V Affiliates. Our Affiliates help foster voluntary compliance with the provisions of the Americans with Disabilities Act (ADA) through a variety of activities and projects. Here's how...

Illinois ADA Project

The Illinois ADA Project is proceeding with the plans for the ADA Conference titled: "Making the ADA Work for Business". The Conference will be held on Monday September 12, 2005, from 8:30am to 5:00pm at UBS Tower at 1 North Wacker Drive in Chicago. The Conference will be targeted toward businesses. The Chicagoland Business Leadership Network (CBLN) and Chicagoland Chamber of Commerce have already expressed an interest in co-sponsoring the Conference. The Conference will include four workshops:

1. A Panel discussion titled, "Reasonable Accommodations: Low Cost and No Cost Solutions."
2. Web site and Computer Access Issues under Titles I and III of the ADA presented by Robin Jones of the Great Lakes ADA Center.
3. A workshop on Emerging Employment Issues and Latest Court Interpretations given by Adele Rapport of the EEOC and Barry Taylor, Legal Advocacy Director at EFE.
4. Training on the Interaction between the ADA, Family Medical Leave Act (FMLA), and Illinois Worker's Compensation Laws given by Susanne M.

Bruyère of Cornell University.

The next Illinois ADA Project Steering Committee Meeting will be held on August 9, 2005. Please see [The Illinois ADA Project Website](#) for more information.

ADA Indiana

Indiana's 15th Anniversary Celebration

Indiana will commemorate the 15th Anniversary of the signing of the ADA by hosting a public reception at the Indianapolis Arts Garden on Tuesday, July 26th from 11:30am to 3:00pm. The public is invited to come celebrate the accomplishments of the past 15 years of the Americans with Disabilities Act, as well as looking to the future. Refreshments and musical entertainment will be provided. ADA-Indiana, the Indiana Institute on Disability and Community, the Governor's Council for People with Disabilities, and Indiana Protection and Advocacy Services are sponsoring the event.

Please check the [ADA-Indiana website](#) for more details or for more information contact Matt Norris or Vicki Pappas at 800-825-4733.

Leadership Changes for ADA-Indiana

ADA-Indiana bids farewell to our chairperson and longtime ADA-Indiana member, Gina Kerr. ADA-Indiana is thankful for the contributions and leadership Gina brought to our organization. We welcome Paul Jones as our new chairperson. Paul is affiliated with Breaking New Ground, an outreach program designed to assist agricultural workers with disabilities, at Purdue University in West Lafayette.

Michigan ADA Steering Committee

2005 Michigan Youth Leadership Forum (MYLF)

The sixth annual Michigan Youth Leadership Forum for high school students with disabilities was held June 12-16, 2005, at Michigan State University in East Lansing, Michigan. Thirty students with disabilities from across the state attended the forum where they learned about disability history, disability civil rights laws, and selected a bill to debate at the state capitol. The students were selected through an application process. The mentors, who themselves have disabilities, serve as group leaders. A majority of the MYLF presenters also are people with disabilities. The MYLF gives the students tools to become leaders in their own communities and the state.

The MYLF is sponsored by the Michigan Commission on Disability Concerns and other disability organizations. There is no cost for students to attend the MYLF. All expenses are paid through fundraising activities. This year's major contributors are Dow Chemical and General Motors. The Michigan ADA Steering Committee has supported the MYLF program for the past several years. Next year's MYLF is tentatively scheduled for June 11-15, 2006.

ADA Minnesota

In honor of the 15th anniversary of the Americans with Disabilities Act, a coalition of 13 local disability organizations will hold a free celebration at the Earle Brown Heritage Center in Brooklyn Center from 9:00am to 3:30pm, on Tuesday, July 26. The event, "ADA 15 Years Strong: Then, Now and Beyond," will feature entertainment, exhibitors from local organizations, educational group sessions, food and presentations, including a talk by NBC correspondent John Hockenberry and Barry Taylor, Legal Advocacy Director at Equip for Equality, Inc., the Illinois Protection and Advocacy system.

The event will include six educational group sessions throughout the day. These session topics include: aging and disability, mental health issues in the workplace, reasonable accommodations at work, accessible web design, understanding Social Security and emergency preparedness for people with disabilities.

The celebration is open and free to the public. For more information about the event, contact ADA Minnesota at 651-603-2015.

ADA Ohio

ADA Ohio's provides services to various disability organizations through participation in workshops and presentations on a variety of issues surrounding the ADA. As we reflect on the Anniversary year of the ADA here are some organizations we have provided services to:

- **The ARC of Ohio** - Overview of the ADA
- **The Ohio Governor's Council on People with Disabilities** - Obligations of existing places of public accommodation and common mistakes in new construction
- **Canine Companions for Independence** - Service animals: The rights and responsibilities of service animals in places of public accommodations and issues encountered in hospitals
- **Access Center for Independent Living (ACIL)** - the core components of Title I: Definition of disability, disclosure, the elements of reasonable accommodation, and local and national

ADA Wisconsin Partnership

The Wisconsin ADA Partnership was pleased to participate and provide a sponsorship for the 16th annual [Juneteenth celebration](#) held in Madison, Wisconsin on Saturday, June 18, 2005. Juneteenth commemorates the freeing of the last African American slaves in 1865 and the Madison event annually draws over 8,000 participants.

One mission of the event is to provide education on health and social issues and how to connect with service providers or agencies that can meet various needs. The Wisconsin ADA Partnership sponsored a panel presentation of self-advocates who shared their stories as minorities with disabilities and how they have helped themselves and others to overcome barriers. The Partnership also featured an exhibit booth and shared information and resources to a great number of attendees on employment, disability rights and accessibility issues.

The Partnership is sponsoring "The ABC's of the ADA", a one-day conference focused upon the employment provisions of the ADA as well as the obligations of business and state and local governments. The program will be held in two locations: Wausau, WI on August 10th and Madison, WI on August 11th. More information is available on the [website](#).

From The Technical Assistance Desk

Question of the Month

Question:

I have a disability and heard something about the 15th anniversary of the ADA on the news. I know just a little about the ADA. How have things changed for people with disabilities in the past 15 years and what exactly is the ADA?

Answer:

On July 26, 1990 President George H. Bush signed into law the Americans with Disabilities Act (ADA). In the past 15 years the built environment has become more accessible to individuals with disabilities allowing individuals to enjoy access to state and local government programs, goods and services offered by places of public accommodations, telecommunications, transportation and an equal opportunity to employment. It has aided in ending stereotypes and misconceptions about individuals with disabilities.

The purpose of the law is to end the segregation of persons with disabilities and assist in their integration into American society.

The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications. The ADA is comprised of five Titles.

Title I requires employers with 15 or more employees to provide equal employment opportunities for individuals with disabilities. Employers may hire, fire, and promote the most qualified individual, regardless of his/her disability. Title I covers all aspects of the hiring process, including posting of available positions, interviewing, job offers, and hiring. It requires all employers to make necessary reasonable accommodations for known disabilities of a qualified applicant or employee, unless the accommodation would impose an undue hardship on the employer. Examples of reasonable accommodations include modification of work schedules, altering a workspace, restructuring job duties, and reassignment.

Title II regulations prohibit state and local government agencies, departments, special purpose districts, and other instrumentalities from discriminating against people with disabilities in their programs, services, and activities. Public entities must make reasonable modifications to their policies, practices, and procedures to allow equal opportunity for individuals with disabilities to participate, unless to do so would fundamentally alter the nature of the service, program, or activity. They must also provide auxiliary aids and services, integrated program access through nonstructural and architectural modifications, and meet Title I employment provisions with all employees and contractors. Public entities do not need to remove all physical barriers in existing buildings as long as programs provided in those buildings are readily accessible to users with disabilities in another facility. All new construction must be accessible.

Title II also guarantees that individuals with disabilities have equal access to existing public transportation services. All newly purchased buses and other vehicles must be accessible. In cases of inaccessible fixed route systems, public entities must provide paratransit services comparable to the level of service provided by the fixed route system.

Privately owned businesses have obligations under Title III of the ADA. All places of public accommodation, including both for-profit and nonprofit establishments that affect commerce must follow Title III guidelines. These businesses include sales and service establishments, restaurants, theaters, hotels, libraries, and doctors' offices. Title III also applies to all commercial

facilities including office buildings, factories, and warehouses.

Public accommodations must provide goods and services to individuals with disabilities in the most integrated setting possible. The law also requires businesses to eliminate eligibility requirements that exclude or segregate individuals with disabilities unless the requirements are necessary for the operation of the accommodation. These entities must make reasonable modifications to their policies, practices, and procedures that deny access unless the modification would fundamentally alter the nature of the goods or services provided. When necessary, public accommodations are required to provide auxiliary aids, such as Braille material, to ensure effective communication unless it would cause an undue burden for the public accommodation. Public accommodations must also remove all architectural and structural communication barriers in existing facilities where readily achievable. Transportation provided by private entities must also be accessible.

When constructing new building facilities or altering existing facilities, public accommodations must follow the ADA Standards for Accessible Design, known as the Americans with Disabilities Act Accessibility Guidelines (ADAAG). These standards include general design requirements for building and site elements such as parking, accessible routes, ramps, and elevators.

Title IV requires that telephone companies provide telecommunication relay services that allow individuals with hearing or speech impairments to communicate using a TTY or other non-voice device. Relay services may be accessed by dialing 7-1-1.

Title IV also requires that all television public service announcements produced or funded in whole or in part by the Federal government include closed captioning.

Title V includes information regarding the ADA's relationship with other federal and state laws, including the Rehabilitation Act of 1973, requirements relating to the provision of insurance, construction and design regulations by the U.S. Access Board, prohibition of state immunity, inclusion of Congress as a covered entity under the law, promotion of alternative means of dispute resolution, and establishment of technical assistance.

For additional information on the Americans with Disabilities Act you can contact the Great Lakes ADA and Accessible IT Center at 800-949-4232 (V/TTY) or via our [online contact form](#).

Resources and Publications

The Great Lakes ADA Center disseminates publications related to all aspects of the ADA to inform and raise awareness of disability issues and to foster voluntary compliance with the ADA. The Great Lakes ADA Center disseminates materials including posters, regulations and technical bulletins on various ADA topics. Materials are available in alternative formats.

The following publications provide general and in-depth information regarding the rights and responsibilities of individuals and entities under the ADA:

- [ADA Questions and Answers](#)
- [A Guide to Disability Rights Laws](#)
- [ADA - Your Employment Rights as an Individual With a Disability](#)

Hardcopy versions of these documents and other publications concerning the Americans with Disabilities Act can be ordered from the Great Lakes ADA and Accessible IT Center by calling 800-949-4232 (V/TTY) or via our [online contact form](#).

Resource of the Month

The following Federal web sites provide information regarding the rights and responsibilities of individuals and entities covered by the Americans with Disabilities Act:

- [U.S. Department of Justice](#)
- [Equal Employment Opportunity Commission](#)
- [U.S. Department of Transportation](#)
- [U.S. Access Board](#)
- [Federal Communications Commission](#)

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[Great Lakes ADA & Accessible IT Center](#)

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