

# The Americans with Disabilities Act & Its Impact on Civil Rights



James Weisman  
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# James Weisman

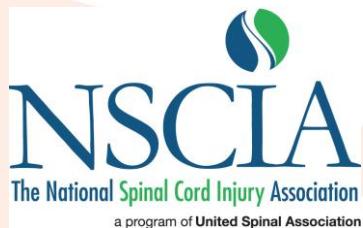
- Disability rights attorney & advocate for over 30 years
- Brought suit against NYC and Philadelphia which resulted in accessible buses, subway stations and paratransit
- Worked on the Americans with Disabilities Act (ADA), its transportation provisions and implementing regulations



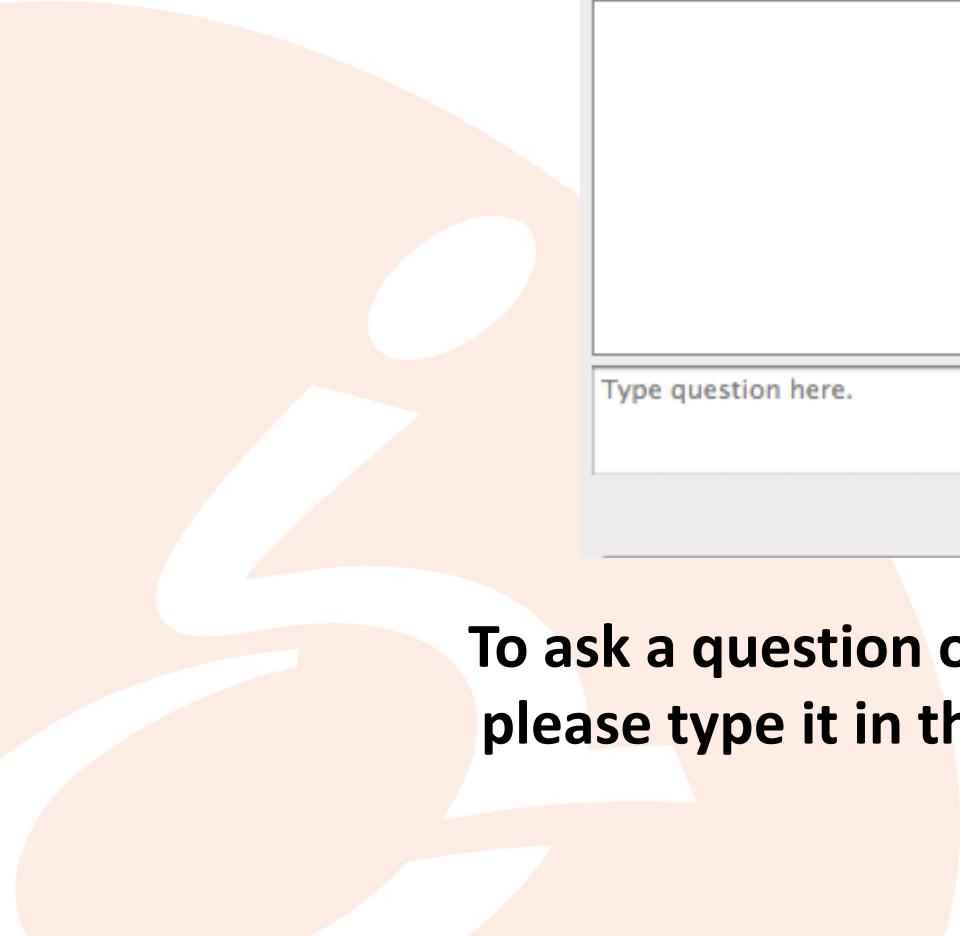
# United Spinal Association

- Founded in 1946 by paralyzed veterans as a regional organization called Eastern Paralyzed Veterans Association (EPVA)
- National organization with 40,000 members and 33 chapters across the United States.
- Recently merged with National Spinal Cord Injury Association (NSCIA) creating the largest organization devoted to improving the lives of people with spinal cord injuries or disorders.

# Programs of United Spinal



# Questions



▼ Questions

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# Americans with Disabilities Act

On July 26, 1990 President George H.W. Bush signed the Americans with Disabilities Act (ADA) into law. The ADA provides civil rights protections to people with disabilities in the following areas:



# **Americans with Disabilities Act**

- Employment
- State and Local Government Services
- Transportation
- Places of Public Accommodation
- Telecommunications Services

# Other Federal Laws Address



- Air Travel
- Housing
- Education

# Today's Webinar

We Will Discuss:

- ❖ ADA goals
- ❖ Were these goals achieved?
- ❖ What is left to be done?
- ❖ Why have some initiatives been successful & others less successful?
- ❖ How to keep younger disabled people active in the disability rights movement

# Understanding the ADA

For a thorough discussion of ADA's requirements see "Understanding the ADA" – a free publication available for download on our website – [www.unitedspinal.org](http://www.unitedspinal.org)



# Our Guests Today



Alexandra McArthur  
*Taproot Foundation*



Quemuel "Q" Arroyo  
*Morgan Stanley*

# An ADA Success

The ADA redefined nondiscrimination.

Until ADA there was no collective consciousness about what disability related discrimination actually was.

Prior to ADA “nondiscrimination” in America meant merely refraining from denying opportunity, excluding, using derogatory terms or otherwise harming protecting classes such as racial and religious minorities.

# An ADA Success

ADA established that the failure to make “reasonable accommodation” is a discriminatory practice – now nondiscrimination requires action, i.e., accommodation not merely refraining from harming people with disabilities, provided such accommodation is reasonable.

# New Construction-Another Success



Perhaps the ADA's most successful provision requires accessibility in **new construction**. People with disabilities expect barrier free design requirements in all local building codes (required by ADA) to be enforced and notice when they are not as do many non-disabled fellow citizens. Barrier free design (at least in new construction) has become a part of the American landscape.



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# **ADA's Biggest Benefit**

- The ADA raised the expectations of people with disabilities about how they will interface with the society in which they live.
- While they may not expect nondiscriminatory treatment all of the time they, at least, can now identify discriminatory practices such as unnecessarily separate facilities, invasive pre-employment questioning about disability and arbitrary denials of opportunity.
- Moreover, the general public also expects the inclusion of people with disabilities into the workplace and societal mainstream.

# **ADA Failure?**

## Employment

**In 1990 about 65% of working age adults with disabilities were unemployed.**

**The percentage in 2013 is approximately the same.**



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# Why?

Since 1975 the Individuals with Disabilities Education Act (IDEA) has required the mainstreaming of children with disabilities to the public school system or appropriate private education at public expense if the disability prevents mainstreaming. Since 1990 the ADA has required reasonable accommodation. Both these laws have made people with disabilities more obvious, more employable, and more mobile.

**Why then 65% unemployment?**



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# **Assimilation**

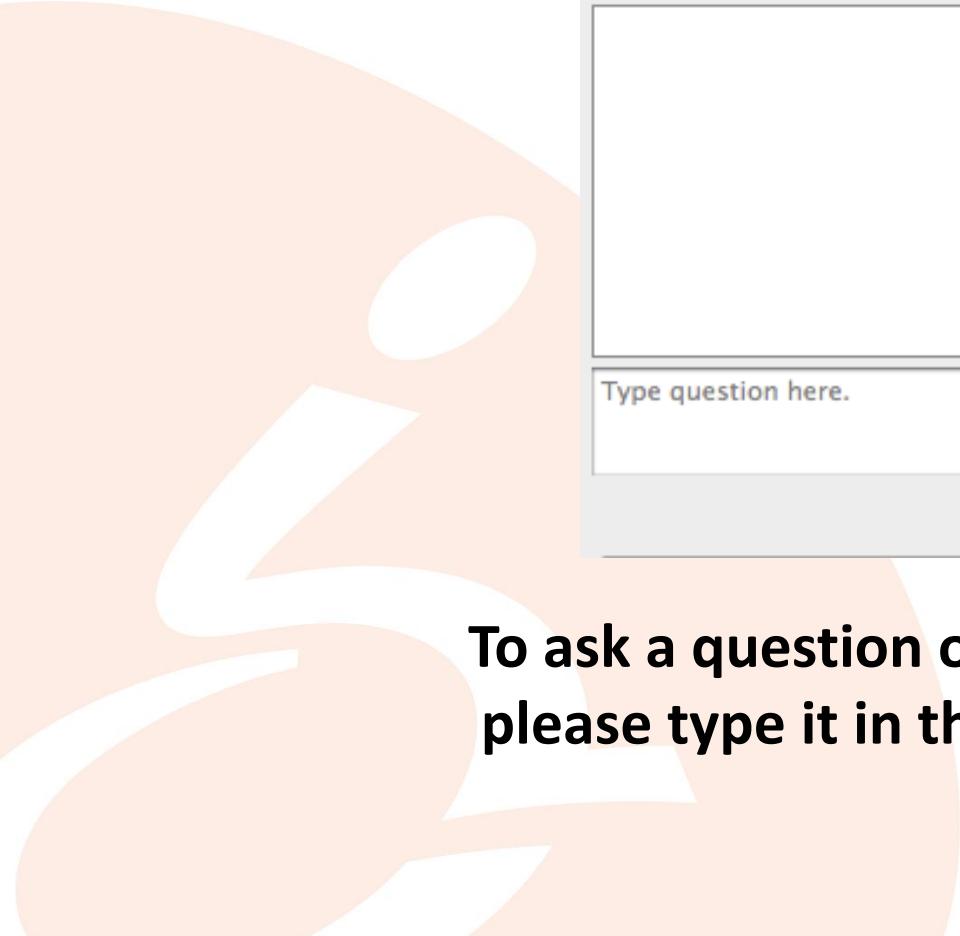
**Assimilation is the goal of the disability rights movement.**

How can we encourage young people with disabilities to assimilate while identifying enough with their disability to try to make changes to benefit others with disabilities?



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# Questions



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# For More Information

Webinar will be available at

**[www.spinalcord.org](http://www.spinalcord.org)**

in the Webinar Archive

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