



Information
and
Guidance
on the
Americans
with
Disabilities
Act

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Access

New England

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Feature Stories



SUPREME COURT LIMITS STATES' EMPLOYMENT OBLIGATIONS

Further restricting Congress' power over the states, the Supreme Court has ruled 5-4 that state workers with disabilities cannot recover damages when filing employment discrimination lawsuits against their employers under Title I of the Americans With Disabilities Act (ADA) of 1990. The ruling limits the scope of ADA and continues a

high court trend in recent years of reducing the power of the federal government over states. The case is Board of Trustees of the University of Alabama v. Garrett, No. 99-1240. <http://www.supremecourtus.gov/opinions/00pdf/99-1240.pdf>.

Patricia Garrett, a former registered

(See **Supreme Court** page 8)

CONNECTICUT SETTLES ADA CASE

Connecticut Attorney General Richard Blumenthal has announced that the state has reached a settlement in Duprey v. Connecticut State Department of Motor Vehicles before the United States District Court.

(See **CT Settlement** page 10)

From Left: Connecticut Attorney General Richard Blumenthal, Michelle Duprey, and attorney Gary Phelan.



This Issue Highlights Regional News

DOJ Enforcement Update



AGREEMENTS REACHED WITH SEVEN COMMUNITIES ENSURING CIVIC ACCESS

The Justice Department has announced agreements with seven communities that will improve access to all aspects of civic life including, courthouses, libraries, polling places, police stations, and parks. These agreements are part of the Department's Project Civic Access initiative.

"Access to civic life is a fundamental part of American society," said Assistant Attorney General Bill Lann Lee. "We call on localities to take this initiative seriously and to use these agreements as models to make their programs fully accessible to all people, including people with disabilities. These important steps should be taken even without a review by the Department."

The seven settlements include Boulder County, Colorado; Fernandina Beach, Florida; Moscow, Idaho; Pella, Iowa; Farmington, Maine; South Orange, New Jersey; and Laramie, Wyoming. Negotiations continue with cities and towns in other states.

Depending on the circumstances in each community, the agreements address specific areas where access can be improved. For instance, the agreements require certain communities to:

- improve access at city and town halls, police and fire stations, sheriff departments, courthouses, teen and senior activities centers, convention centers, libraries, baseball stadiums, parks, pools, band shells, and gazebos;
- alter polling places or provide curbside or absentee balloting;
- upgrade 9-1-1 emergency services for people who are deaf;
- install assistive listening systems in legislative chambers, courtrooms, and municipal auditoriums; and,
- provide delivery systems and time frames for providing auxiliary aids, including sign language interpreters and materials in Braille, large print, or on cassette tapes.

Two informational guides, "Americans with Disabilities Act: A Guide for Small Towns" and "The ADA and City Governments: Common Problems," review the ADA's requirements and offer practical examples of how to comply. They are available on the Department's ADA website at www.usdoj.gov/crt/ada/adahom1.htm and from the New England ADA Technical Assistance Center.

UNITED ARTISTS TO INCREASE ACCESSIBILITY OF STADIUM-STYLE THEATERS

United Artists Theatre Circuit Inc. (UATC) will make its stadium-style theaters more accessible to persons with disabilities under an agreement reached with the Justice

Department and Disability Rights Advocates. Under this agreement, UATC will take significant steps to ensure that the stadium-style seating experience is made available to people in wheelchairs, pursuant to the ADA.

The agreement also requires UATC to complete barrier removal in existing theaters, at a cost of at least \$250,000 per year for five years, and:

- locate wheelchair seating areas so that their vertical viewing angles are in the same range as the best 50 percent of the seats in the house (new theaters only);
- locate all wheelchair seating no closer to the screen than the back of the aisle separating traditional seats from stadium seats, and raising those seats or otherwise providing an unobstructed view;
- locate all wheelchair seats so that their viewing angles are in the same range as the best 60 percent of the seats in the house;

"Now the experience offered to people with disabilities will no longer be second-best, and people in wheelchairs will share the comfortable and enhanced view that other movie patrons take for granted," said Bill Lann Lee, Assistant Attorney General for Civil Rights.

United Artists has more than 1600 screens and more than 200 theaters in 23 states, making it the sixth largest theater chain in the country.

News from the Access Board



ACCESS BOARD AND AIA LAUNCH ON-LINE COURSE

The Board and the American Institute of Architects (AIA) recently unveiled a web-based education course on the ADA Accessibility Guidelines (ADAAG). The course focuses on supplements to ADAAG that cover public sector facilities, including courthouses and prisons, and building elements designed for children's use. The AIA is making this course available on its website to train architects and provide continuing education credits to its members and others. The interactive course includes case studies, discussion of key issues, and multiple choice questions and allows users to download a course workbook and copies of the guidelines. There is an introduction along with three subject area study modules: Judicial, Legislative, and Regulatory Facilities; Detention and Correctional Facilities; and Building Elements Designed for Children's Use.

Users can take any or all of these sections and earn three learning credits per section under the AIA program. The course is available on the AIA website at: www.e-architect.com and a version (without credits) is also available on the Board's website. Further information and associated links are posted at: www.access-board.gov/news/AB-AIAcourse.htm.

ADVISORY COMMITTEE ISSUES PUBLIC RIGHTS-OF-WAY REPORT

On January 10th, the Access Board's Public Rights-of-Way Access Advisory Committee presented its recommendations on accessible public rights-of-way at the annual meeting of the Transportation Research Board. The report, *Building a True Community*, will be used by the Board in developing accessibility guidelines specific to public rights-of-way under the ADA and the Architectural Barriers Act.

The report provides criteria for the design and construction of public rights-of-way that are accessible to people with physical and sensory disabilities. It presents specific language for requirements covering sidewalks, street fixtures and furnishings, street crossings, vehicular ways, and other components of public rights-of-way.

The Board will develop a proposed set of guidelines based on the report and will publish them for public comment. These guidelines, once finalized, will supplement its existing ADA Accessibility Guidelines (ADAAG), which cover the private and state and local government sectors, and guidelines issued under the ABA, which pertain primarily to the Federal sector. The report is available on the Board's website at www.access-board.gov or can be ordered by calling the Board at (800) 872-2253 (v) or (800) 993-2822 (TTY).

Highlights of the Report on Accessible Public Rights-of-Way

Public Sidewalks and Protruding Objects

The report lays out specifications for a "pedestrian access route" within public sidewalks which address the clear width, cross slope, grade, surface, changes in level, and other characteristics. While largely consistent with existing specifications for accessible routes, these criteria also cover constraints and conditions unique to public rights-of-way. There is also a section covering objects that may project into circulation paths in a manner hazardous to people with vision impairments.

Street Fixtures and Furniture

The report provides detailed criteria for street furniture, such as fixed benches and tables, drinking fountains, public telephones, toilet facilities, bus stop shelters, vending machines, and signage. The specifications ensure that these elements are accessible to persons with physical or sensory impairments.

Sidewalk and Street Transitions

Curb ramps or flush landings are specified wherever the pedestrian access route crosses a sidewalk or street transition. The report calls for such access at all corners of an intersection where at least one corner has a public sidewalk to ensure a continuous pedestrian access route. The report includes requirements for detectable warnings.

(See **Access Board** page 11)

Employment Update

EEOC ISSUES CONTINGENT WORKERS GUIDANCE

The U.S. Equal Employment Opportunity Commission (EEOC) issued new enforcement guidance clarifying how the ADA applies to contingent workers - those workers placed in jobs by staffing firms, such as temporary employment agencies or contract firms. The guidance explains that these workers frequently qualify as the employees of both the staffing firm and its client. Therefore, both entities have obligations to contingent workers under the provisions of the ADA.

The Commission previously issued enforcement guidance explaining the general application of the federal employment discrimination laws to contingent work arrangements. ADA, however, contains some unique provisions that raise additional questions not answered in the previous guidance. Written in a user-friendly question-and-answer format, the guidance includes the following points of clarification with regard to contingent workers and the ADA:

- A staffing firm or its client may not ask disability-related questions or require medical examinations until after an offer of employment with a particular client has been made.
- While a staffing firm is generally responsible for providing reasonable accommodations for job applicants, the staffing firm and the client will often both be responsible for providing accommodations needed on the job.

In addition, the guidance includes a detailed discussion of how cost-related undue hardship is determined when both a staffing firm and its client are required to provide reasonable accommodations.

The new guidance, along with the 1997 enforcement guidance entitled Application of EEO Laws to Contingent Workers Placed by Temporary Employment Agencies and Other Staffing Firms, are available at www.eeoc.gov.

EEOC MEDIATION PROGRAM SURVEYED

The overwhelming majority of employers and charging parties participating in the EEOC's National Mediation Program find it to be highly effective, express strong satisfaction with the process, and are willing to participate again if party to a discrimination charge, according to a comprehensive report.

The report, entitled An Evaluation of the EEOC Mediation Program, reveals that 9 out of 10 participants (96% of employers and 91% of charging parties) indicated that they would be willing to participate in EEOC's mediation program again, regardless of the outcome of their mediation session. However, only 31% of employers initially accept mediation when faced with an EEOC charge.

EEOC launched its mediation program in February 1999 and it became fully operational at every agency district office nationwide in

April of that year. Since the implementation, the agency has resolved a cumulative total of over 11,600 private sector charges through the mediation process. In Fiscal Year 2000, 65% of the cases that entered the mediation program were resolved in an average of 97 days – less than half the time it takes to resolve a charge through EEOC's traditional investigative process.

New England ADA Technical Assistance Center Regional Advisory Board

Thanks to the Regional Advisory Board for assisting the New England ADA Technical Assistance Center in its mission.

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News from Around the Region



ADA CENTER EXPANDS EFFORTS



Information Specialist Rachel Tanenhaus

The New England ADA Technical Assistance Center will be bringing you the latest news on accessibility standards for information and communications technology, thanks to a grant from the Georgia Institute of Technology. Along with our usual ADA-related offerings, we will be answering questions and distributing literature on Sections 508 and 255, the rulings pertaining to inclusive design of information technology and communications devices. Section 508 requires that federal and government agencies make their electronic and information technology accessible to people with disabilities. Section 255 mandates the accessibility of telecommunications products, when readily achievable. If you have questions or want to be part of our outreach efforts, please contact Rachel Tanenhaus at (800) 949-4232 (v/tty) or email: rtanenhaus@adaptenv.org.

FEDERAL GRANTS TO THE REGION

New England states will see much needed federal support over the next few years for implementing the Workforce Investment Act (WIA) and Ticket to Work and Work Incentives Improvement Act (TTWWIA). Five out of six New England states received WIA Grants and five states received SSA Grants. All of the New England ADA Technical Assistance Center State Affiliates were partners in the WIA grants; one of our affiliates was a direct WIA Recipient and two affiliates were direct SSA grant recipients. Our State-wide One-Stop Contacts were also directly involved with the WIA grants and the One-Stops will be the target of these grants.

ACCESS EXPRESSED NEW ENGLAND: A CULTURAL ACCESS DIRECTORY

VSA arts affiliates in all six New England states have formed a partnership with the New England ADA Technical Assistance Center to update the popular Massachusetts directory of accessible cultural facilities and programs and expand its reach to the entire region.

The New England ADA Technical Assistance Center has made the Cultural Access Directory the single priority for its fifth annual Incentive Grant Call for Proposals. Six grants of \$3000 each will be awarded; only one grant will be awarded in each state. Winners will be announced in April.

The project expects to enhance physical and program access for people with disabilities to the arts and cultural programs of the region by increasing awareness and providing accurate information about access. A specific group of cultural resources is identified for inclusion in the directory. The selection criteria are based on the capacity to gather the physical and programmatic information and set clear goals, but more importantly the project should attract and train additional people with disabilities to participate in cultural access surveys.

More than 20 organizations and individual partners have committed to surveying the region's cultural facilities for accessibility to people with disabilities. The directory will include information on structural access, assistive listening systems, sign language interpretation, etc., to assist in determining whether a particular museum, concert hall or historic site can accommodate you. The new publication will be ready by the end of 2001.

This effort is part of VSA arts' National Cultural Access Initiative. People who would like to help can attend a training program in their state to learn how to conduct a Cultural Access Survey. As the information is collected it will be available at <http://www.AccessExpressed.net>. You can visit the site now and see hundreds of programs already listed.

(See **Region** page 9)

Frequently Asked Questions



Questions Regarding Contingent Workers

Q: What constitutes an offer of employment to a staffing firm worker?

A: Generally, the offer occurs when the worker receives an assignment with a specific client. A staffing firm's placement of someone on its roster for future consideration does not constitute an offer of employment because typically there is no employment relationship at that point.

Q: Which entity - the staffing firm or its client - has to provide a reasonable accommodation for the application process?

A: Typically, only the staffing firm will have to provide reasonable accommodations for the application process, since no particular client has been identified as a prospective employer. However, when a client sends an applicant to apply for work with it through the staffing firm, both the staffing firm and the client must provide reasonable accommodation for the application process.

Q: Where a staffing firm and its client are joint employers of a staffing firm worker with a disability, which one has to provide reasonable accommodations needed on the job?

A: Both the staffing firm and the client are obligated to provide a reasonable accommodation needed on the job, absent undue hardship, if they have notice of the need for it. The staffing firm and client may wish to set out in their contracts how reasonable accommodations will be provided and who will pay for them.

Q: How should staffing firms and their clients determine cost-related undue hardship?

A: Where the resources of the staffing firm and its client together are insufficient to provide an accommodation without significant expense, both have an undue hardship defense. A staffing firm or client whose resources are insufficient to provide the accommodation also may have an undue hardship defense if it made good faith, but unsuccessful, efforts to have the other entity contribute to the accommodation's cost. Where a staffing firm and its client are both obligated to provide a reasonable accommodation, the entity that refuses to contribute to the accommodation's cost may be liable for failing to provide the accommodation. If the other entity is able to provide the accommodation without undue hardship, it must do so.

Q: What should a staffing firm or client do if providing the accommodation is solely within the control of the other entity, e.g., where the ac-

commodation requires changes to the client's workplace?

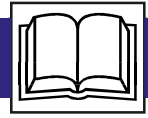
A: Where a staffing firm and its client are joint employers of a staffing firm worker with a disability, one entity may claim undue hardship where providing the accommodation is solely within the other entity's control if it made good faith, but unsuccessful, efforts to obtain the other's cooperation in providing the reasonable accommodation.

Q: How does the ADA apply to administration of pre-employment tests in the contingent work setting?

A: A staffing firm and a client must make reasonable accommodations so that individuals with disabilities can take any tests they administer directly or at the other entity's direction. Also, a staffing firm and its client may not use test results to screen out individuals from employment on the basis of disability, unless use of the test results is job related and consistent with business necessity.

(Source: Questions and Answers: Enforcement Guidance: Application of the ADA to Contingent Workers Placed by Temporary Agencies and Other Staffing Firms, EEOC, www.eeoc.gov.)

Publications



Access Board Guidance Materials on Rights-of-Way:

Accessible Rights-of-Way: A Design Guide.

This 148-page design guide, developed by the Board and FHWA, shows how to apply ADA standards to sidewalks and street crossings and provides recommendations for best practice.

Detectable Warnings: Synthesis of U.S. and International Practice.

A 150-page report that provides a review of research and guidelines on detectable warnings and their use in the U.S. and abroad.

Accessible Pedestrian Signals.

This report provides a synthesis of current technology in accessible pedestrian signals, including a listing of devices and manufacturers.

Accessible Sidewalks: Design Issues for Pedestrians with Disabilities.

A four-part video that highlights common access issues in public rights-of-way.

Available from the Board on its website at www.access-board.gov or by calling (800) 872-2253 (voice) or (800) 993-2822 (TTY).

New publications available from our center

Disability Etiquette: Tips on Interacting with People with Disabilities - 51 pp. booklet, \$1

Bulletin # 7: Access to Telecommunications - 4 pp, no cost

Explains Section 255 of the Telecommunications Act. Section 255 requires telecommunication services and products to be accessible to people with disabilities. Also available online at <http://www.access-board.gov/indexes/pubsindex.htm>

Enforcing the ADA: Looking Back on a Decade of Progress

A Special Tenth Anniversary Status Report from the Department of Justice - 41 pp., no cost

Questions and Answers: Enforcement Guidance: Application of the ADA to Contingent Workers Placed by Temporary Agencies and Other Staffing Firms - \$2 or order from EEOC, 800-669-4000 (v), 800-669-6820 (tty) or download from <http://www.eeoc.gov> at no cost.

Look for the next issue of *Access New England*

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Questions about the ADA? Call us at 1-800-949-4232 V/TTY for answers and guidance.

(Supreme Court from page 1)

nurse at University of Alabama hospital, was diagnosed with breast cancer in 1994. She underwent a lumpectomy, radiation, and chemotherapy, and spent four months away from work. A week after returning to the hospital where she worked for 17 years, Garrett says she was demoted even though she was able to perform her duties.

The Supreme Court ruling reversed a federal appeals court decision allowing Garrett and another state employee, Milton Ash, to sue over alleged bias in their state jobs. Ash, a security guard for the Alabama Department of Youth Services, said his severe asthma was aggravated by the agency's refusal to enforce its no-smoking policy or repair exhaust problems on a vehicle he had to drive. The state of Alabama contested both claims, arguing that the 11th Amendment to the Constitution shields it from lawsuits in federal courts.

Chief Justice William Rehnquist, a champion of states' rights, writes in the majority opinion, "We decide here whether employees of the state of Alabama may recover money damages by reason of the state's failure to comply with the (employment discrimination) provisions of Title I of the Americans With Disabilities Act. We hold that such suits are barred by the 11th Amendment."

Joining Rehnquist were Justices Sandra Day O'Connor, Antonin Scalia, Anthony Kennedy and Clarence Thomas. Dissenting were Justices John Paul Stevens, David

Souter, Ruth Bader Ginsburg and Stephen Breyer.

The central issue of the case is whether certain federal laws can trump states' "sovereign immunity" as established in the 11th Amendment. In general, the amendment prevents suits against state governments from being brought in federal court. There are, however, exceptions. Section 5 of the 14th Amendment grants Congress the power to dissolve states' immunity for the sake of providing equal protection under the law. The Supreme Court has previously ruled that Congress can dissolve the immunity if it "unequivocally expresses its intent" to do so and acts within the reaches of its power.

In the Garrett case, the court was asked to consider whether the statute involved clearly intends to dissolve states' sovereign immunity, and whether the law reflects a valid exercise of congressional power. Rehnquist said examples offered in the case of discrimination by states "fall far short of even suggesting the pattern of unconstitutional discrimination" to justify legislation based on the Constitution's 14th Amendment equal protection guarantee.

"In order to authorize private individuals to recover money damages against the states, there must be a pattern of discrimination by the states...and the remedy imposed by Congress must be congruent and proportional to the targeted violation. Those requirements are not met here," the chief justice said.

Justice Breyer's dissent said Congress had found about 300 examples of discrimination by state governments. "Congress expressly

found substantial unjustified discrimination against persons with disabilities," he said.

It is important to emphasize that the Garrett decision does not exempt state governments from coverage under Title I. It holds that lawsuits under Title I of the ADA for damages against states are unconstitutional. Plaintiffs can still file charges with the EEOC and can file lawsuits to get "injunctive" relief. This means that a court can order a state government to stop discriminating, to hire or promote an individual, to provide reasonable accommodation, etc.

What this means is that the Garrett decision only impacts state employment practices. All other facets of state government activity are unaffected by this opinion. Title II of the ADA, which prohibits discrimination on the basis of disability by public entities, was not affected by this decision and individuals can still sue for injunctive relief and damages under that part of the law.

The Supreme Court explicitly stated in the Garrett ruling, "We are not disposed to decide the constitutional issue whether Title II, which has somewhat different remedial provisions from Title I, is appropriate legislation under Section 5 of the Fourteenth Amendment."

(Sources: "Court Limits Disabilities Law," *Geraldine Sealey*, ABCNEWS.com, February 21, 2001; "Justices Limit Disability Law," *Laurie Asseo*, Associated Press, February 21, 2001; and "States Must Still Comply with the ADA," *Attorney Amy Robertson*, of the law firm Fox & Robertson, by request of the Colorado Cross Disability Coalition.)

(Region from page 5)

To suggest an organization that should be part of the directory or to join the effort yourself contact VSA arts of Massachusetts at (617) 350-7713 (v) or (617) 350-6836 (tty) or leave a message at the website.

PUBLIC SCHOOLS VIDEO NOW AVAILABLE

The ADA and Public Schools: "Access for All" provides an overview of Title II of the Americans with Disabilities Act requirements for public schools. The video addresses the following: relation of ADA to Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act, ADA's administrative requirements, definition of disability, general nondiscrimination requirements, employment, program and facility accessibility, and effective communication.

The video highlights inclusive and integrated school settings with students, teachers, parents and staff from Westport, Framingham, Natick, and Cambridge, Massachusetts. It addresses questions the ADA National Access for Public Schools hotline gets from parents, teachers, school administrators, and everyone who may be struggling with including all children in America's schools.

The \$30 video is accompanied by Briefing Sheets on Administrative Requirements, Program Accessibility, Effective Communication, Employment and Nondiscrimination Requirements and a chart that compares the ADA, Section 504, and the IDEA.

Also available is the Americans with Disabilities Act: A Self-Evaluation Guide for Public Elementary and Secondary Schools, a 278 page book developed by the Office for Civil Rights of the U.S. Department of Education in cooperation with Adaptive Environments, Inc. The video and related materials were funded by the National Institute on Disability and Rehabilitation Research of the U.S. Department of Education.

For order information: adaptive@adaptenv.org or call (800) 893-1225 ex. 28 (v/tty) or www.adaptenv.org/schools/video.asp.

LOW-INTEREST LOAN PROGRAM IN MAINE

The Adaptive Equipment Loan Program (AELP) wants persons with disabilities to know about an innovative program. AELP, which is administered by the Finance Authority of Maine (FAME), was approved by voters in the late 1980s. Teamed with Alpha One, the independent living center in Maine, the AELP board has approved loans totaling more than \$8 million to citizens and to businesses and organizations committed to making Maine more accessible.

The board knows how expensive adaptive equipment – also known as assistive technology – can be. So it has been authorizing AELP interest rates, for nonprofits and businesses and some public agencies as well as individuals, based on the borrower's monthly income and expenses. The low rates make it an affordable alternative to commercial financing. The board will lend up to \$100,000, and

both Alpha One and FAME work quickly to get borrowers their money. A loan of \$2,500 or less may qualify for expedited approval.

Loans may be used for such costs as architect or designer fees. Examples of equipment purchased with the help of an AELP loan include: wheelchairs and scooters, adapted vehicles, home modifications, hearing aids, assistive animals, adapted toys and recreational equipment, specialized computers, and, to make a business, worksite or public facility barrier-free, levered door handles, ramps, power doors and elevators.

For more information, call Alpha One at (800) 640-7200 (v/tty) or, for a business or nonprofit loan, call Cindy Nichols at FAME, (207) 623-3263. If you'd like someone to talk to your business or group about the program, call Dave Griffiths at (207) 345-9835.

ACCESS FOR ALL

A web-based guide for human-resource professionals on how to accommodate individuals with visual and hearing disabilities. Need information about...

- interviewing applicants with a visual or hearing disability
- finding and using a sign language interpreter or a text telephone
- adapting material for large print, Braille, computer disk or audio-cassette

(See **Region** page 11)

(CT Settlement from page 1)

Michelle Duprey, who works for the City of New Haven as Director of Disability Services, had filed a lawsuit in 1996 claiming a \$5 fee for handicap parking placards charged by the Department of Motor Vehicles was an illegal surcharge and a violation of ADA. A U.S. District Court judge ruled in her favor in 1998 and the state stopped charging the fee. The suit later gained class-action status, involving anyone who had paid the surcharge.

The settlement will launch a statewide public awareness campaign to more aggressively enforce handicap parking laws, provide a full-day conference on ADA for employees and people with disabilities to be held at the University of Connecticut School of Law, and support a Disability Rights Legal Clinic at the UCONN School of Law. The settlement also permanently ends the DMV's policy of charging \$5 for five years for handicap placards.

Duprey said the settlement means money will go to "great organizations that can do a significant amount of work on behalf of people with disabilities."

Attorney Gary Phelan of New Haven, who represented Duprey, said the goal of the settlement is to foster education and mediation in disputes involving people with disabilities. Litigation would be considered as a last alternative.

"This action sets a standard for other states with handicap parking fees but also sends a powerful message about our commitment to the rights of the disabled, and it provides real

resources for protecting those rights," Blumenthal continued. "It will raise awareness about the need for access and effective enforcement of current handicap parking laws."

The State of Connecticut will pay the plaintiffs \$100,000 to be distributed as follows:

- \$50,000 to the UCONN School of Law Foundation to support a separate ongoing legal clinic on Disability Rights Law;
- \$25,000 to the Americans With Disabilities Act Coalition of Connecticut, whose mission is to educate and promote compliance with the ADA;
- \$10,000 to the Connecticut Governor's Committee on Employment of People with Disabilities to subsidize the cost of the Connecticut Youth Leadership Forum, held in Storrs each year for children with disabilities;
- \$7,500 to the James W. Cooper Connecticut Bar Foundation to address the variety of legal issues relating to persons with disabilities;
- \$5,000 to the UCONN School of Law to subsidize expenses for a full-day conference on ADA for employees and people with disabilities to be held at the UCONN School of Law. Any funds not used for the conference will go to the Disability Law Clinic; and
- \$2,500 to plaintiff Michelle Duprey.

Also included in the settlement are \$120,000 for lawyer fees.

(Source: "Suit Gains \$100,000 for State Disability Awareness," *New Haven Register*, JoAnne Viviano, February 02, 2001.)

Access New England is published quarterly by the New England ADA Technical Assistance Center. The center is one of ten Regional Disability and Business Technical Assistance Centers funded by the National Institute on Disability and Rehabilitation Research (NIDRR) to provide information, materials and technical assistance to individuals and entities that are covered by the Americans with Disabilities Act (ADA). However, please be aware the NIDRR is not responsible for enforcement of the ADA. The information, materials and/or technical assistance are intended solely as informal guidance and are neither a determination of your legal responsibilities under the Act, nor binding on any agency with enforcement responsibility under the ADA.

Access New England is available in large print, Braille, audio cassette, and computer disk upon request.

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Pedestrian Street Crossings

Detailed specifications for street crossings cover a variety of elements, including signal push buttons, pedestrian signals, crossing times, traffic islands, pedestrian overpasses and underpasses, roundabouts, and intersection turn lanes.

Vehicular Ways and Facilities

Scoping and technical provisions are provided for on-street parking, including parallel and angled spaces. The report also covers parking meters, including the height and operating characteristics of controls, passenger loading zones, and emergency call boxes.

(Sources: *Access Currents*, Volume 6, No. 5, September/October 2000 and Volume 7, No. 1, January/February 2000.)

(Region from page 9)

- etiquette in dealing with individuals with a visual or hearing disability
- how well employees with visual or hearing disabilities can do their jobs

- ways to accommodate employees with a disability
- a survey of human resource professionals
- links to a number of other helpful websites

Find the guide at:
www.ilr.cornell.edu/ped/accessforall

For more information, contact the Program on Employment and Disability, Cornell University, (607) 255-7727(v), (607) 255-2891 (tty), ILR_PED@cornell.edu, www.ilr.cornell.edu/ped. Funded by the National Institute on Disability and Rehabilitation Research.

Great Web Sites



<http://www.usdoj.gov/> Department of Justice

The U.S. Department of Justice website has been redesigned. The Disabilities Section is <http://www.usdoj.gov/disabilities.htm>.

The Discrimination section is <http://www.usdoj.gov/discrimination.htm>.

The Disability Rights Section of the Office for Civil Rights is <http://www.usdoj.gov/crt/drs/drshome.htm>.

NOTE: The ADA Home Page may still be accessed at <http://www.usdoj.gov/crt/ada/adahom1.htm>.

<http://www.pta.org> National PTA Outreach To Parents With Disabilities

The National PTA wants success stories from parents with disabilities who have been involved in their children's school and education. National PTA seeks tips to help other parents with disabilities get involved in their children's education. National PTA would also like to know about the barriers parents with disabilities encountered trying to get involved with teachers, local parent groups, or school activities, and how parents overcame those barriers. Send success stories and ideas to info@pta.org.

<http://www.hud.gov/fhe/fheacss.html> HUD

HUD launched a new website to better explain the rights of people with disabilities who are seeking housing, and the responsibilities of those who house them. This site provides a wealth of practical information about Section 504 of the Rehabilitation Act of 1973.

Adaptive Environments

374 Congress Street
Suite 301
Boston, MA 02210

NON-PROFIT ORG.
U.S. POSTAGE
PAID
PERMIT NO.
52484
BOSTON, MA

New England

ADA
Technical
Assistance
Center



Access New England

Spring 2001

Events/Announcements



Community Access Monitor Trainings

ADA and MAAB Regulations

April 17-18, Bourne, MA

May 16-17, Andover, MA

June 6-7, Dedham, MA

September 25-26, Worcester, MA

October 24-25, Abington, MA

November 13-14, Cambridge, MA

Contact: Myra Berloff

Mass. Office on Disability

617-727-7440 (v/tty) or email:

myra.berloff@modi.state.ma.us

The Child's Right to Play: A Global Perspective

May 3-5

Sponsored by Hofstra University Cultural

Center and the American Association

for the Child's Right to Play.

Contact: Athelene Collins-Prince

Hofstra University

(516) 463-5669 or email:

HOFULCTR@Hofstra.edu

ADA - The Next Generation (Employment)

May 15 - all day

Bridgeport, CT

Hidden Disabilities in the Workplace

May 22 - morning

July 19 - morning

Hartford, CT

ADA - How Reasonable is Reasonable Accommodation

June 19 - morning

Bridgeport, CT

Contact: Suzanne Liquerman

Department of Administrative Services

860-713-5057 or email:

Suzanne.Liquerman@po.state.ct.us

Maine Municipal Association ADA Conferences

Employment, administrative issues,

program access, structural changes,

technology access

May 1 - all day, Augusta, ME

May 2 - all day, Bangor, ME

May 3 - all day, Scarborough, ME

Contact: Antoinette Mancusi, Maine Municipal Association

207-623-8428 or email:

amancusi@memun.org

Job Accommodations for People with Disabilities

May 1 - all day

Worcester, MA

Contact: Evelyn Reyes

Institute for Community Inclusion

617-355-5371 or email:

reyes_e@tch.harvard.edu

Justice for People with Disabilities: Issues/Resources/Solutions

September 20 - all day

Shrewsbury, MA

Contact: Pat Freedman - Pike Institute

617-353-2904 or email: pfreedma@bu.edu

Abilities Expo

September 21-23

Boston, MA

Bayside Expo Center

Contact: Advanstar at (203) 882-1300 or

abilities@advanstar.com

Their website is [http://](http://www.abilitiesexpo.com)

www.abilitiesexpo.com