

What's Disability Got To Do With It?

NASCO Institute 2014 - Layla Oghabian

Independent Living Movement

Fundamental principle that people with disabilities are entitled to the same civil rights, options and control over choices in their own lives as people without disabilities.

Deinstitutionalize

- People with developmental disabilities should and could live in the most "normal" setting possible if they are to be expected to behave "normally."
- People with disabilities have previously been warehoused for lack of "better" alternatives.

Civil Rights Movement of 1960s for African Americans

- Basic issues -- disgraceful treatment as a result of bigotry and mistaken stereotypes in housing, education, transportation, and employment -- and their strategies and tactics are very similar
- People could achieve lawful rights as a class.

Self-help and peer support

- People with similar disabilities are believed to be more likely to assist and to understand each other than individuals who do not share experience with similar disability.

The Demedicalization Movement

- Shift away from the power-based, authoritarian medical model to a paradigm of individual empowerment and responsibility for owning, defining and meeting one's own needs

Consumerism

- Consumers have control over the choices and options of goods and services available to them.

Shift in Models

The Independent Living paradigm locates problems or "deficiencies" in the society, not the individual. People with disabilities no longer saw themselves as broken or sick, certainly not in need of repair. Such issues as social and attitudinal barriers were the real problems facing people with disabilities. Solutions could be found in changing and "fixing" society, not people with disabilities. Most important, decisions must be made by the individual, not by the medical or rehabilitation professional.

U.S. Federal Laws & Regulations

Americans With Disabilities Act (ADA)

- Prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

Individuals with Disabilities Education Act (IDEA)

- Requires public schools to make available to all eligible children with disabilities a free appropriate public education in the least restrictive environment appropriate to their individual needs.

Rehabilitation Act

- Prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors

Telecommunications Act

- Requires manufacturers of telecommunications equipment and providers of telecommunications services to ensure that such equipment and services are accessible to and usable by persons with disabilities, if readily achievable.

Canadian Laws & Regulations

Charter of Rights and Freedoms

- Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination.
- The Charter does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because

Human Rights Act

- All individuals should have an equal opportunity to make for themselves the lives that they are able and wish to have, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices.

Employment Equity Act

- Looks to achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and, in the fulfilment of that goal, to correct the conditions of disadvantage in employmentby giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and the accommodation of differences.

Ratified U.N. Convention of Rights of People with Disabilities (CRPD)

- Elaborates in detail the rights of persons with disabilities and sets out a code of implementation

It's not a legal excuse that:

1. "The building is very old" - Readily achievable access must still be provided
2. "No renovation has been done" - Access must still be provided
3. "It's a historical landmark" - Most historic landmarks must be accessible
4. "The building department gave a permit" - Not a legal excuse
5. "We were grandfathered in" - No such exception exists in the law
6. "We'll help you up the stairs steps or offer a temporary ramp" - This is not a substitute for legally required structural access
7. "We're just an office building" - Most offices must be accessible
8. "Wheelchair users don't come here" - Why would they if it is not accessible?
9. "We don't own the building" - Access requirements apply to owners, lessees and operators
10. "We don't have room to build a ramp" - Only a trained expert can determine this
11. "We have a back entrance" - A primary entrance usually must be accessible
12. "Access costs too much" - Access brings in business and often costs less than you think

Common Barriers

Architectural Barriers

- Are features of buildings or spaces that cause problems for people with disabilities.

Attitudinal Barriers

- Those attitudes and preconceptions that discriminate against people with disabilities.

Communication Barriers

- Occur when a person can't easily understand information presented to them.

Technology Barriers

- Occur when a technology hasn't been modified to support various assistive devices.

Organizational Barriers

- Are an organization's policies, practices or procedures that discriminate against PWD.



Description: Woman in a wheelchair outside of NY courthouse looking down at street because there is no curb cut at the crosswalk for her to cross the street.

For Example

Identify the type of barrier:

- Education Accommodation (note takers, extended time, wheelchair access, etc.)
- Health Care
- Public Transportation
- Denial of access to service animals
- Voting Access
- Emergency Preparedness
- Inaccessible Kiosks and Touch Screen (Redbox, Solohealth, ATMs, ridecharge, etc)
- Film and Broadcasting (closed captioning, audio description, assisted listening devices)
- Inaccessible Sidewalks

DREDF Healthcare Stories - [Frances Delotch](#) was being interviewed at the Boston Center for Independent Living. Frances Deloatch was a wheelchair user who lived in the Boston, Massachusetts area. She had Osteogenesis imperfecta (brittle bone disease) and a hearing impairment. Fran passed away in April 2012.

Identifying Barriers in Your Co-op

Do you have members with disabilities (visible or invisible)?

What accommodations does your coop provide for those members?

Where does your co-op fall short of providing accommodations?

Group Discussion

What did you discuss in your groups?

What is the general attitude towards disability access?

Does your Cooperative have accessible:

Elevator? Ramp? Bars? Entrances? Aisleways? Alarms?

Restrooms? Bedrooms? Mental health services?

Alternative accessible formats for written material?

Anonymity for those interested in preserving it? Etc.?

Resources

[Disability Rights Advocates \(DRA\)](#)

[Disability Rights Education Defense Fund \(DREDF\)](#)

[National Federation of the Blind \(NFB\)](#)

[American Council of the Blind \(ACB\)](#)

[United Spinal Association](#)

[Independent Living Research Utilization \(ILRU\)](#)

- Independent Living Center (ILC)

Work Cited

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