

DISABILITY

RIGHTS

MOVEMENT

31

The Fight

for Human

RIGHTS

Continues....

The ADA was passed to stop injustice and protect basic human rights.

Discrimination happens:

It was five degrees below zero and I was getting on the school bus as a wheelchair-user for the very first time. My neck brace was freshly off and I was in my squeaky new E&J chair, being sent back to high school.

I had missed the first three months of ninth grade because of a spinal cord injury. As a gawky 14-year-old stuck in a power wheelchair, feeling like an alien, worried my peers would reject me, yeah, I was deathly afraid of going back. And after getting on the bus that morning is when I experienced my first taste of hate because I was disabled. It was the bad kid with bad parents and he always had something to say.

It happened after everyone had to wait for what seemed like an eternity while I got strapped in. After the bus driver left, the kid turned around, looked right at me and said, "You're a retard and you should ride the retard bus." I broke down into tears. He just looked away and no one near us said a word (even though everyone heard had what he said). I knew right then life was going to be different.

-Tiffany Carlson, The Mobility Resource

But now there is a law to try and make things better

# A law to try and stop this

Clothing retailer Abercrombie & Fitch has been accused of "hiding" a sales assistant in a stockroom at a London outlet because her prosthetic arm didn't fit with its "look policy", a tribunal has heard.

Riam Dean, a 22-year-old law student from Greenford, west London, claims she was removed from the shop floor at the company's Savile Row branch when management became aware of her disability.

Dean, who was born without her left forearm and has worn a prosthetic limb since she was three months old, is suing for disability discrimination after she was left "personally diminished [and] humiliated" when she refused to remove her cardigan at work last summer.

"I knew then that I was being treated different and unfairly because of my disability. Her words pierced right through the armour of 20 years of building up personal confidence about me as a person, and that I am much more than a girl with only one arm ... "

Dean said the "look policy" was inconsistent: "Having visible tattoos breaks the 'look policy' and yet I've seen a worker with a tribal arm tattoo which is very noticeable and yet Abercrombie allowed him to work on the shop floor. Clearly their reasoning goes far deeper and I'm sure it's not the cardigan which breaks the look policy, it's the disabled label which does," she said.

She added: "I am born with a character trait I am unable to change, thus to be singled out for a minor aesthetic 'flaw' made me question my worth as a human being.

-The guardian  
Helen Pidel

1 in 5

Have a disability



Therefore 1 in 5  
face barriers every  
single day

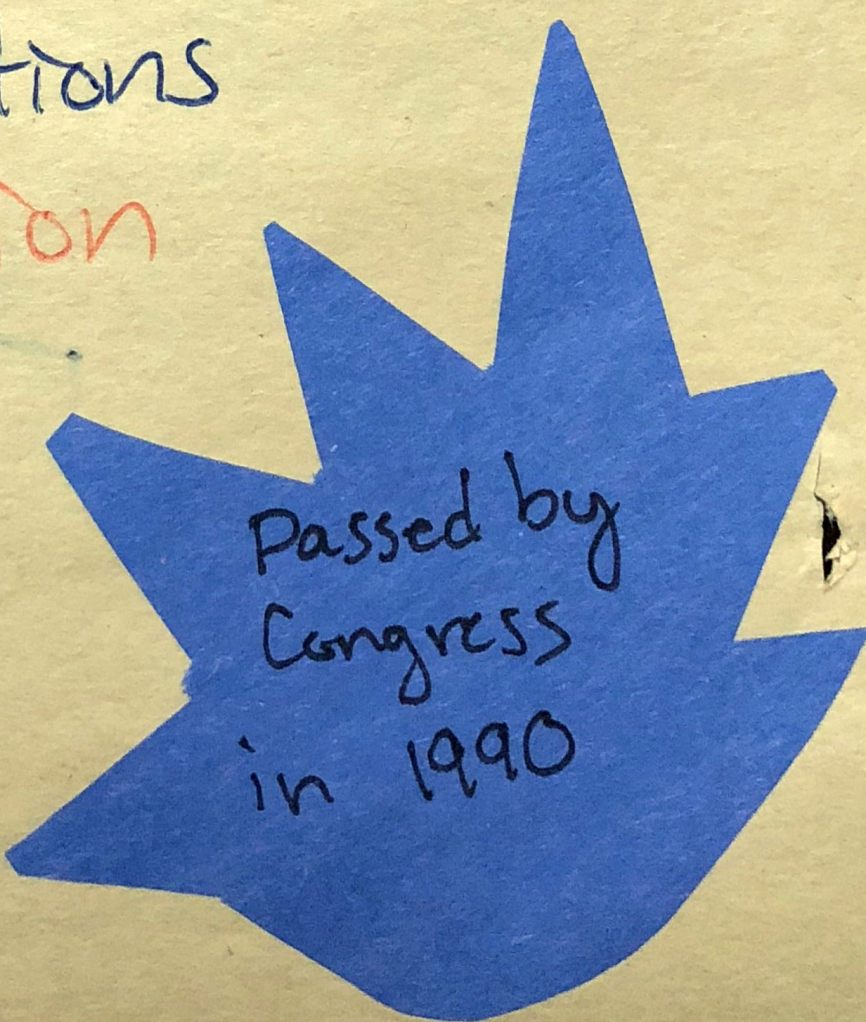


# A D A

Americans with Disabilities Act  
is a civil rights law  
that

Prohibits Discrimination in:

- State & local government services
- Places of public accommodation
- Employment
- Telecommunications
- Transportation



Passed by  
Congress  
in 1990

# WHAT IS A DISABILITY

Blindness

Digestive

Neurological

Epilepsy

Diabetes

Cardiovascular

Paralysis

Migraines

Immune

Skin

Loss of  
body  
parts

Heart disease

Deaf

Musculoskeletal

Alcoholism

Depression

Respiratory

Circulatory

Tuberculosis

Asthma

Cancer

Orthopedic Impairments

\* To name just a few \* 4

# LAWSUITS

Filed by the non profit corporation  
Disability Rights Advocates

## DISABILITY RIGHTS

Date Settled: 11/24/2015 Status: Settled

On behalf of several blind individuals, DRA demanded that Caltrain address the access barriers that the Clipper Card system at Caltrain stations presented to blind and low-vision passengers, such as: (1) fare gates that were difficult to locate, (2) confusing audio tones that emitted from the gates, and (3) the inability for blind and visually impaired passengers to calculate their Clipper Card balances. Without the need for litigation, the Metropolitan Transportation Commission ("MTC") and the Peninsula Corridor Joint Powers Board ("JPB") (collectively, "Caltrain") signed a settlement in which they agreed to improve the accessibility of the Clipper Card system at Caltrain stations. In accordance with the settlement, Caltrain will modify its fare gates to emit audible sounds in order to assist blind riders in locating the fare gates. Furthermore, Caltrain will modify its existing Tagging Tones to communicate to blind or low-vision passengers their successful entry or exit through a fare gate, as well as any error or low-balance on their Clipper Cards.



Date Filed: 07/19/2016 Status: Active

DRA filed this lawsuit to challenge a nationwide, antiquated U.S. Army policy that prohibits staff in its Child, Youth and School Services ("CYSS") programs from administering critical medications and providing vital support to children with diabetes in their care. As long as the policy is in place, children with diabetes cannot participate safely in Army CYSS programs and, as such, are excluded from all daycare services, in-home child care services, programs for students and teens, summer camps, and youth sports programs on military bases throughout the country. This exclusion of children with diabetes violates the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in federal government programs.

The lawsuit is brought by the American Diabetes Association and a child, referred to in the lawsuit as M.W., who is unable to participate in CYSS's after-school programming at the Presidio of Monterey because of her diabetes. M.W. was forced to leave her CYSS program after she was diagnosed with type 1 diabetes at the age of five. Because the U.S. Army forbids CYSS staff members from assisting M.W. with blood glucose monitoring and administering insulin, or even providing a rescue medication called glucagon in an emergency, CYSS no longer offers a safe environment for M.W. and she is effectively excluded from the program. Plaintiffs are represented by Disability Rights Advocates ("DRA"), a leading national nonprofit legal center.

Mary-Lee Smith, Director of Litigation at DRA, explained, "This discriminatory policy provides little choice for parents who are effectively forced to pull their children out of the U.S. Army's high-quality programs or face jeopardizing their lives. The policy illegally excludes children with diabetes entirely because of a disability, and must come to an immediate end."

"Schools, daycares, summer camps, and after school programs across the country welcome children with diabetes and give them the support they need to participate on an equal basis," said Rebecca Williford, Senior Staff Attorney at DRA. "It is appalling that the Army is so behind the times, especially because so many military families have no alternative to the CYSS care provided on their bases."

The ADA was a huge first step for the Disability Rights Movement in Law, but it was only one step. There is still so much to fix, as with many other human rights movements. Be aware of what you say and do. Remember people are people and everyone deserves the pursuit of life, liberty, and happiness. Stand up for those who can't and stand with those who can.

Together we can  
make change  
happen!!

Same

Fight

Different

Difference

Feminism

LGBTQ

Civil  
Rights

