



Disability Rights online News

U.S. Department of Justice
Civil Rights Division

August 2006
Issue Fourteen

Disability Rights Online News

is a bi-monthly update about the Civil Rights Division's activities in the area of disability rights. The Division enforces laws prohibiting discrimination based on disability in employment, housing, access to businesses serving the public, access to government programs and services, including voting and public transportation, and unconstitutional conditions in institutions of confinement.

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TESTMASTERS AGREES TO PROVIDE SIGN LANGUAGE INTERPRETERS AND OTHER SERVICES WHEN NEEDED

TestMasters, one of the largest nationwide providers of preparatory courses for the Law School Admissions Test (LSAT) and other secondary and post-secondary admissions tests, has agreed to provide effective communication for people with disabilities. On June 7, 2006, the Department filed a complaint and proposed consent order in federal court in Los Angeles alleging that TestMasters had violated the ADA by refusing to provide auxiliary aids and services to a deaf student who registered for its LSAT review course. The consent order was signed and entered on June 21, 2006.

The decree resolves a complaint filed by the student whose request for a sign language interpreter was denied. TestMasters offered to allow the student to bring his own sign language

(Continued on Page 2)

PENNSYLVANIA TOWN REVISES ITS RETURN-TO-WORK POLICY

On June 29, 2006, the federal court in Philadelphia signed a consent decree resolving the Department's lawsuit against Bern Township, Pennsylvania, alleging that the Township had violated title I of the ADA by refusing to allow an employee to return to work following a stroke and by refusing to discuss or consider a reasonable accommodation for him. This case involved Marvin Gilmer, a 27-year veteran of the Township's road crew. After a stroke that substantially limited his ability to perform manual tasks, care for himself, talk, and work, Mr. Gilmer underwent therapy and eventually regained most of his strength and ability to talk. However, citing a provision in its collective bargaining agreement, the Township refused

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(Pennsylvania Town, continued)

to allow him to return to work without a full release from his physician. Eventually, the Township terminated Mr. Gilmer rather than provide a reasonable accommodation that would have enabled him to return to work.

Under the decree, Bern Township paid Mr. Gilmer \$75,000 in back pay and compensatory damages, abandoned its practice of requiring employees returning from sick leave to provide a full release from a doctor, and created a reasonable accommodation policy.

DEPARTMENT REITERATES ITS POSITION ON LINE-OF-SIGHT OVER STANDING SPECTATORS

On June 8, 2006, at the court's request, the Department filed a brief as amicus curiae in a private case pending in federal court in Los Angeles. The central issue in Miller v. The California Speedway Corp. is whether, under section 4.33.3 of the Department's ADA Standards for Accessible Design, patrons who use wheelchairs must be provided with unobstructed lines of sight over standing spectators in order to see the NASCAR races and other motor sports events held at the racetrack.

In a series of cases in the late 1990s, the Department took the position that section 4.33.3's "lines of sight comparable" language mandates that public accommodations provide patrons who use wheelchairs with comparable lines of sight over standing spectators at facilities where spectators can be expected to stand during games or events. The Miller case is the first case since that time in which the Department has had an opportunity to reaffirm its position.

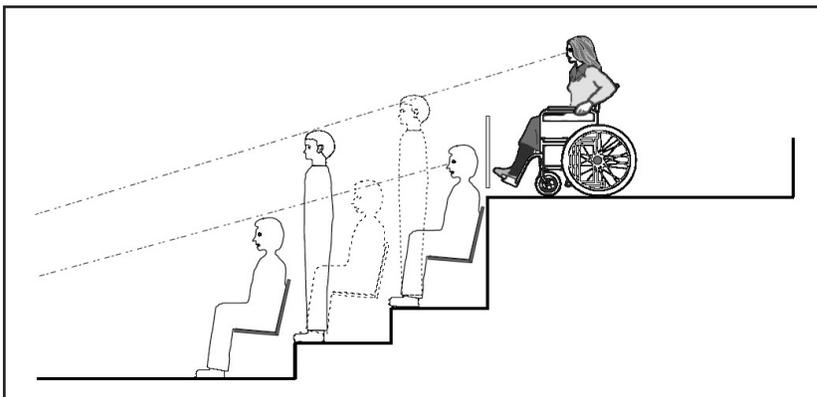


Figure Showing Comparable Line of Sight for Wheelchair Seating Location

(TestMasters, continued)

interpreter to the classes without charging the student for an extra seat in the classes, but refused to provide a sign language interpreter or other auxiliary aids and services at its own expense. After the student referred Testmasters to DOJ technical assistance materials explaining the company's obligations under the ADA, Testmasters cancelled his registration for the review class and refunded his money.

The decree requires TestMasters to (1) admit the complainant into the LSAT preparatory course of his choosing free of charge and provide sign language interpreters and notetakers at TestMasters' expense; (2) adopt, implement, and post a policy of nondiscrimination; (3) establish a procedure for students to request accommodations; (4) train its employees annually on their obligations under title III of the ADA; and (5) pay the complainant \$20,000 in monetary damages and the United States \$10,000 in civil penalties.

"We commend TestMasters for taking steps to ensure that people who are deaf or hard of hearing have the same opportunity as others to gain admission to colleges and graduate schools," said Wan J. Kim, Assistant Attorney General for the Civil Rights Division.

YOUTH BASEBALL LEAGUE ALLOWS PARENT TO PROVIDE SIGN LANGUAGE INTERPRETING FOR DEAF SON

The Department has been investigating allegations that PONY Baseball, Inc. (PONY), a youth baseball league in Hilo, Hawaii, has violated the ADA by refusing to allow the father of a player who is deaf to provide sign language interpreting for his son during tournament games. PONY's rules limit the number of coaches in the game and the league has ruled that the father, who is only providing sign language interpreting, must be included in the total number of coaches for his son's team.

Settlement negotiations focused initially on a state tournament scheduled to begin June 30, 2006. On June 20, 2006, PONY signed a letter agreement permitting one of the player's parents to interpret during that tournament. Negotiations are continuing with PONY on remaining settlement terms.

CHAIN OF MINNESOTA GAS STATIONS AND CONVENIENCE STORES WILL ELIMINATE ACCESS BARRIERS

The Twin Cities Avanti Stores, LLC, of Minneapolis, doing business as Oasis Markets, entered into a settlement agreement with the Department on July 10, 2006, resolving a complaint filed by a local independent living center charging that Oasis Market convenience stores and gas stations were not accessible to people with disabilities, including people who use wheelchairs.

Under the terms of the agreement, barriers in 22 gas station and convenience stores in Minnesota will be removed. Within one year, all parking and external store access remodeling will be completed; within two years all store counters and internal store access remodeling will be completed; and within four years all bathrooms will be remodeled in accordance with the ADA Standards for Accessible Design. In addition, employees of Oasis Markets will be trained to provide refueling assistance to people with disabilities who request such assistance as required by the ADA.

LAW OFFICE WILL PROVIDE SIGN LANGUAGE INTERPRETERS AS NEEDED

The law office of Cohen and Jaffe, LLC, in New York entered into a settlement agreement with the Department on July 3, 2006, resolving a complaint that the firm had failed to provide a qualified sign language interpreter for a client who is deaf as she prepared for deposition testimony and for other settlement and legal discussions. The firm used the complainant's mother, who is not a qualified interpreter, to interpret for her daughter, in violation of the requirements of the ADA.

Under the terms of the agreement, the law firm agreed to provide qualified sign language interpreters for clients who are deaf, to post a notice in their offices prominently stating their responsibilities under the ADA, to not pass along the costs of appropriate auxiliary aids and services to clients with disabilities, and to compensate the complainant \$7,000.

TWO RESTAURANTS AGREE TO WELCOME SERVICE ANIMALS

The owner of the Kentucky Fried Chicken (KFC) restaurant in Dayton, Tennessee, signed a settlement agreement with the Department on May 11, 2006, resolving a complaint by a woman who is legally blind who alleged that KFC staff had told her repeatedly to leave the premises because she was accompanied by a service animal. KFC agreed to adopt, maintain, and enforce a policy on the treatment of customers using service animals, to provide a copy of the policy to all employees, to provide training on the policy to all current employees, and to incorporate this training into its regular training programs and repeat it for new KFC employees. In addition, KFC posted a sign on its entry door that reads “KFC Always Welcomes Customers with Service Animals” and provided the complainant \$5,000 in compensation.

In Newport News, Virginia, the owner of the Historic Hilton Village Parlor Restaurant signed a settlement agreement with the Department on June 1, 2006, resolving a complaint that the restaurant had refused to allow the complainant’s service animal in the restaurant. As part of the agreement, the owner has now posted a sign on the front door of her restaurant welcoming customers with service animals and has agreed to adopt and distribute to all restaurant employees a new policy regarding service animals for customers with disabilities, which is an attachment to the settlement agreement.

MILWAUKEE RIVERWALK WILL BE MADE ACCESSIBLE

The City of Milwaukee, the County of Milwaukee, and a Milwaukee Business Improvement District (BID) entered into a settlement agreement with the Department on July 11, 2006, resolving access concerns at the Milwaukee Riverwalk, a public walkway along the Milwaukee River which was developed by the City of Milwaukee and local property owners, acting through the BID.

Under the agreement, the City, County, and BID have agreed to: 1) construct and install ramps, walkways, or lifts in several locations to ensure that the Riverwalk is readily accessible to and usable by people with mobility disabilities; 2) modify,

Did you know...

The ADA Technical Assistance CD-ROM contains a complete collection of the Department’s ADA regulations and technical assistance publications. The CD-ROM can be ordered from the ADA website at www.ada.gov or the ADA Information Line at 800-514-0301 (voice) or 800-514-0383 (TTY).

replace, or install handrails in appropriate locations; 3) modify built up curb ramps by grinding down the surface in two locations; 4) construct an accessible walkway from a parking lot to an existing accessible ramp; and 5) remove existing ramps and install new gangways to floating docks in three locations.

Because a small part of the Riverwalk is located in a different Business Improvement District, the BID for that area has also agreed to install continuous handrails along the sloped walkway to the Riverwalk located in its territory.

THREE HOSPITALS WILL PROVIDE EFFECTIVE COMMUNICATION FOR PEOPLE WHO ARE DEAF OR HARD OF HEARING

The most frequent complaint the Department receives against hospitals under the ADA is the failure to provide appropriate aids and services needed to communicate effectively with people who use sign language as their primary means of communication. The following cases are the Department's most recent activities to address this problem.

Laurel Regional Hospital in Laurel, Maryland, signed a consent decree on July 14, 2006, with the Department and private plaintiffs resolving a case involving seven people who alleged that the hospital had failed to provide them with appropriate auxiliary aids or services to ensure effective communication with them in the emergency department or during their hospitalizations. This case is different from other hospital cases the Department has participated in previously; in this case, the hospital already had the capability of providing sign language interpreters through a video interpreting service, but when the individuals asked for interpreting services, the hospital either used those services ineffectively or used ineffective or inappropriate alternatives such as paper and pen, lipreading, gesturing, or family members or companions to communicate. The hospital has now installed an enhanced video interpreting system that meets performance standards set forth in the decree.

The South Florida Baptist Hospital in Plant City, Florida, signed an agreement on May 5, 2006, resolving two complaints. One involved a man who alleged that the hospital failed to provide a sign language interpreter prior to his surgery or for post-surgical wound care instructions. The second involved the daughter of the patient who alleged that she was forced into the role of sign

language interpreter to facilitate communication between her father and the Hospital's medical personnel. The hospital has agreed to establish a program to provide appropriate auxiliary aids and services, including sign language interpreters, when needed and to provide visual alarms, captioning and decoders for televisions, and TTYs in patient rooms and all public areas of the hospital.

The McLeod Regional Medical Center in Florence, South Carolina, signed an agreement on July 10, 2006, resolving three complaints against the hospital for failing to secure qualified interpreters when necessary to ensure effective communication with patients who use sign language for communication.

JUVENILE JUSTICE FACILITIES IN 7 STATES WILL PROVIDE EFFECTIVE COMMUNICATION FOR YOUTH WHO ARE DEAF OR HARD OF HEARING

On July 11, 2006, the Department filed a case in federal court in Maryland against Youth Services International (YSI) for failing to provide the auxiliary aids and services needed for effective communication for youth who are deaf or hard of hearing in its facilities. YSI operates juvenile justice facilities and programs in Florida, Georgia, South Dakota, Rhode Island, Tennessee, Iowa, and Minnesota.

The case stems from a complaint from a juvenile who is deaf who alleged that during a 13-month stay at a YSI-operated facility he was permitted only limited access to a sign language interpreter. This lack of access largely prevented him from participating in rehabilitation, counseling, and other social and educational programs offered at the facility. In addition, even when provided an interpreter, he was subjected to segregated housing and limited opportunities for participation in programs. The case has been resolved by a settlement agreement.

RENO DEVELOPER PAYS \$113,250 IN DAMAGES TO 12 PEOPLE WITH DISABILITIES

In June 2006, the Department delivered \$113,250 in checks from a housing developer to 12 present and past residents with disabilities of two apartment complexes in suburbs outside Reno, Nevada, as compensation for the inaccessibility they encountered while living there. The payments, ranging from \$2,500 to \$23,500, are part of the relief the Department obtained in a design and construction lawsuit under the Fair Housing Act that was resolved by a consent order last year, Silver State Fair Housing Council and United States of America v. ERGS, Inc., et al. (July 12, 2005).

The consent order established a \$150,000 settlement fund and provided a six-month period for the Department to locate individuals who were harmed by the inaccessible features at the apartments. After investigating and interviewing potential claimants, the Department submitted its preliminary damages determinations for each individual to the developer, who settled for a lump sum that was then distributed based on the nature, severity, and duration of the harm each individual sustained.

The person who received \$23,500 is a man with paraplegia who has lived for three years at one of the complexes. After he requested a ramp at the steps outside his home, the property management firm installed a wooden ramp so steep that it could barely be navigated, for a charge of \$300. It also had a one-inch lip at the base and handrails so high they were out of reach. The resident did not ask the management to modify the ramp for fear of being charged again. Last fall, this individual fell out of his wheelchair going down the ramp and injured his right hip.

In addition to the payment of damages to aggrieved persons, the consent order requires accessibility improvements to the apartment

units and the complexes' common areas at an estimated cost of \$1.67 million. The agreement also provided \$27,500 in damages for the Silver State Fair Housing Council, which initially filed the lawsuit, awarded \$250,000 to reimburse its attorney's fees and litigation expenses, and required the payment of a \$30,000 civil penalty.

FORMER OWNER AND MANAGER OF APARTMENT BUILDING MUST PAY \$15,000 FOR REFUSING TO RENT TO A PROSPECTIVE TENANT WHO USES A WHEELCHAIR

On June 20, 2006, an Illinois jury ordered the former owner and manager of an apartment building in Marion, Illinois, to pay \$15,000 to Deborah Norton Ally, who was told she could not rent an apartment because she used a wheelchair. The jury awarded \$5,000 in compensatory damages, \$3,000 in punitive damages against the former manager, and \$7,000 in punitive damages against the former owner.

In February 2005, the Department filed suit against Zellpac, Inc., and Guy Emery, the former owner and manager, respectively, of the apartment building, alleging they had violated the Fair Housing Act when Emery told Ms. Norton Ally, in the fall of 2001, that he would not rent an available apartment to her because she used a wheelchair. Ms. Norton Ally filed a charge with the Department of Housing and Urban Development, which investigated the charge, found reasonable cause to believe that a discriminatory housing practice had occurred, and referred the matter to the Department of Justice. Zellpac, Inc. is owned by Randy Patchett and Jim Zeller. Zellpac, Inc. subsequently sold the property and Emery no longer works there.

OWNERS AND MANAGERS OF MICHIGAN APARTMENT COMPLEX SUED FOR RETALIATION AGAINST DISABLED TENANT

On May 8, 2006, the Department filed a lawsuit against the owners and managers of the Fairway Trails Apartments, in Ypsilanti, Michigan, alleging that the defendants retaliated against a disabled tenant who had requested a reasonable accommodation under the Fair Housing Act. The complaint alleges that the defendants sent the tenant a letter stating that his lease would not be renewed two days after a state court judge ruled in an eviction proceeding that the defendants had to accommodate his disability by allowing him to pay his rent the third week of every month. The tenant received a Social Security Disability check on the third Wednesday of the month. The case was referred to the Justice Department after the Department of Housing and Urban Development received a complaint, conducted an investigation, and issued a charge of discrimination.

DEPARTMENT SUES FLORIDA COUNTY FOR REFUSING TO ALLOW THE OPERATION OF SIX HOMES FOR INDIVIDUALS WITH MENTAL ILLNESS AND A HISTORY OF SUBSTANCE ABUSE

On June 30, 2006, the Department filed a federal lawsuit alleging disability discrimination by the County of Sarasota, Florida. The Department's complaint alleges that the county refused to allow Renaissance Manor, Inc., to operate six homes for individuals with mental illness and a history of substance abuse, although the homes at issue are permitted to operate as a matter of right under the county's zoning code. The Department contends that the homes, which are intended to provide a supportive environment for residents, are otherwise similar to other houses in the county inhabited by residents sharing living space and common facilities. The complaint also alleges that the county retaliated against Renaissance Manor by refusing to release grant funds it had previously awarded to it.

The suit seeks monetary damages to compensate the victims, civil penalties, and a court order barring future discrimination.

STATE OF VERMONT WILL IMPROVE CONDITIONS AT STATE HOSPITAL FOR PEOPLE WITH PSYCHIATRIC DISABILITIES

The State of Vermont has reached a settlement agreement with the Department regarding civil rights violations in Vermont State Hospital, a hospital for people with mental health problems, in Waterbury, Vermont. The four year agreement, filed in federal court in Vermont, requires the State to implement reforms to ensure that patients in the facility are adequately protected from harm and provided adequate services including mental health care. The agreement will be supervised by jointly-agreed upon monitors. Under the terms of the agreement, the State will address and correct all of the violations identified by the Department, including the hospital's failure to protect patients from suicide hazards and undue restraint, failure to provide adequate psychological and

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psychiatric services, and failure to ensure adequate discharge planning and placement in the most appropriate, integrated setting.

“One of the Attorney General’s stated priorities is protecting the civil rights of all Americans, including these vulnerable institutionalized persons. People with mental health problems in the care of the State are entitled to be safe and provided with adequate treatment,” said Wan J. Kim, Assistant Attorney General for the Civil Rights Division.

“The U.S. Attorney’s Office is pleased that the Civil Rights Division and the State of Vermont were able to reach resolution on this important matter,” said Thomas D. Anderson, United States Attorney for the District of Vermont. “We applaud the leadership of Governor James Douglas and his administration in this case, and the State’s prompt implementation of the reforms embodied in the agreement.”

The Civil Rights Division has successfully resolved similar investigations of other psychiatric facilities and has pending investigations concerning psychiatric facilities in Connecticut, Oregon, and the District of Columbia.

ADA MEDIATION HIGHLIGHTS

The ADA Mediation Program is a Department sponsored initiative intended to resolve ADA complaints in an efficient manner. Mediation cases are initiated upon referral by the Department when both the complainant and the respondent agree to participate. The program utilizes professional mediators who are trained in the legal requirements of the ADA and has proven effective in resolving complaints at less cost and in less time than traditional investigations or litigation. Over 75% of all complaints mediated have been settled successfully.

In this issue, we focus on complaints against restaurants that have been successfully mediated.

■ In Iowa, an individual who is blind complained that a restaurant manager was rude to her and advised her not to return because she uses a guide dog. The owner apologized, posted signs indicating that service animals are welcome in the restaurant, made a \$50 donation to a guide dog program in honor of the customer and her guide dog, and published a letter of apology in a local newspaper.

■ A person who is deaf and uses a service animal was refused service at a restaurant in Texas. The restaurant agreed to provide ADA training at all of its management training sessions and to post a sign at the entrance welcoming customers with service animals.

■ In California, a service animal user complained that he was refused service at the same fast-food restaurant on two separate occasions. The restaurant agreed to expand its ADA compliance policy by developing a comprehensive section on serving people who use service animals. It also agreed to provide ongoing training for employees and to have regular visits from unidentified shoppers to verify compliance. The restaurant also agreed to pay the complainant \$15,000 in compensation and attorney’s fees.

■ A person with a mobility impairment complained that a Pennsylvania pizzeria was inaccessible because of two steps at the entrance. The parties agreed that, because of the location of the steps and city sidewalk, there was not enough room to install a permanent

(ADA Mediation, continued)

ramp. As an alternative, the restaurant owner obtained a portable ramp, installed a doorbell, and posted a sign instructing customers to ring the bell to alert staff, who would immediately bring the ramp to the entrance.

■ In Utah, an individual whose child has a mobility impairment complained that a restaurant did not have an accessible entrance. The parties initially agreed that the restaurant would create a new accessible entrance at the side of the building, but the town refused to issue building permits because it would have encroached on the narrow drive-through service lane. The parties then agreed that the restaurant would obtain a portable ramp, install a doorbell with appropriate signage at the entrance, and train its staff on where the ramp would be stored as well as how to use the ramp.

■ A person with a mobility disability complained that a Pennsylvania restaurant did not have an accessible entrance. Because a long ramp was required, the parties agreed to enlist an architect to draw up plans and apply for a zoning variance. The variance was granted, and the compliant ramp was completed.

■ In Missouri, a wheelchair user complained that a restaurant's entrance had a steep, narrow concrete delivery ramp with no directional signage identifying it as the accessible entrance. The restaurant installed a new ramp at its main entrance, restriped the parking lot to provide accessible parking, and installed appropriate signage.

■ In Tennessee, a disability rights organization complained that one entrance at a fast food restaurant was inaccessible and that the second, an accessible entrance, was locked after dark. The complainants also alleged that there was no signage directing customers with disabilities to the accessible entrance. The restaurant owner agreed to install a ramp and reconstruct the doorway to provide access at the inaccessible entrance and added accessible parking spaces and appropriate signage. In addition to resolving the original complaint, the owner also modified the entrance to the restrooms and installed grab bars to the otherwise accessible toilet stalls, removed barriers to provide an accessible path of travel to the service counter and dining area, added wheelchair accessible tables, and adjusted the height of the pay telephone.

■ In South Carolina, a disability advocacy group complained that a restaurant housed in a historic building was inaccessible. The restaurant renovated both restrooms and installed an accessible ramp so that all sections of the restaurant are now accessible.

■ Relatives of a wheelchair user complained that a North Carolina restaurant lacked accessible restroom facilities. With technical assistance from a local independent living center and the local building inspector, the restaurant constructed a unisex accessible restroom, installed one van-accessible and two standard accessible parking spaces, and created an accessible path of travel from the parking area to the restaurant entrance.

■ A person with a heart condition complained that a Rhode Island restaurant's accessible restroom was not available to people with disabilities because it was routinely occupied by staff using it as a changing room. The restaurant agreed to issue a written policy statement to the staff prohibiting employees from using accessible restrooms as changing rooms except in an emergency.

(ADA Mediation, continued)

- In Wisconsin, a couple complained that they were not allowed to bring food into a restaurant for their young son who has severe food allergies. The owner of the restaurant, who also owns two others, agreed to allow persons to bring outside food into the restaurants if needed due to a disability. The restaurants trained their employees and posted the policy on their websites.
- In California, persons with mobility impairments complained that a restaurant located on a pier provided only valet parking, and refused to allow individuals to self-park vehicles that have been adapted with hand controls or other modifications. The restaurant informed all valet employees that it would allow customers with disabilities to self-park within the valet parking area if the customer has a modified vehicle or disability that precludes valet staff from driving the vehicle. The restaurant agreed to provide a van-accessible parking space near the restaurant within the valet parking area and an accessible route to the entrance.
- In Missouri, a wheelchair user complained that a restaurant's nonsmoking section was inaccessible. Because there was not enough space to install a permanent ramp, the owners agreed to purchase and use a portable ramp.
- A person with a mobility disability complained that a North Dakota restaurant did not provide accessible seating in the nonsmoking location. The restaurant agreed to create an accessible nonsmoking area, implement a reservation system for accessible tables, and provide staff training on the ADA.
- In California, a couple with mobility impairments complained that a national chain restaurant refused their request to sit in chairs at the end of a booth, because their disabilities made it difficult to enter and exit booth seating. They also complained that the manager was rude to them. The restaurant agreed to add accessible, free-standing tables and chairs in addition to booth seating and disciplined the manager involved in the incident. The restaurant also wrote a letter of apology to the couple, offered them a complimentary meal when the new seating had been installed, and paid them \$400.
- A wheelchair user complained that a New Mexico restaurant's restrooms were inaccessible. The owner of the restaurant modified the restrooms, including reconfiguring toilet stall partitions to allow clear space for out-swinging stall doors, repositioning fixtures to provide clear floor space, repositioning dispensers to comply with reach range requirements, insulating exposed lavatory pipes, and installing accessible door hardware on toilet stall doors. The restaurant owner also installed two freestanding tables to accommodate wheelchair users in both the smoking and non-smoking sections of the restaurant.

RECENT ADA OUTREACH ACTIVITIES

- On May 22 and the 23, Division staff answered questions and disseminated ADA information to an estimated 700 attendees at the 2006 Annual Conference on Independent Living, sponsored by the National Council on Independent Living at the Grand Hyatt Hotel in Washington, DC.
- From May 21-25, Division staff participated in the American Jail Association Conference in Salt Lake City, Utah.
- On June 1, Division staff participated in a panel discussion entitled "ADA: Accomplishments & Challenges" at Loyola

(Outreach, continued)

College Columbia Campus in Maryland. This one-day event was sponsored by the National Capital Area Disability Support Services Coalition (NCADSSC) for support service and educational professionals.

■ On June 8-10, Division staff gave several presentations at the 2006 Disability Access Conference sponsored by the Disability and Communication Access Board and the Pacific ADA & IT Center at the Hawaii Convention Center in Honolulu, Hawaii. The seminars and panel discussions addressed various facets of Titles II and III of the ADA. The conference was attended by approximately 2000 government officials, employers, design professionals, disability service agencies, and advocates. In addition, staff answered questions and disseminated ADA information at a “Tools for Life” Expo highlighting assistive technology and services for people with disabilities that was held in conjunction with the conference.

■ On June 22, Division staff gave a presentation at the Equal Employment Opportunity Commission’s

annual Technical Assistance Program for Small Business Conference in Lincolnshire, Illinois. The presentation addressed reasonable accommodation requirements under the ADA. The audience consisted of employers and small business owners.

■ On June 26, Division staff joined representatives from the Department of Labor and the EEOC for a panel discussion at the annual conference of the Society for Human Resource Management in Washington, DC. The ADA and its relevance to employers was discussed.

■ On June 28 through 30, Division staff represented the Department at an invitation-only working Conference on Emergency Management and Individuals with Disabilities and the Elderly in Washington, sponsored by the Departments of Health and Human Services and Homeland Security. The conference addressed three phases of emergency management – planning, response, and recovery. In the morning invitees heard from experts on the topics of the day and in the afternoons there were separate working sessions for State delegations and for the Interagency

Coordinating Council on Emergency Preparedness for Individuals with Disabilities (established by Presidential Executive Order) with national organizations. Staff gave two presentations at the conference: one addressed the disability-related findings and recommendations in the Nationwide Plan Review Report (NPR Report) of States’ and local governments’ emergency operations planning and described the process leading to those findings; the second presentation addressed accessibility concerns relating to post-disaster reconstruction. Attendees include Federal representatives; individuals designated by Governors from offices related to Aging, Health, Homeland Security, Emergency Management, and Special Needs Populations; and, from each State, an individual representing the disability perspective.

■ On July 7, Division staff made two presentations at the Virginia ADA Coalition’s annual conference, attended by approximately 100 ADA Coordinators and individuals with disabilities, in Charlottesville, Virginia. One presentation addressed how to file complaints and how the Department processes and

(Outreach, continued)

investigates complaints. The second provided an overview of Project Civic Access and described the issues typically encountered.

- From July 8-11, Division staff answered questions and disseminated ADA information to an estimated 20,000 attendees at the 2006 National Council of LaRaza (NCLR) Annual Conference and Latino Expo USA, held at the Los Angeles Convention Center in Los Angeles, California.

- On July 13, Division staff participated in two panel discussions at the National Association for Court Management Conference in Ft. Lauderdale, Florida. Panelists discussed the provisions of the ADA and the Architectural Barriers Act as they apply to the nation's courts and addressed common access issues and solutions to them.

- On July 14, Division staff gave a presentation on the ADA to the program directors of Serve DC, the DC Commission for National and Community Service.

- From July 15-18, Division staff, participated in the 2006 NAACP 97th Annual Convention and 37th Commerce & Industry Show at the Washington Convention Center in Washington, DC. Staff answered questions and disseminated ADA information to an estimated 16,000 attendees.

- During the week of July 18-22, Division staff participated in two sessions at the annual conference of the Association for Higher Education and Disability (AHEAD) in San Diego, California. Staff chaired a panel entitled "It's Not Your Parents' Campus: Accessible Housing, Transportation, Health Care, Emergency Preparedness," with participation from representatives of the Department of Education and

- Ohio State University, and participated in a pre-conference institute providing an overview of disability issues in higher education.

- On July 18, Division staff participated in a teleconference sponsored by the Great Lakes

ADA & IT Center in Chicago, Illinois. Staff provided an update on the Department's ADA activities, followed by a question and answer session.

- On August 4 and 5, Division staff participated on a legal panel and made a presentation on historic buildings at the Kennedy Center's Leadership Exchange in Arts and Disability (LEAD) conference in Washington, DC.