



ReachOut e-Diversity News

An Electronic Publication of the Ohio Developmental Disabilities Council

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August 2016 Edition | Volume 10, Issue 4
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Read, Pass on to Friends, Family Members, Colleagues & Constituents



Celebrating 26th Anniversary of the American with Disabilities Act (ADA)

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Smart Phone Apps Change Lives for People with Disabilities



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I AM



The world is made up of all kinds of people. If you were basing whether to be someone's friend only on their creed, gender or even weight, there's a great possibility you may overlook someone special.



When It Comes to Special Ed, Majority of States Miss Mark

The U.S. Department of Education determined that just 24 states qualified at the "meets requirements" level. The rest of the states were identified as "needs assistance" or "needs intervention" for the 2014-2015 school year.

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On July 26, 1990, President George H.W. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities. This legislation established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The ADA has expanded opportunities for Americans with disabilities by reducing barriers and changing perceptions, and increasing full participation in community life. The following are some interesting facts about the ADA.

- **ADA Generation.** Young people with disabilities are often called the “ADA Generation” because they were born or grew up after the ADA became a law. Laws such as the ADA exist thanks to the leadership of dedicated disability rights advocates,

including Justin Dart, Jr., Ed Roberts and Judith Heumann. These individuals are positive role models that youth with disabilities should know about as they become the next generation of disability leaders. Justin Dart, Jr., called the “father of the ADA,” traveled around the U.S. gathering stories from people with disabilities about the discrimination they faced. These accounts directly impacted the creation of the ADA. Ed Roberts helped create the Independent Living Movement, formed the first Center for Independent Living and co-founded the World Institute on Disability with Judith Heumann. Heumann assisted with the passing of the ADA, served as the Assistant Secretary for Special Education and Rehabilitative Services and is now the State Department’s Special Advisor for International Disability Rights.



they can live as independently as possible. The definition of a service animal is a dog that has been trained to assist a person with a disability in completing tasks that are directly related to their disability. This ADA National Network guide explains that emotional support, therapy, comfort or companion animals aren’t considered service animals and aren’t protected under the ADA. Service animals can be used in the workplace as a reasonable accommodation under the ADA. Businesses and organizations that serve the public, such as restaurants, hotels and retail stores, can’t refuse to serve a customer with a service animal, and neither can taxi drivers. Under the Air Carrier Access Act,

- **ADA and Service Animals.** Many people with disabilities use service animals to help them with daily activities so



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people with disabilities are legally permitted to travel with service animals. The Transportation Security Administration has information about security screenings procedures for people with disabilities, including those using a service dog. It's important that both travelers and transportation operators understand the rights of people traveling with a service animal.

- **ADA and Transportation.** Getting from Point A to Point D (& Back to Point A). Title II of the ADA protects people with disabilities against discrimination on all modes of public transportation services operated by state and local governments. In addition, the ADA applies to rail transit systems. The ADA doesn't apply to air travel, which is instead covered under the Air Carrier Access Act. Under the ADA, the U.S. Department of Transportation provides paratransit services, which are door-to-door transportation services that

eligible customers can use to travel within a specific area if they're unable to use traditional "fixed-route" public transportation. The Amputee Coalition has a fact sheet about paratransit that includes information on eligibility requirements. Read the National Aging and Disability Transportation Center's tips for using ADA paratransit services or the Disability Rights Education and Defense Fund's guide, "ADA Paratransit Eligibility: How to Make Your Case" to learn more. If you believe you've been discriminated against because of your disability while using public transportation services, you can file a complaint with the Federal Transit Administration.

- **ADA and Employment.** The two areas of the law that primarily affect small businesses are Title I, which includes protections for employees and jobseekers with disabilities, and Title III, which prohibits discrimination against customers with

disabilities by private businesses of any size, commercial facilities and other "public accommodations." This can include movie theaters, hotels, grocery stores and sports arenas. The ADA requires employers with 15 or more employees to provide "reasonable accommodations" for employees with disabilities, unless doing so would cause undue hardship. The Job Accommodation Network has more information on reasonable accommodations, including average costs. Business owners can take an online course about how to be welcoming to customers with disabilities. Learn about ADA regulations related to service animals in places of business. The U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice (DOJ) offer detailed information about how the ADA applies to small businesses. For more information, read "Small Business and the ADA: Getting it Right."

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- ADA and Voting.** All Americans with disabilities should be able to vote independently and accessibly. The ADA is one of several laws protecting those rights. These laws help ensure polling place accessibility and the availability of alternative voting methods and voting aids for voters with disabilities. The recently updated “ADA Checklist for Polling Places” has information about making polling places accessible. The U.S. Election Assistance Commission offers resources for voters with disabilities, including helpful tips and a video about polling place accessibility. Learn about the American Association of People with Disabilities’ REV UP voting initiative. The Arc’s voting toolkit includes voting resources and a blog post about how guardianship impacts voting rights. For more information, visit DOJ’s voting section or contact your state’s voting commission or board of elections. Learn how to file a complaint if you feel your voting rights have been

violated. Call 1-866-OUR-VOTE (687-8683) to report voting issues or concerns.

- ADA and Community Living.** In *Olmstead v. L.C.*, known as “Olmstead”, the Supreme Court of the United States found that the ADA prohibits the unnecessary segregation or institutionalization of people with disabilities. *Olmstead* requires states to ensure that people with disabilities receive services in the most integrated setting possible, including home and community-based settings. The case was brought by two women from Georgia who were receiving services at state-run institutions, even though it had been determined that they could have just as easily gotten treatment in home or community-based settings. After a series of appeals, the Supreme Court issued their groundbreaking ruling in July 1999. *Olmstead* has moved federal, state and local authorities to expand community-based services for people with disabilities.

If you or a loved one needs help moving from a nursing home into the community, contact your local Center for Independent Living. Learn how to file a complaint about violations of the ADA’s “integration mandate.”

The full promise of the ADA will only be reached if we remain committed to continue our efforts to fully implement the ADA.

Pledge to recommit to the full implementation of the ADA.

For more information on the ADA and other disability rights laws, VISIT Disability.gov



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Smart Phone Apps Change Lives for People with Disabilities

By Frank Kineavy

As people with disabilities assimilate into all aspects of everyday life, their needs and demands expand. Oded Ben Dov — a tech guru who got his start programming video games — learned the struggle that people with disabilities face simply from doing his job. His journey commenced when developing a video game that, instead of being controlled by users' hands, was controlled by their vision.



and to make phone calls without asking for assistance. Sesame Enable has allowed me to do just this.”

The day after the game went public, Ben Dov got a phone call from a man who told him: “I can’t move my hands or legs. Can you make me a smartphone I could use?” After receiving this call, Ben Dov embarked upon a new passion. This call led him to found Sesame Enable, a company based in Israel that sells Android smartphones for people who can’t use their hands.

Users of Sesame Enable rave about the device and how it has empowered them, with one saying, “One of my biggest frustrations was my inability to use my phone independently. I longed to be able to send and receive text messages on my own

Ben Dov’s advances have hit the start-up lottery with financing from technology titans, including Google. When asked about his initiative, Ben Dov explained that “For me, [Sesame Enable] was a calling to put my skills and knowledge to good use.”

After creating a device marketed specifically for people with disabilities, Ben Dov took his solution a step further and created a Sesame Enable app. Android N users can now purchase the app through the Google Play store and select settings through

the app based on their specific needs. App features include face-tracking, point scanning and eye-tracking.

While physical care is always a top priority for people with disabilities, the problematic search for effective means to perform simple everyday tasks, such as communicating with others, is often a life-long struggle.

Creating the app has made “the Sesame phone exponentially more affordable and accessible to the millions of people around the world who are otherwise unable to use smartphones,” Ben Dov said. “Until now, users had to purchase a device that we pre-installed with our custom ROM. With the Android’s new API, our



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technology can be streamlined, and access to it is as simple as downloading an app.”

Others in the tech industry are discovering the demand for this technology as well, including Tikkun Olam Makers (TOM), a nonprofit that brings together technologists who want to solve problems for people with disabilities. One of TOM’s notable products is a special sensor device for people in wheelchairs who face the problem of “pressure

sores.” The sensor device fits easily on a wheelchair seat and is connected to a smartphone app via Bluetooth. If the app notices that the pressure hasn’t changed in a certain period of time it will notify the user as a reminder to move.

Creator of this device Paul Herzlich, who himself uses a wheelchair, says, “It’s raising that awareness for the user because we’re often paying attention to other things throughout our day and don’t remember to move.”



Herzlich is hopeful that his device will be able to help hospital patients who suffer from pressure scores on a large scale.

Did You Know?

The result of incorporating accessibility into technology is that the user with a disability gets access to all of the same information or services with substantially equivalent ease of use; user with no disability has an enhanced ease of use without noticing it, and service provider gets a greater audience and a product that is easier to maintain.

Did You Know?

There are a body of laws that make up what can be commonly described as our “digital disability rights.” The gist of the law is this: the flexibility of digital information should end the separate and unequal treatment of persons with disabilities and give them the same opportunities as their peers without a disability.

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I AM

By Shari L. Cooper

Do you ever wonder if you could disassociate yourself from certain characteristics that make you who you are?

The world is made up of all kinds of people. If you were basing whether to be someone's friend only on their creed, gender or even weight, there's a great possibility you may overlook someone special.

I sometimes wonder what people see when they first see me. I even wonder how some describe me to others when speaking of me. Yes, I do have a disability. There's no denying this. My disability is a significant trademark that makes me who I am. I embrace and value my disability, for it has taught me patience, strength and how to celebrate accomplishments big or small.

Still, while I own my challenge, I don't want that to be all you see.

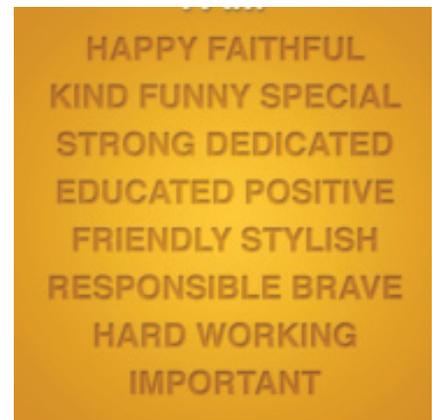
I don't want people to focus on my disability all of the time; it's just one part of me. When people first meet me, I hope they first notice I am a very happy person. With my faith as my anchor, I

chose to be happy a long time ago and hope to project that so others will perhaps feel it, too.

Secondly, I want people to see that I have a great sense of style. I have a disability but I'm not dead! I like looking good. Even if I'm having a "disability day," which means my muscles are tight and I feel like the Tin Man, I still dress up, and that actually make me feel better. I once heard the way you look helps with the way you feel.

Lastly, I want people to associate who I am with my sense of humor. My life is not all that difficult. I have my fair amount of challenges but who doesn't? Life is for living and there will be hard days, but I won't complain, because my good days outweigh my bad ones by far. Humor has helped me maintain for 43 years and I'm counting on it assisting me with many more.

Getting some to understand who you are is sometimes hard. One place I know I'm looked at as an individual is my workplace. When at work, I'm just another employee who's making an honest living in hopes of



advancing her career. A disability has nothing to do with anything when getting my work done.

Still, I'm not naive to the fact some are not going to accept you for who you are.

Learning of the recent unfortunate incident where rapper 50 Cent insulted a Cincinnati's airport janitor disappointed me. It just so happens the janitor has autism. If 50 Cent would have taken a little time to recognize the worker's unique differences, he might have figured it out. This is just another incident of people not taking time to pay attention to who someone really is. As a person who makes his living in the public spotlight, 50 Cent has an obligation to respect

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all people of the human race.

Perhaps I need to rethink the way I view stars, for they are just people, too, and sometimes need to be educated on things they just don't know about, such as disabilities. Maybe 50 Cent's ignorance is a blessing in disguise, for I'm sure people with autism deals with situations

like this all the time and no one knows. Only when a story is newsworthy will people began taking a deeper look at their fellow man and make a change for the better.

I know there will always be some who are just not going to be able to see different sides of me or anyone. Since being Shari seems

to be working out pretty good for me, guess I'll keep moving and try not to get angry when people don't take time to realize I'm much more than just a woman with a disability. As long as I know who I am, that's truly all that matters anyway.

What's your "I Am?"

GWESMV Blog Reprint



Shari Cooper is a Sinclair Community College graduate and currently works as the Community and Staff Relations Associate at Goodwill Easter Seals Miami Valley. She is an active advocate for people with disabilities, serving on the Governor's Council on People with Disabilities, the Secretary of State's Americans with Disabilities Act Council and as 2008 Ms. Wheelchair Ohio. In 2008 she was elected to the Board of Directors for the National Association of Councils on Developmental Disabilities.

Did You Know?

Billions of emojis are sent every day on social media and messaging services. Despite ongoing efforts to make emojis more diverse, there is just one to represent disability – a wheelchair-user sign, often used as an accessible toilet sign. The Scope organization has created 18 new emoji designs in hopes they will inspire Unicode, the organization that oversees emojis, to represent disabled people in a positive way. Click below to gain access to their designs.



One disability emoji isn't enough!

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When It Comes to Special Ed, Majority of States Miss Mark

by Michelle Diamant



Federal education officials are calling out more than half of states for failing to meet their obligations under the nation's special education law.

The U.S. Department of Education determined that just 24 states qualified at the "meets requirements" level. The rest of the states were identified as "needs assistance" or "needs intervention" for the 2014-2015 school year. The findings are the result of an annual review mandated under the Individuals with Disabilities Education Act.

If states do not receive the "meets requirements" designation for two or more years, the Education Department is required under the law to take enforcement action. This can include developing a

corrective action plan, withholding funds or other changes.

This is the third year that federal officials have relied on a more rigorous standard to assess states. Previously, determinations were based on meeting procedural requirements like completing special education evaluations. Now, however, student performance and outcomes for kids with disabilities are also factored in state determinations.

Though fewer than half of states were found to meet requirements for the 2014-2015 school year, the latest report does indicate that a growing number of states are meeting the standard. By comparison, 19 states received letters last year indicating that they met their obligations under IDEA.

In the most recent assessments, the Education Department determined that Washington, DC "needs intervention" for the tenth consecutive year. Nevada also received that label, though it did not the previous year.

Meanwhile, states considered to meet requirements include Alabama, Connecticut, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, North Carolina, North Dakota, Oklahoma, Pennsylvania, South Dakota, Virginia, West Virginia, Wisconsin and Wyoming.

The remaining states were labeled by the Education Department as "needs assistance."

No state was given the most dire designation of "needs substantial intervention."

Reprint from Disability Scoop, July, 2016

VISIT to access state findings: <https://osep.grads360.org/#program/idea-part-b-profiles>



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