

## **On Target**

Informing Indiana About Disability Issues  
Indiana Governor's Council for People with Disabilities  
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## **ADA anniversary: Great time to celebrate progress for people with disabilities**

Americans commemorate the anniversary of the Americans with Disabilities Act (ADA) every July 26. This annual celebration is not only a great time for us to stop and observe the progress of disability legislation in the United States, but also honor local advocates. Following are some examples of what area Hoosiers are doing to advance the ADA in Indiana.

Kathy Cortopassi, president, Voice to Print Captioning, provides Communication Access Realtime Translation (CART) services for disability-related public events in the city of Gary. Although Gary City Council meetings have aired on a local cable television station for some time, Cortopassi realized that the information still wasn't reaching everyone it could.

"The viewing public may watch these meetings on television or attend in person," said Cortopassi. "But, the meetings were not held in a friendly way for people with all types of disabilities; namely, those with hearing loss. Realtime Closed Captioning opens access to the spoken word to those who can read, who have hearing loss, whose primary language is not English and who have disabilities where the printed word facilitates comprehension of the spoken word. I wanted everyone to be able to participate and feel like they were included — and so does the city of Gary."

With help from Cortopassi, the Gary City Council agreed to provide closed captioning for broadcast viewers starting this summer, if all goes as planned. The captions will also be displayed in the council chamber for those attending the meetings in person.

"I hope to use Gary as an example for all city councils," said Cortopassi. "It's important for public officials who air their meetings on television, cable or not, to caption them for all of their audiences. People with disabilities are a part of those communities and should be able to participate like everyone else. That is why the ADA was created and why the FCC requires captioning."

Another Hoosier who made serious headway for the ADA this year is John Gasser. Gasser, a marriage counselor and 2006 Partners in Policymaking graduate, had a disability which caused seizures.

Gasser lost all driving privileges because of an unofficial Indiana policy requiring drivers who experience any form of a seizure to surrender their driver's licenses until they have been seizure-free for at least one year. A short time later, he underwent a medical procedure that stopped all future seizures. Ready to go back to work, he had no means of transportation due to the yearlong policy.

“I understood that policies like this existed to protect people from harm,” explained Gasser. “My issue with it was that it wasn’t reviewed on a personal basis. I was physically healed from seizures, yet they wanted me to wait a full year before driving again. I was experiencing a loss of income because I couldn’t get to work. I was finally seizure free, but still couldn’t provide for me and my family.”

With the help of the ADA, Gasser decided it was time for a change. After several legal hearings, he was finally successful. Thanks to him, the state of Indiana has agreed to stop enforcing a standard waiting time for drivers who have had seizures and review each case individually.

“It’s important to remember that this wasn’t a law,” said Gasser. “It was an unofficial policy. I hope that this helps fellow drivers who go through something like this.”

The final example isn’t a person, but an organization that advances the goals of the ADA. The Indianapolis Resource Center for Independent Living (IRCIL) is dedicated to providing services, support and information to people with disabilities to help ensure equal access to all aspects of community life.

IRCIL recently was approached by students from the University of Indianapolis who wanted to take part in a community service learning project. A group of eight students, with guidance from IRCIL, coordinated a functional study analyzing sidewalks, curb cuts and doorways to businesses on the city’s southeast side. The course also included sensitivity training.

“These students did assessments in the rain, wind and cold,” said India Anderson, assistant director, IRCIL. “It was really moving. Everyone involved said that this experience changed them forever. It made them aware. And that is what IRCIL and the ADA are all about — making people more aware.”

At the end of the course, the students were required to create reports with the data they compiled as well as present findings to their course instructor and classmates. IRCIL will handle all follow-up for the project — taking the reports prepared by the students, a land map of areas surveyed and a brief analysis to business and government leaders.

In addition to all the great things individuals and organizations are doing for the ADA, ADA Indiana is hosting town hall meetings in communities throughout the state via video conference to celebrate the 18th anniversary of the legislation that continues to bring about changes like those above. The town hall meetings will take place July 25 and announce the results of this year’s disability poll.

To learn more or attend one of these meetings, please visit [www.iidc.indiana.edu](http://www.iidc.indiana.edu) or call (800) 855-6508 (toll free) or (812) 855-9396 (TTY).

## **Presidential candidates to hear the disability vote**

### ***Forum scheduled on 18th anniversary of the ADA***

The Americans with Disabilities Act (ADA) was established to ensure civil rights, motivate action and change American policies for people with disabilities. To commemorate the 18th anniversary of the ADA and its political nature, disability advocates throughout the nation have created the National Forum on Disability Issues. This free event is open to the public and will take place July 26 at the Veteran's Memorial in Columbus, Ohio.

Both presidential candidates, Sen. John McCain and Sen. Barack Obama, have been invited to the historic, nonpartisan forum to present their disability agendas. Judy Woodruff, news anchor and journalist with "The News Hour with Jim Lehrer," will serve as moderator, and audience members are invited to ask questions.

With the ADA Restoration Act expected to be finalized soon, leaders of the National Forum on Disability Issues hope this event will help the future president understand the needs of our nation's disability population, as well as ensure continued progress on disability policies.

Registration is required to attend this free event. Note there is a \$5 parking fee if you choose to drive. To register or learn more, please visit the news section at [www.aapd-dc.org](http://www.aapd-dc.org).

## **ADA Restoration Act redefines disability**

Since the adoption of the Americans with Disabilities Act (ADA) in 1990, the original purpose of the legislation has slowly been lost in the courtroom. Due to misinterpretations of the act's language, the Supreme Court has dramatically narrowed the definition of a person with a disability, thereby dismissing the initial intent and protections of the ADA.

The ADA defines a person with a disability as an individual with a physical or mental impairment that substantially limits a major life activity, an individual with a history of such an impairment, or an individual who is regarded or perceived as having such an impairment. The courts have ruled that people with disabilities are not substantially limited if they've received training or medical assistance. Unfortunately, many of these individuals have lost in discrimination court cases, particularly in those related to employment.

Because many employers and employees with disabilities don't see eye-to-eye on the ADA, the gap has widened between the disability and business communities. To resolve their differences, they have come together to develop language for the ADA Restoration Act of 2008 that both communities can support. Many advocacy groups are backing this compromise and, on June 18, the House Judiciary Committee unanimously passed the act by a vote of 27-0. Additionally, the House Education and Labor Committee overwhelmingly approved the bill by a 43-1 vote.

Although the disability community agreed to a more narrowed definition than desired, the current proposal will benefit both communities by more clearly interpreting the definition of a disability. Any actual, past or perceived physical or mental impairment that substantially limits a major life activity will be included. A broad definitional list of a major life activity will restore many groups. It will also prohibit the courts from taking medications or aids into consideration when defining a person with a disability. Lastly, the proposal will include a broad “regarded as” prong that will provide civil rights protection to anyone who is adversely treated based on a physical or mental impairment.

Restoring the definition of “disability” in the ADA will give people with disabilities a range of tools to protect civil rights, especially in the business community. Now, congressional champions will move to pass the legislation quickly in the House of Representatives and the Senate in hopes that President George W. Bush will have it on his desk to sign by July 26, 2008, the ADA’s anniversary.

For more specific information, including a draft of the new legislation, visit [www.aapd-dc.com](http://www.aapd-dc.com).

## **Indiana cities receive funding for ADA programs**

Since last year’s anniversary of the Americans with Disabilities Act (ADA), ADA Indiana, with support from the Governor’s Council, has funded three community initiatives to increase awareness and implementation of the ADA. The three cities that received funding are Elkhart, Muncie and Yorktown.

The City of Elkhart’s Human Relations Commission used its grant to host the 2008 annual conference of the Indiana Consortium of State and Local Human Rights Agencies, which took place last month. The conference included an “ADA track” to focus on ADA implementation issues, such as workplace access, hiring practices, housing and others.

Delaware County and the city of Muncie’s Future Choices, an independent living center that helps Hoosiers with disabilities, is using its funding to host three online Webinars to train the city’s staff on proper ADA employment and accessibility regulations. The three training sessions are hosted by the Great Lakes ADA Center. Future Choices will then conduct follow-up training to city and county staff, as well as to community members.

In Yorktown, LifeStream Services Inc., a not-for-profit organization that assists people with disabilities, used its grant to create a program to help their staff and others better understand the link between the ADA and public transportation in East-Central Indiana. They created the new InterUrban Rider Guide to train transit staff about the transportation guidelines of the ADA. The project also focuses on helping people with disabilities understand their rights to accessible transportation.

For more information about ADA Indiana, call (800) 825-4733 (toll free) or visit their Web site at [www.iidc.indiana.edu/cpps/ada](http://www.iidc.indiana.edu/cpps/ada).

## **Fifth Freedom leader inspiring major changes**

Sheri Caveda, executive director, Fifth Freedom, is a leading advocate for Hoosiers with disabilities. Fifth Freedom is an organization dedicated to ensuring that people with disabilities are free from exclusion.

“I think it’s important to remember that a strong group of political, local people is the way to bring about change,” Caveda says. “I want to empower them so that they don’t need me or Fifth Freedom anymore.”

Many people with disabilities have benefitted from Fifth Freedom’s resources. One such group is located in Wayne County and the Richmond area. While renovating the historic downtown, community leaders weren’t spending enough time following ADA guidelines. Through hard work, a group backed by Fifth Freedom gained improvements such as additional parking spaces and friendlier sidewalks. After seeing people with disabilities enjoying the new downtown, the community implemented the initiative countywide, calling it “The Year of Accessibility.”

There are many stories like this one. Caveda is not just impacting Hoosiers, but making people in other states stand up and take notice, too. She was invited to speak at an annual conference for leaders of federal disability organizations, like the Council, last month in Arlington, Va. She also spent time in Idaho, at the invitation of their Council, working with community leaders statewide on initial plans to develop an organization similar to Fifth Freedom.

When asked why she thought the ADA and her work was so important for Hoosiers with disabilities, Caveda said: “We are helping people to enjoy the communities in which they live. We’re lucky because we get to see change firsthand and know that we helped make people’s lives better.”

To learn more about Fifth Freedom or request assistance with an issue in your community, please visit [www.fifthfreedom.org](http://www.fifthfreedom.org).

## **ADA resources available in guide**

The Americans with Disabilities Act (ADA) helps ensure accessibility and accommodations for Hoosiers with disabilities by promoting a safe and inclusive environment. To help strengthen community efforts, the Governor’s Council has compiled a statewide resource guide, including contact information for key organizations that provide assistance on a variety of topics.

The guide can be found in the Publications section on the Council’s Web site at [www.in.gov/gpcpd](http://www.in.gov/gpcpd). The following resources are especially helpful for those needing more information about the ADA:

- ADA Indiana: For questions regarding ADA policies in Indiana, call (800) 825-4733 (toll free) or visit [www.iidc.indiana.edu/cpps/ada](http://www.iidc.indiana.edu/cpps/ada).
- ADA Center (Great Lakes): For questions regarding ADA policies, call (800) 949-4232 (toll free) or visit [www.adagreatlakes.org](http://www.adagreatlakes.org).
- Civil Rights Commission: For information about Indiana civil rights laws, call (800) 628-2909 (toll free) or visit [www.in.gov/icrc](http://www.in.gov/icrc).
- Fifth Freedom: For questions about community outreach initiatives, call (260) 426-8789 (voice) or visit [www.fifthfreedom.org](http://www.fifthfreedom.org).
- Indiana Protection and Advocacy Services: For questions about resolving disability-related problems, call (800) 622-4845 (toll free) or visit [www.in.gov/ipas](http://www.in.gov/ipas).
- Independent Living Centers: For contact information for Indiana's Independent Living Centers, visit [www.in.gov/fssa/ddrs](http://www.in.gov/fssa/ddrs) and click on "Independent Living Centers" under the Community Services heading.

## Of Note

### ***Deadline for Community Spirit Awards approaching***

Nominations for the Council's Community Spirit Awards are due Friday, Aug. 15. Awards are presented in two categories, recognizing individuals and groups for their advocacy achievements. One person with a disability and one parent of a child with a disability will be honored for outstanding and sustained advocacy efforts with Distinguished Leadership awards. Disability Awareness Campaign awards will be given to one individual and one group/organization for organizing an exemplary Disability Awareness Month campaign.

Winners will be offered a full scholarship to attend the Council's annual conference and will be recognized during its annual awards luncheon. For information and/or to submit a nomination, visit [www.in.gov/gpcpd](http://www.in.gov/gpcpd). Contact the Council at (317) 232-7770 (voice) or [GPCPD@gpcpd.org](mailto:GPCPD@gpcpd.org) with questions or to request a print copy of award materials.

### ***Council Web site makeover***

The Governor's Council Web site recently got a new look! Check out the new and improved site at [www.in.gov/gpcpd](http://www.in.gov/gpcpd). If you have any trouble navigating the new site or locating information, please contact the Council at (317) 232-7770 (voice).

### ***Save the date!***

The 2008 Conference for People with Disabilities will take place Tuesday, Dec. 2, and Wednesday, Dec. 3, at the Hyatt Regency hotel in downtown Indianapolis. Look for more information in future issues of "On Target."

### ***Phone number correction***

In the June issue of "On Target," incorrect phone numbers were provided for Medicaid resources. For Medicaid or TANF (Temporary Assistance for Needy Families) questions, contact the Indiana Public Health and Assistance Helpline at (877) 246-3243, ext. 234 (toll free).

### ***Register to vote***

Voters must be registered by Oct. 6 to cast their ballots in the November 2008 election. Visit [www.in.gov/sos/elections](http://www.in.gov/sos/elections) for registration details and more information.

On Target is a monthly publication of the Indiana Governor's Council for People with Disabilities. We welcome your suggestions for newsletter content and ideas concerning the actions of the Council. on target is made available in accessible formats upon request.