



ADA TODAY

Newsletter

Volume 4 Issue 5

April 2014

Help Make DC Restaurants Accessibility Friendly: Take Our 2 minute Survey

The Office of Human Rights (OHR) -- in partnership with the American Association for People with Disabilities (AAPD), DC Department of Consumer and Regulatory Affairs (DCRA), DC Office of Disability Rights (ODR), and the Restaurant Association Metropolitan Washington (RAMR) -- will release a new user-friendly guide for restaurant owners on how to make their establishments accessibility friendly.

The guide goes beyond the typical structural elements associated with accessibility, to include best practices for serving customers with disabilities, and how to implement accessible friendly policies that can increase customers. Restaurants receiving the guide will also be asked to make a pledge to be accessibility friendly, and to place a window decal on their restaurant to let patrons know.

In the next few weeks, OHR will launch an on-the-ground effort in two District restaurant corridors to talk with restaurant owners and managers about accessibility issues, and we want you to choose them! Please fill out the brief survey below. Access it by copying and pasting the link into your browser window.

<https://www.surveymonkey.com/s/accessibledc>

If you have questions, contact our office at 202-724-5055, ODR@dc.gov, or through our Facebook or Twitter accounts.

DC Aging and Disability Resource Centers



DC Aging and Disability Resource Centers are designed to provide older adults with ward-based and citywide supportive services, resources and referral linkages that assist them in continuing to live independently in their homes and community. You can obtain information about a DC Aging and Disability Resource Center in-home and community-based services [visit www.dcoa.dc.gov].

News and Information

OBESITY AS DIVERSITY?



In July, the American Medical Association labeled obesity as a disease, making it more likely to be treated as a disability under the Americans with Disabilities Act (ADA). Recent articles in Diversity Executive explore the issue of [obesity in the workplace](#) and the ramifications of this decision on employers. [Click here to read more.](#)

The 2014 WINTER PARALYMPICS: STRIVING FOR EXCELLENCE



In Sochi, Russia this month, 550 athletes with disabilities representing 45 countries competed in the [2014 Paralympics](#) in the facilities built for the Winter Olympics. Major events included skiing, hockey, and curling, with divisions in the alpine events for athletes who competed while sitting or standing, and for athletes with visual impairments.

Assistant Secretary Kathleen Martinez recently [blogged](#) that the Paralympics represent America's spirit of inclusion; they are "about more than sports; they're about learning what's possible." A compelling [ad from Samsung](#) gives us a glimpse into the lives of Paralympic athletes and dramatically illustrates their grueling dedication as they strive to be the best at what they do.

In recognition of Women's History Month, EARN celebrates some inspiring women athletes who overcame the challenges of disability in their pursuit of excellence and achievement:

- [Chantal Benoit](#): Paralympian, gold medal winner; wheelchair basketball
- [Paola Fantato](#): Paralympian, gold medal winner; archery
- [Marla Runyan](#): Paralympian; distance running
- [Melissa Stockwell](#): Paralympian, Iraqi war veteran; paratriathlete

[See a complete list of Paralympic athletes.](#)

Click here to read EARN's resources on [creating inclusive work environments](#) and [making accommodations in the workplace](#).

NCWD/Youth Publishes Article on Individualized Learning Plans in Education Week

In an article, "Planning for Life After High School," published in Education Week, V. Scott Solberg of the Boston University School of Education, and Curtis Richards with the Institute for Educational Leadership, write about the importance of individualized learning plans (ILPs) in helping students, including students with disabilities, transition between school and college or work while keeping students engaged and families involved in learning. Solberg and Richards, who lead ODEP's National Collaborative on Workforce and

Disability for Youth (NCWD/Youth), discuss the research they have conducted on exemplary ILP implementation strategies.

- [Read the Education Week article](#)
- [Visit the NCWD/Youth website](#)

NOW ACCEPTING APPLICATIONS FOR THE ADVOCATES IN DISABILITY AWARD (ADA) PROGRAM

The HSC Foundation's ADA Program is seeking the next generation of disability advocates!

Young leaders with a disability are encouraged to apply for up to \$10,000 in funding

The [Advocates in Disability Award \(ADA\) program](#) awards and encourages a young adult with a disability between the ages of 14 and 26 who is dedicated to positively affecting the lives of individuals with disabilities and their families. The program also supports an innovative project developed by the recipient to serve and empower individuals with disabilities.

Funded by both The HSC Foundation and the Sarah Beth Coyote Foundation, the selected recipient is awarded \$3,000 in recognition of his or her disability advocacy and will receive up to an additional \$7,000 in funding support for a project to benefit the disability community. Applicants must be a citizen or permanent resident of the United States at the time of application submission and recipient selection.

The Advocates in Disability Award Program is part of The HSC Foundation's [National Youth Transitions Initiative](#).

To apply, please see the attached guidelines and application. You may also apply online at: www.hscfoundation.org/2014ADA.php.

Applications must be received by **April 11, 2014 (by 5:00pm ET)**.

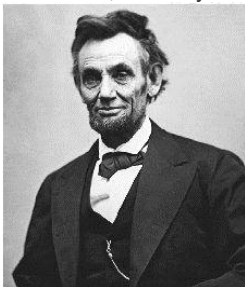
Also, The HSC Foundation will conduct two ADA applicant guidance calls. On these calls, applicants will have the opportunity to ask questions they have regarding the ADA program and the application process. Calls will be held on the following dates/times:

- **March 12, 2014 at 4pm ET**
- **April 2, 2014 at 7pm ET**

If you wish to participate on a call, please RSVP by emailing reasterly@cscn.org and include your full name and the date (of the call) you plan to join.

Disability in History: U.S. Presidents

March 7th, 2014 by [EARN Staff](#)



President Abraham Lincoln

If you think that Franklin Delano Roosevelt was the only United States president with a disability, think again. Our nation has had a distinguished line of presidents with a variety of visible and non-visible disabilities, from epilepsy to hearing impairments to learning disabilities.

For most of these men, speaking publicly about their disability was discouraged during their lifetime. [1] Today, we honor them for overcoming the challenges they faced as individuals with disabilities and for leading and serving our country. [2]

William Jefferson Clinton, 1946- (hearing impairment) 42nd President of the United States (1992-2000); wears [hearing aids](#)  [\(more...\)](#)

Don't Start the ADA Interactive Process Unless You're Going to Finish It!

In *Spurling v. C&M Fine Pack, Inc.*, 2014 U.S. App. LEXIS 660, the Seventh Circuit (which covers Illinois, Indiana, and Wisconsin) reversed, in part, a district court's entry of summary judgment in favor of an employer in a FMLA discrimination and ADA failure to accommodate suit.

The plaintiff, Spurling, was a night shift forming inspector/packer employed by C&M. In 2009, Spurling received several disciplinary warnings regarding her falling asleep while on duty. On February 15, 2010, Spurling received a Final Warning/Suspension after she left the worksite to use the restroom and was found by a coworker sleeping in the restroom. Upon her return to work after her suspension, Spurling met with the plant manager and three of her supervisors where she indicated that her sleep issues were caused by medication that her doctor had prescribed and produced a doctor's note to that effect. Spurling continued to experience difficulty remaining conscious at work and on April 12, 2010, Spurling's shift supervisor reported her for being completely asleep while packing parts. On April 15, 2010, Spurling was issued a Final Warning/Suspension note informing her that due to the repeated incidents of sleeping on her shift, she was being suspended until the company decided how best to proceed. The letter indicated that Sterling should provide any information relevant to the company's deliberation prior to April 19. Read more at:

<http://www.sjlaboremploymentblog.com/dont-start-the-ada-interactive-process-unless-youre-going-to-finish-it/>

Federal News

Federal Communications Commission Releases Standards on Closed Captioning for Television

The Federal Communications Commission (FCC) has unanimously approved standards defining the components necessary for high quality closed captions on television. The new standards explain that to be fully accessible, closed captions on television programs must accurately convey dialogue and sounds in the program, and run from the beginning to the end of the program. In addition, captions must be timed so that they generally do not lag far behind the program's dialogue and must be placed so they do not block other important information on the screen. The new rules also ensure better access to local news on TV. Further, the Order explains how the new standards apply to pre-recorded, live, and near-live programming, and identifies best practices for video programmers, captioning vendors, and captioners. The new rules will be evaluated again one year after they become effective to ensure full access to TV programming.

- [Read the FCC press release](#)
 - [Read about closed captioning on television](#)
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Disability.gov Updates



[Hospital Charged with Discriminating against Child Care Worker with Cerebral Palsy](#)

The Equal Employment Opportunity Commission (EEOC) has settled a [disability discrimination](#) suit against Osceola Community Hospital of Sibley, IA. The hospital is charged with violating the [Americans with Disabilities Act](#) (ADA) by allegedly refusing to hire a child care worker because she has [cerebral palsy](#). Managers were afraid that her disability would keep her from safely caring for children. The hospital will pay will pay \$75,000 to the worker and begin new policies to stop discrimination based on disability.

Justice Department Enters Consent Decree with National Tax Preparer H&R Block Requiring Accessibility of Websites and Mobile Apps Under Americans with Disabilities Act

Acting Assistant Attorney General Jocelyn Samuels of the Civil Rights Division and U.S. Attorney Carmen M. Ortiz of the District of Massachusetts announced today that they have entered into a consent decree with HRB Digital LLC and HRB Tax Group Inc., subsidiaries of H&R Block Inc., to remedy alleged violations of the Americans with Disabilities Act (ADA). The decree resolves the department's allegations that individuals with disabilities are denied full and equal enjoyment of largely tax-preparation focused goods and services that are provided through H&R Block's website and mobile applications. The decree has been filed with the U.S. District Court for the District of Massachusetts for the court's approval.

On Dec. 11, 2013, the Civil Rights Division and the U.S. Attorney's Office for the District of Massachusetts filed a complaint in intervention in the lawsuit *National Federal of the Blind (NFB) et al. v. HRB Digital LLC et al.* to enforce Title III of the ADA. The decree resolves the complaints by the NFB, two individual plaintiffs and the United States filed in the District of Massachusetts.

H&R Block is one of the largest tax return preparers in the United States. It offers a wide range of services through its website, www.hrblock.com, and its mobile apps, including professional and do-it-yourself tax preparation, instructional videos, office location information, interactive live video conference and chat with tax professionals, online and in-store services and electronic tax-return filing.

The complaint alleged that H&R Block failed to code its website in a manner that would make it accessible to individuals who have vision, hearing and physical disabilities. As described in the complaint, individuals with disabilities use various assistive technologies to access the Internet, including screen reader software, refreshable Braille displays, keyboard navigation and captioning, among others that are not currently compatible with H&R Block's website. These technologies have been widely used for decades. The recognized international industry standards for web accessibility, known as the Web Content Accessibility Guidelines (WCAG) 2.0, [can be found online](#) and are freely available to help companies ensure that individuals with disabilities can fully and equally enjoy their web-based goods and services. Read more at: <http://www.justice.gov/opa/pr/2014/March/14-crt-239.html>

For Information about ODR's Newsletter call 202-724-5055 or visit the web at odr.dc.gov.



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MISSION STATEMENT

The mission of the District Office of Disability Rights (ODR) is to ensure that the programs, services, benefits, activities and facilities operated or funded by the District of Columbia are fully accessible to, and useable by people with disabilities. ODR is committed to inclusion, community-based services, and self-determination for people with disabilities. ODR is responsible for overseeing the implementation of the City's obligations under the Americans with Disabilities Act (ADA) as well as other disability rights laws.