



The ADA Network in North Carolina

May 2015

**In recognition of the 25th Anniversary of the
Americans with Disabilities Act (ADA)**

Prepared by:



Individuals with Disabilities

According to the U.S. Census (2010), approximately 56.7 million people in the United States are living with a disability. This represents 19% of the non-institutionalized population. The impact of disabilities can include having difficulty seeing, hearing, having speech understood, walking, bathing, dressing, eating, preparing meals, going outside the home, or doing housework, and being frequently depressed or anxious¹. By age, the population includes:

- 8 percent of children under 15 had disabilities
- 21 percent of people 15 and older had disabilities
- 17 percent of people 21 to 64 had disabilities
- 50 percent of adults 65 and older had disabilities

Some type of disability was reported by 35% of men and 38% of women age 65+ in 2011. This number will only increase as the baby boom generation of older adults rises in the next two decades. The population 65 and over has already increased from 35 million in 2000 to 41.4 million in 2011 (an 18% increase) and is projected to increase to 79.7 million in 2040².

In 2013, the unemployment rate for persons with a disability was 13.2 percent in 2013—almost twice as high as the rate for those with no disability (7.1 percent)³. Persons with disabilities are also twice as likely as those without to have inadequate transportation (31 percent compared to 13 percent), have a higher likelihood of going without medical care (18 percent compared to 7 percent), and are less likely to socialize, eat out, or attend religious services. In addition, one-third of individuals with disabilities using assistive technology say they would lose their independence without it⁴. Examples of technology include modified eating utensils, dressing aids, alternate keyboards, touch screens, voice to text software that enable persons with disabilities to use a computer, electronic systems and switches that help people control home appliances, telephone, TV by pressure, eyebrows or breath, automatic door openers, and others.

In the past, it was assumed that the problems faced by people with disabilities, such as the inability to access transportation, unemployment, and lack of education were inevitable consequences of the physical or cognitive limitations as a result of the disability itself. However, there was growing recognition that policies, societal barriers and prejudices were key factors in producing these outcomes. Advocates began to

¹ U.S. Census Bureau, Americans with Disabilities: 2010 www.census.gov/prod/2012pubs/p70-131.pdf

² A Profile of Older Americans: 2012. Administration on Aging, Administration on Community Living, US Department of Health and Human Services. www.aoa.gov/agingstatistics.

³ Persons with a Disability: Labor Force Characteristics 2013. Bureau of Labor Statistics, Department of Labor June 11, 2014 USDL-14-1076

⁴ American Community Survey, Disability Statistics, Cornell University www.disabilitystatistics.org

persuade Congress to enact legislation necessary to eradicate discriminatory policies and practices. This began with changes to Section 504 of the Rehabilitation act of 1973, and continued with the passage of the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008.

History of the Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990, by President George H.W. Bush. The ADA is one of America's most comprehensive pieces of civil rights legislation that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life -- to enjoy employment opportunities, to purchase goods and services, and to participate in State and local government programs and services. Modeled after the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, sex, or national origin – and Section 504 of the Rehabilitation Act of 1973 -- the ADA is an "equal opportunity" law for people with disabilities. The ADA signified the adoption of a comprehensive public policy committed to the removal of a broad range of barriers to the integration of people with disabilities into society.

To be protected by the ADA, one must have a disability, which is defined by the ADA as “a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment”. The ADA does not specifically name all of the impairments that are covered.

The ADA prohibits discrimination on the basis of disability in employment, state and local government activities, public accommodations, commercial facilities, transportation, and telecommunications. The Department of Justice enforces the provisions that apply to more than seven million places of public accommodation, including all hotels, restaurants, retail stores, theaters, health care facilities, convention centers, parks, and places of recreation (Title III), in all activities of state and local governments (Title II), and in all employment practices of state and local government employers with 15 or more employees (Title I). The ADA also establishes architectural accessibility requirements for new construction and alterations of all nonresidential buildings and facilities⁵.

⁵ Americans with Disabilities Act (Pub.L. 101–336, 104 Stat. 327, enacted July 26, 1990, codified at 42 U.S.C. § 12101)

Celebrating 25 Years of the Americans with Disabilities Act (ADA)

The ADA 25th Anniversary is a time to reflect positively on a law that has made a great impact on the lives of people with disabilities over the past 25 years. The message within the Preamble and history of the ADA is powerful because it clearly states the Congressional intent that the law is intended "to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities."

The ADA has changed how society views and accommodates its citizens with disabilities. Universal Design -- the practice of designing products, buildings and public spaces and programs to be usable by the greatest number of people -- has helped create a society where curb cuts, ramps, lifts on buses, and other access designs are increasingly common. In the process, there is recognition that an accessible society is good for everyone, not just people with disabilities.

Curb cuts designed for wheelchair users are also used by people with baby carriages, delivery people, and people on skateboards. As the Baby Boom generation enters the population of older adults, the number of Americans needing access and universal design is growing enormously.



The ADA has also created a more inclusive climate where companies, institutions, and organizations are reaching out far more often to people with disabilities. Colleges and universities, for example, now accommodate more people with disabilities than they did before ADA, making their campus and classrooms accessible.



Implementation: The ADA National Network

In order for individuals to benefit from the provisions offered in the ADA, federal, state, and local entities must effectively implement and put these laws into practice. Specifically, the needs are:

- People with disabilities must be informed of their rights under the Americans with Disabilities Act;
- People with disabilities must be given the opportunity to acquire skills and take a leadership role in promoting their rights;
- People with disabilities should be at the table on boards and commissions where decisions are made on the local and state level; and
- People with disabilities should have access to jobs which allow them to work side-by-side with business and government to make communities more accessible to everyone.

The **ADA National Network** consists of 10 regional centers and an ADA Knowledge Translation Center distributed throughout the United States to provide local assistance and foster implementation of the ADA. Funded by the National Institute on Disability and Rehabilitation Research (NIDRR), the ADA National Network provides information, guidance and training on the Americans with Disabilities Act (ADA), tailored to meet the needs of business, government and individuals at local, regional and national levels. The

Network is not an enforcement or regulatory agency, but a helpful resource supporting the ADA's mission to "make it possible for everyone with a disability to live a life of freedom and equality."

The 10 regional centers and the ADA Knowledge Translation Center, work together to develop projects and events of national significance. Each regional center focuses on the specific needs of the residents who reside within its service area. The regional nature of the ADA National Network is critical to ensuring the network can adequately support the diverse population of ADA Stakeholders throughout the country.

The North Carolina ADA Network

The North Carolina ADA Network is a collaborative initiative of the Southeast ADA Center (an ADA National Network regional resource center) and the North Carolina Council on Developmental Disabilities (NCCDD). NCCDD believes that people with disabilities must be allowed and encouraged to engage in activities that promote the Americans with Disabilities Act's mission to "make it possible for everyone with a disability to live a life of freedom and equality." With its federal funds made available through the Developmental Disabilities Act (DD Act), NCCDD has awarded grants to help establish and support the North Carolina ADA Network.

Through its partnership with the Southeast ADA Center, the North Carolina ADA Network has established a statewide network of local grassroots partners, led by people with disabilities, to conduct projects and activities aimed at raising awareness of and increasing compliance with the Americans with Disabilities Act (ADA) in counties across North Carolina. Specific activities include:

- ADA Technical Assistance to businesses, service providers, individuals with disabilities and families including accessibility consultation, referral, ADA information, local and state advisory board membership, etc. (NC ADA Network local groups receive priority when contacting the Southeast ADA Center for advise on providing ADA technical assistance.)
- ADA Education and Training including local in-person training, webinars, audio-conferences and web courses.
- Materials Dissemination of ADA materials and publications with accurate, up-to-date information about the ADA.
- Public Awareness Activities that increase ADA awareness and knowledge (including exhibits, presentations and media).

Currently, over 23 local grassroots groups, led by people with disabilities, from across North Carolina are active members of the NC ADA Network. In 2014, these groups conducted or hosted Americans with Disabilities Act (ADA) Projects and activities that served 44 counties across the state.



The NC ADA Network and its local grassroots partners have conducted or hosted ADA Trainings, distributed ADA publications and information, provided ADA technical assistance and conducted public awareness and educational events serving people with disabilities, family members and businesses from all 100 North Carolina counties.

Community Partnerships

A notable strength of the NC ADA Network is in the development of state and local partnerships to implement the provisions of the ADA. Current partners include:

- **Southeast ADA Center** – Atlanta, GA (provides technical assistance, training and materials on the Americans with Disabilities Act in addition to supplemental financial support)
- **Alliance of Disability Advocates** (fiscal agent and ADA technical support to local grassroots groups)
- **23 grassroots groups**, led by people with disabilities, from across North Carolina who conduct or participate in ADA projects in their local communities
- Current State agency collaborators including: **North Carolina Office on Disability and Health, NC Department of Emergency Management, Disability Rights NC, North Carolina Council on Developmental Disabilities,**
- **Local governmental agencies** including Mayor's offices, local planning commissions, and local transportation authorities

Impact of Local Projects

In the past year alone (2014), the NC ADA Network has conducted educational and technical assistance activities that include:

- ü 25 ADA Trainings serving 707 people (254 people with disabilities, 80 family members and 373 business representatives)
- ü 1801 ADA publications to 1209 people
- ü ADA Technical Assistance to 819 people (343 people with disabilities, 82 family members and 394 business representatives)
- ü 10 Public Awareness events, including ADA exhibits and presentations, reaching more than 300 people

In addition to general education, each grassroots group, led by people with disabilities, have identified policy gaps in local communities and worked with residents and local policy makers on a variety of areas that impact persons with disabilities.

Below are selected examples of NC ADA Network projects and outcomes in the past five years:

Parking and Building Accessibility

- Landlords made accessibility improvements to leasing offices & apartment application process
- Businesses and local government entities added or improved accessible parking spaces
- Business made improvements to restrooms (higher toilets, wider accessible stalls & accessible sinks)
- Local NC ADA Network partners collaborated with public health officials to improve access to medical services (e.g., tables, assessments, provider training)
- The NC ADA Network received a \$10,500 grant to participate in the *Southeast ADA Center and Burton Blatt Institute at Syracuse University* “Civic, Social and Economic Participation of Persons with Disabilities” Project. This Participatory Action Research Project looked at the way in which a community’s physical and operational accessibility affects the participation and involvement of persons with disabilities living in that community

Emergency preparedness

- Emergency Managers have invited individuals with disabilities to join local CERT (community emergency response team) groups
- Numerous people with disabilities completed personal emergency preparedness plans
- Direct care staff took ADA & Emergency Preparedness information to at least one of their own consumers and assisted them in completing a personal emergency preparedness plan
- People with disabilities gained membership on statewide Emergency Preparedness Committees
- People with disabilities gained membership on local and state Emergency Preparedness Task Forces

Transportation

- As a result of the Citizens Together Advocacy Group (CTAG) Transportation Project, the City of Rocky Mount is using Federal stimulus money to make 20 bus stops accessible. CTAG is now in the process of assisting the Transit Authority in prioritizing which bus stops to make accessible
- ADA Network member was asked by city to serve on Dare County transportation advisory board
- Tar River Transit updated policies & procedures affecting riders with disabilities and City of Charlotte added new accessible bus stop
- People with disabilities gained membership on local transit advisory groups
- City of Kernersville received federal funding for accessible fixed route transit and has asked the NC ADA Network Affiliate to give feedback on the accessibility of all of the city's bus stops in 2015. The City's accessibility improvements were featured in Kernersville Magazine (a publication of Kernersville News)
- City of Charlotte moved the Steele Creek Bus Stop to a safer location, installed 2 warning signs for drivers and added a bench to bus stop
- ADA Advocate gained membership on the Capital Area Friends of Transit (serving 5 counties)
- ADA Network representatives are now serving on the North Carolina Department of Transportation Statewide Stakeholders Group. This group is working on the North Carolina long-term transportation plan

- As a result of an ADA & Public Transit presentation by STAR at a Greenville City Council Meeting, the City made repairs and added a curb cut on 5th Street
- Since ADA training in Greenville, NC, there have been no more reports of taxi price gouging or offering limited hours of service to people with disabilities. In addition, one taxi company bought the 1st accessible Taxi in the city
- ADA Network partners are developing Model Program Guide on Accessible Bus Stops

Employment and Housing

- Gaston County Inspections Department changed policy and procedures to ensure that accessibility is addressed when issuing building permits and Certificates of Occupancy
- Hosted “ADA & Employment” training involving individuals with I/DD
- Shared ADA rights information with over 300 high school students at Edgecombe county-wide transition fair

Voting

- ADA training for voting pole workers prior to national vote
- 93% of poll workers attending ADA training report increased ADA knowledge based on pre/post test

Recreation

- American Military Museum is moving their exhibits to the first floor of the 2 story building that does not have an elevator
- Union County and Indian Trail High School made accessibility improvements to Football Stadium
- Community therapeutic Recreation classes are now open to all people with disabilities not just individuals with I/DD
- Recreation department developed relationship with Services for the Blind office to develop future accommodations strategies & disability awareness training as needed

Service animals

- Multiple restaurants updated policies and practices on allow service animals in business

- Camp Keyauwee made policy and procedure changes to accommodate service animals at camp. Made change to camper application to gather needed information without discriminating against people with disabilities

Communication

- Agencies adopted formal written accessible communication policy
- North Carolina Lottery Commission updated policies and procedures related to serving people with disabilities. This action disseminated ADA information to all local businesses that participate as lottery vendors in all 100 NC counties
- Libraries and courthouses made improvements to effective communication procedures
- Counties added an “accommodation statement” on their websites
- Rowan County school changed policy to allow parents/guardian who are deaf to request interpreter for mandatory parent/teacher meetings

Over the past 2 years, self-advocates from around the state have tested and helped write a new ADA Tool called **“ADA -Starting the Conversation with Business.”** This Tool offers teams of people with disabilities a step-by-step guide to talking to businesses about the Americans with Disabilities Act and offering feedback on making programs and services more accessible. NC ADA Network representatives, including a self-advocate, led a session on this initiative at the National ADA Symposium in May 2015.

The Voice of Community ADA Advocates in North Carolina

In its 10 year history, the North Carolina ADA Network has built a network of hundreds of community leaders who have advocated for greater accessibility and inclusion, and have trained others in their local communities to make improvements that support individuals with disabilities. These leaders are now an integral part of the community and are regularly called upon as a resource for disability policy.

In honor of the 25th Anniversary of the ADA, current leaders in the NC ADA Network were asked to reflect on the importance of the ADA, progress made in the past 25 years, to share their favorite stories, and to comment on what the next 25 years might bring.

EDDIE MANEY: JACKSON COUNTY, NORTH CAROLINA

“The ADA has helped people with disabilities by making goods and services more accessible-- from accessible parking to getting around inside stores. Some stores still have some work to do, especially the smaller stores with narrow aisles, and things like that.”

“In the past 25 years, the ADA has made people more aware of the issues that people with disabilities face. Overall, it seems that the general public has a more positive attitude toward people with disabilities. Small business owners are still resisting making their business more accessible. If something is going to cost them a little money, they tend to resist.”

“I recently attended an intense 2-day training on the Americans with Disabilities Act conducted by the NC ADA Network. Getting this type of training is important for the work I do with people with disabilities and makes me a stronger advocate.”

MARIAN BRASWELL: NASH COUNTY, NORTH CAROLINA

“I think the Americans with Disabilities Act has helped people with disabilities make progress. It has given us more opportunities within our communities to be active-- like going to college. It has also helped to change attitudes in a positive way. People see individuals with disabilities more as equal to everyone else. For example, I can do the same recreational activities like sports.”

“In the next 25 years, we need to continue to create opportunities that will help us to get out into the community and be more active—like more recreational opportunities.”

“The NC ADA Network has made a difference in my community. I did the ADA & Bus Stops project and as a result the City of Rocky Mount made bus stops more accessible. I used what I learned about the ADA to get the Transportation Manager to enforce the policy on accessible seating on the bus I ride. I also worked to educate the passengers with disabilities and drivers about accessible seating on the bus.”

NESSIE SILER: DARE COUNTY, NORTH CAROLINA

“The Americans with Disabilities Act has helped people with disabilities make progress. In America today there are accessible parking spaces, curb cuts, and bathrooms and the ADA helped make those things happen. I remember when it was not a given that I could go to a restaurant bathroom that I could use. Curb cuts help people without disabilities too – like mothers with strollers or people moving boxes. People expect things to be accessible and expect to be able to go to the store without thinking about – can I get in? The physical environment is more accessible. Accessibility is more second nature now – accessible shopping carts, etc. Now sometimes those things are not maintained – snow in accessible parking spaces, shopping cart in access aisles. The ADA says that all public facilities need to be accessible.”

“If the ADA had not happened, I don’t believe that those things would have happened. If it is easier for everyone to get into your store (into the door), that is better for business too. But this is only basic access and we need so much more. Yes -I can get into a business now and I can show up, but once I get into the door, can I get a job, can I fully participate? Most people don’t expect me to show up and when I do – now what? Businesses still need disability awareness training. So yes, some good things have happened, but some people might think that we don’t need to do anything else. We still have issues of basic access too.”

“The ADA has helped change attitudes too. We are seen more than we used to be--we are no longer hidden behind closed doors. More people get to interact with us. We are in the community more now than we would have been 25 years ago.”

“In the next 25 years, we still need to work on transportation, jobs and safe affordable accessible housing. I would love to see more accessible transportation – not just getting on the bus – but more available public transportation (expanded schedules) that can get me back and forth from work in a dependable way. For example: I was working at crisis assistance center and the office closed at 5:00. However my public transportation forced me to leave my job at 4:30. It affected my ability to do my job the way I wanted. My employer was very understanding, but I want to work my job the same as everyone else.”

“As part of the ADA Network, I learned about the ADA and was able to take that information back to my community. I am now on the local Dare County Transportation Advisory Board and on the Transportation Committee of the statewide Emergency Prep Initiation. The ADA Network supported me in attending statewide meeting that I could not go to otherwise. The ADA Network helped my self advocacy group to make a plan to take action. Dare County may not have gotten this information otherwise.”

“My favorite ADA story was when I was 17 years old, I saw on TV people with disabilities crawling up the steps of the Capitol building in DC advocating for the passage of the ADA. When I saw that, I thought – maybe we can do something! Now there is a law mandating accessibility. Before, you had to ask for accessibility and hope it would be granted.”

Summary

As we celebrate the 25th Anniversary of the signing of the Americans with Disabilities Act on July 26, 2015, North Carolina will reflect on the many successes that have been achieved to improve opportunities for individuals with disabilities and their families as outlined above. However, there is still much work to be done now and in the next 25 years to ensure that individuals with disabilities are truly included in their communities. While there has been great progress in increasing physical accessibility in terms of parking spaces, vehicles, homes, and businesses, we must continue to make a more positive shift in our attitudes and expectations with respect to the contributions individuals with disabilities can and do make as employees in our workplaces and citizens of our cities and towns. The North Carolina ADA Network looks forward to continued progress on implementing the vision of equality outlined in the ADA in communities across our state.