



Enforcing the ADA

A Status Report from the Department of Justice

(January-March 1997)

*This Status Report covers the ADA activities of the Department of Justice during the first quarter (January to March) of 1997. This report, previous status reports, and a wide range of other ADA information are available through the Department's ADA Home Page on the World Wide Web (see page 10). The symbol (**) indicates that the document is available on the ADA Home Page.*

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The Americans with Disabilities Act (ADA) is a comprehensive civil rights law for people with disabilities. The Department of Justice enforces the ADA's requirements in three areas -

Title I: Employment practices by units of State and local government

Title II: Programs, services, and activities of State and local government

Title III: Public accommodations and commercial facilities

I. Enforcement

Through lawsuits and both formal and informal settlement agreements, the Department has achieved greater access for individuals with disabilities in hundreds of cases. Under general rules governing lawsuits brought by the Federal Government, the Department of Justice may not file a lawsuit unless it has first unsuccessfully attempted to settle the dispute through negotiations.

A. Litigation

The Department may file lawsuits in Federal court to enforce the ADA and may obtain court orders including compensatory damages and back pay to remedy discrimination. Under title III the Department may also obtain civil penalties of up to \$50,000 for the first violation and \$100,000 for any subsequent violation.

1. Decisions

First Circuit Upholds Dentist's Liability for HIV Discrimination -- The U.S. Court of Appeals for the First Circuit ruled in Abbott v. Bragdon that a dentist in Bangor, Maine, violated the ADA by refusing to provide routine dental care to a patient because of her HIV-positive status. In upholding the lower court decision, the Court of Appeals held that

the patient, Sidney Abbott, is a person with a disability under the ADA because her HIV status is a physical impairment that poses a substantial limitation on the major life activity of reproduction. The court also held that providing routine dental treatment to Ms. Abbott would not have posed a direct threat to the health or safety of Dr. Bragdon in light of the published findings of the U.S. Centers for Disease Control that "patients with HIV infection may be safely treated in private dental offices when appropriate infection control procedures are employed." The Department intervened in the lower court case to defend the constitutionality of the ADA, and participated as amicus curiae on the issue of "direct threat" in support of the patient in both the lower court and the court of appeals.

Exhaustion of State Remedies not Required in Title III Cases -- The U.S. District Court for the District of Colorado ruled that plaintiffs do not have to file a discrimination complaint with a State agency before filing suit under title III. In Colorado Cross Disability Coalition v. Hermanson Family Limited Partnership I plaintiffs allege that a retail store violated the barrier removal and alterations provisions of title III. The Department filed an amicus brief arguing, as the court held, that plaintiffs do not

have to exhaust State administrative remedies before they can file a lawsuit under title III.

2. New lawsuits

The Department initiated or intervened in the following lawsuits.

Title I

Autio v. State of Minnesota -- The Department intervened in the U.S. District Court for the District of Minnesota to defend the constitutionality of ADA lawsuits against State government employers under title I. The State moved to dismiss the plaintiff's employment discrimination claims on the grounds that Congress did not have constitutional authority in the area of disability discrimination to override the traditional sovereign immunity that protects States from lawsuits. The Department responded by arguing that the ADA falls squarely within Congress' constitutional authority to enforce the Fourteenth Amendment's guarantees of equal protection under the law and that Congress was therefore empowered to subject States to ADA lawsuits.

Title II

Miller v. District of Columbia -- The Department moved to intervene in a lawsuit claiming that the District of Columbia violated title II by failing to respond to 9-1-1 calls made by TDD users. The suit seeks a court order requiring D.C. to take appropriate steps to ensure direct, effective access to its 9-1-1 system for individuals who use TDD's and to pay compensatory damages to individuals injured by D.C.'s failure to respond appropriately to TDD calls.

Clark v. California -- The Department intervened in the U.S. Court of Appeals for the Ninth Circuit to defend the constitutionality of

ADA lawsuits against State prisons. The plaintiffs, a class of incarcerated individuals with developmental disabilities, seek changes in policies and procedures to allow them to have equal access to prison programs. The Department argued that the ADA is appropriate enforcement legislation under section 5 of the Fourteenth Amendment and therefore Congress may subject States to ADA lawsuits.

3. Consent Decrees

Some litigation is resolved at the time the suit is filed or afterwards by means of a negotiated consent decree. Consent decrees are monitored and enforced by the Federal court in which they are entered.

Title III

United States v. Days Inns of America, Inc. -- The Department entered into a consent decree with Iyer & Associates, the architects of the Days Inn hotel in Willows, California. The architect has agreed to pay \$18,000 in civil penalties for violations of title III's new construction provisions in the design of the hotel. The agreement leaves only the franchisor, Days Inns of America, and its parent company, HFS Incorporated, as defendants in this case. The Department previously entered into separate consent agreements with the owner and the contractor of the Willows hotel. The Department continues its litigation against franchisors Days Inns of America, Inc. and HFS Incorporated for violations of the new construction provisions at the Days Inns hotels in Wall, South Dakota; Evansville, Indiana; Champaign, Illinois; and Hazard, Kentucky. Violations at the Days Inn hotels include, for example, failure to provide accessible parking, accessible public areas including restrooms, accessible paths of travel to and from public areas and guest rooms, and accessible guest rooms.

4. Amicus Briefs

The Department files briefs in selected ADA cases in which it is not a party in order to guide courts in interpreting the ADA.

Title I

Swanks v. Washington Metropolitan Area Transit Authority (WMATA) -- A successful application for Social Security disability benefits should not automatically prevent an individual from succeeding in an ADA employment discrimination suit, according to an amicus brief filed by the Department with the U.S. Court of Appeals for the District of Columbia Circuit. After WMATA allegedly refused a request for reasonable accommodation and discharged him as a special transit police officer, the plaintiff applied for Social Security disability benefits. The Social Security Administration concluded that his congenital abnormality of the spine and associated urinary incontinence left him unable to work within the meaning of the Social Security Act and awarded him disability benefits. The plaintiff then filed a title I ADA suit alleging that WMATA failed to make a reasonable accommodation for his disability -- 10-minute exercise periods each hour that would enable him to maintain better control of his bladder. The district court ruled that plaintiff's receipt of Social Security disability benefits is an admission that he is physically unable to work and thus bars any claim under the ADA asserting that he is qualified for the job. On appeal the Department's amicus brief argues that a finding by the Social Security Administration that an individual is unable to work should not automatically bar an ADA claim for two principal reasons -- Social Security does not consider reasonable accommodation in determining whether an individual is able to work, and with respect to

certain specific disabilities, Social Security grants benefits automatically without assessing the individual's actual capacity to work.

Title II

Burkhart v. Washington Metropolitan Area Transit Authority -- The Department filed an amicus brief arguing that the auxiliary aids requirements of the Department of Justice's title II regulation apply to interactions between bus passengers and transit police. The suit alleges that WMATA failed to provide a sign language interpreter to a deaf rider who was involved in a physical altercation with a bus driver. The plaintiff successfully sued WMATA for damages. On appeal, WMATA argued that because the altercation took place on a transit bus, its obligations were limited to compliance with the ADA regulations for public transit facilities and vehicles published by the Department of Transportation, which do not set out specific auxiliary aids obligations regarding transit police, and not with the Department of Justice's regulations, which contain auxiliary aids requirements that apply generally to all the activities of public entities. The amicus brief argues that the Department of Justice regulation applied to the transit police and required appropriate auxiliary aids to be provided.

Armstrong v. Wilson -- An amicus brief filed by the Department in the U.S. Court of Appeals for the Ninth Circuit argues that Title II covers correctional facilities. This brief joins two others filed on this issue by the Department that are pending before the Courts of Appeals in the Third and Fourth Circuits. The brief in Armstrong also argues that Congress had ample constitutional authority to subject States to lawsuits under the ADA.

Ferguson v. City of Phoenix -- The Department filed an amicus brief in the U.S. Court of Appeals for the Ninth Circuit on behalf of TDD users who on several occasions were unable to

communicate with the Phoenix 9-1-1 emergency service because the City's system was not properly designed to recognize TDD calls. The brief argued that compensatory damages may be awarded under title II without a showing of intentional discrimination, and that plaintiffs are entitled to a jury trial if they seek compensatory damages. The Department earlier participated as amicus in the district court which entered a consent order mandating changes in Phoenix's 9-1-1 system to ensure effective, direct 9-1-1 access to TDD users.

Innovative Health Systems, Inc. (IHS) v. City of White Plains -- The Department urged the U.S. Court of Appeals for the Second Circuit to approve a preliminary injunction stopping White Plains, New York, from preventing the operation of an alcohol and drug dependency treatment program in its downtown area. In an amicus brief filed by the U.S. Attorney for the Southern District of New York, the Department argued that title II covers all the activities of State and local government, including zoning practices, that Innovative Health Systems, Inc., as an organization, has standing to challenge the City's action under title II, and that IHS was entitled to a preliminary injunction. The U.S. Attorney also made these arguments successfully in an earlier amicus brief in the lower court.

B. Formal Settlement Agreements

The Department sometimes resolves cases without filing a lawsuit by means of formal written settlement agreements.

Title II

Rome, New York -- The Department entered into an agreement with the City of Rome, New York, and the Unified Court System of the State of New York requiring that the City design and construct its proposed new court house facility (or in the alternative renovate the

old court house facility) in conformance with the Americans with Disabilities Act Standards for Accessible Design. In addition, the City must post notices at all entrances to the building in which the Rome City Court currently offers its programs indicating how individuals with disabilities may obtain equal access to the programs operated from the inaccessible second floor of the building. Upon notice, the Rome City Court will move its activities to accessible locations.

*** Hancock and Harrison Counties, Mississippi* -- The Department entered into two separate settlement agreements with Hancock and Harrison Counties to resolve complaints alleging that both counties disqualified a prospective juror who is deaf because of his disability. The Counties agree to establish a policy to ensure that individuals who are deaf or hard of hearing will not be excluded from jury service or from participation as parties, witnesses, or spectators in any court proceedings because of their disabilities.

Belvidere, New Jersey -- The Department entered into a settlement agreement with the Town of Belvidere, New Jersey, requiring it to design and construct its proposed new services building in conformance with the Americans with Disabilities Act Standards for Accessible Design. In addition, the Town will post notices at all entrances to inaccessible buildings, and upon notice, the city will move its services, programs, and activities to accessible locations.

Roswell, New Mexico -- A settlement agreement was reached between the Department of Justice and the City of Roswell, New Mexico, Municipal Court in which Roswell agreed to adopt a written policy to provide qualified interpreters in court proceedings when necessary to ensure effective communication with individuals who are deaf or hard of hearing.

Destin, Florida -- Following a compliance review, the City of Destin, Florida agreed to remove barriers in its newly constructed city hall building that failed to comply fully with the ADA Standards for Accessible Design. Measures agreed to include installing a ramp leading into a side entrance, modifying four restrooms, installing signage, providing access to council chambers, and widening doorways in the building. The City of Destin has also filed a complaint with the Florida licensing board against the original architectural firm that designed the city hall for its failure to comply with the ADA Standards.

*Formal Settlement
Agreements*

Title III

**** *Mid-America Festivals, Shakopee, Minnesota*** -- The Department entered into an agreement with Mid-America Festivals, operator of the Minnesota Renaissance Festival, the largest renaissance festival in the country. The agreement resolved a complaint filed by a wheelchair user who alleged that he was unable to visit many of the shops and booths at the festival because they were not accessible and because some shops had ramps that were dangerously steep. Under the agreement, Mid-America will provide an accessible ticket window, as well as remove all barriers to access at several food booths and shops. They will also provide accessible portable restroom facilities and accessible telephones, and pay a civil penalty of \$4,000.

**** *Disney Agrees to Interpreters, Captioning, Assistive Listening Systems***

The Department and Walt Disney World reached a comprehensive agreement resolving complaints that Disney had failed to provide auxiliary aids for effective communication for persons who are deaf or hard of hearing. Under the agreement Disney will --

- provide oral and sign language interpreters at numerous specified attractions by March 1, 1997, at Walt Disney World in Florida, and by December 31, 1997, at Disneyland in California, upon notice two weeks in advance of an individual's planned visit;
- make captioning systems available without reservation at the entrance to specified rides or shows no later than December 31, 1997, at both Disney resorts;
- provide transcripts to persons who are deaf or hard of hearing at attractions and allow these individuals an opportunity to ride an attraction promptly a second time in order to better understand the written text;
- schedule interpreters at specified shows, performances, and rides on a rotating basis so that guests can attend all interpreted attractions in one day at one of the three parks at Walt Disney World in Florida and Disneyland in California;
- provide closed captioning on video monitors in queues for attractions and other arcades throughout the parks;
- make interpreter schedules available from Walt Disney World and Disneyland Guest Services;
- provide assistive listening systems and written transcripts for most attractions for hard of hearing guests who desire them;
- train employees to improve services for guests who are deaf or hard of hearing;
- advertise its services for guests who are deaf or hard of hearing.

C. Other Settlements

The Department resolves numerous cases without litigation or a formal settlement agreement. In some instances, the public accommodation, commercial facility, or State or local government promptly agrees to take the necessary actions to achieve compliance. In others, extensive negotiations are required. Following are some examples of what has been accomplished through informal settlements.

providing auxiliary aids and services throughout its court system, including custody hearings.

A Wyoming county has installed an elevator in its Courthouse to make those programs that are located on the second floor of the Courthouse accessible to people who use wheelchairs.

A Nebraska county agreed to make its transition plan more available to the public.

Title II

Title III

A Michigan county agreed to provide auxiliary aids that are necessary for full participation in matters brought before its courts.

A small restaurant in Joliet, Illinois, agreed to remove barriers, provide accessible parking, modify the exterior route, install accessible public pay telephones inside and outside the building, and make modifications to the entrance, seating, signage, and toilet rooms.

A plumbers and gasfitters licensing board for a major northeastern city has agreed to allow an individual with a learning disability to retake its licensing examination using a calculator and to allow him the same choice of testing dates as nondisabled individuals.

A live performance theater in San Francisco, California, installed a curb ramp near accessible parking spaces, installed signage indicating the location of an accessible entrance and accessible restrooms, made modifications to the box office counter and one public telephone, and created additional wheelchair seating spaces.

A Colorado community hospital is developing appropriate policies and procedures based on individualized assessment for the use of a therapy pool by individuals with developmental disabilities.

A retail chain department store in Winston-Salem, North Carolina, agreed to reconfigure a department store fitting room to make it accessible.

The Supreme Court of a southern state agreed to provide auxiliary aids as appropriate throughout its court system and to post notices of the new policy at each courthouse.

The U.S. Attorneys obtained settlements in the following cases --

A State children, youth, and families department in the Southwest established procedures for providing auxiliary aids to ensure effective communication at all of its activities, including probation meetings.

Northern District of Ohio; Eastern District of New York --Two 9-1-1 emergency telephone centers signed settlement agreements with United States Attorney's offices, regarding their TDD service to people who are deaf, hard of hearing, or who have speech impairments. The settlement agreements reached with the

A judicial district in Colorado established a comprehensive policy and procedures for

Cleveland, Ohio, and Hempstead, New York, centers resolved compliance reviews under title II initiated by the U.S. Attorney's offices, as part of a nationwide program of compliance reviews of 9-1-1 centers. The Cleveland review revealed that the 9-1-1 center had only one TDD to be shared by 80 9-1-1 call takers. The center agreed to purchase additional TDD's so that every call taker has a TDD at his or her station. The Hempstead 9-1-1 center previously had failed to train staff to operate its

one TDD, despite a school for deaf students being in its service area. That center also agreed to purchase TDD's for each call-taking position.

District of Delaware -- A convenience store in Delaware agreed to construct an accessible concrete ramp from the end of the sidewalk to the store, making both the convenience store and the adjacent laundromat accessible to wheelchair users.

II. Certification of State and Local Building Codes

The ADA requires that newly constructed or altered facilities comply with the ADA Standards for Accessible Design (Standards). The Justice Department is authorized to certify building codes that meet or exceed the ADA's standards. In litigation, an entity that complies with a certified code can offer that compliance as rebuttable evidence of compliance with the ADA.

In implementing its authority to certify codes, the Department works closely with State and local officials, providing extensive technical assistance to enable them to make their codes equivalent to the ADA. In addition, the Department responds to requests for review of model codes and provides informal guidance to assist private entities that develop model accessibility standards to make those standards equivalent to the ADA.

The Department has certified the accessibility codes of the States of Washington and Texas and is now reviewing codes from nine other jurisdictions: Utah, New Mexico, Florida, Maine, Minnesota, New Jersey, Maryland, California, the Village of Oak Park, Illinois, and the County of Hawaii. The

Department is also reviewing a model code submitted by the Building Officials and Code Administrators, International (BOCA).

California -- The State of California requested certification of its accessibility code. The Department has previously provided technical assistance on the proposed code to the California Division of the State Architect.

Florida -- The Department notified the Florida Department of Community Affairs that its proposed amendments to the Florida Americans with Disabilities Accessibility Implementation Act and the Florida Accessibility Code will resolve the problems noted in the Department's earlier review of the State's accessibility requirements. If the proposed amendments are adopted by the Florida legislature, the Department expects to issue a preliminary certification of the Florida law.

New Mexico -- The State of New Mexico requested technical assistance for its proposed New Mexico accessibility code, which is being revised as a result of the Department's 1996 response to New Mexico's certification request.

ADA MEDIATION PROGRAM GETS RESULTS

Under a technical assistance grant from the Department, the Key Bridge Foundation is accepting referral of complaints under titles II and III for mediation by professional mediators. The Foundation has trained over 300 professional mediators in 45 States in the legal requirements of the ADA. Over 70 percent of the cases in which mediation has been completed have been successfully resolved.

Mediation is an informal process where an impartial third party helps disputing parties to find mutually satisfactory solutions to their differences. Mediation can resolve disputes quickly and satisfactorily, without the expense and delay of formal investigation and litigation.

Mediation proceedings are confidential and voluntary for all parties. Mediation typically involves one or more meetings between the disputing parties and the mediator. It may also involve one or more confidential sessions between one party and the mediator.

Mediation is neither therapy nor a “day in court.” Rather, mediation provides a safe environment for the parties to air their differences and reach a mutually agreeable resolution. Mediators are not judges. Their role is to manage the process through which parties resolve their conflict, not to decide how the conflict should be resolved. They do this by assuring the fairness of the mediation process, facilitating communication, and maintaining the balance of power between the parties.

Representation by an attorney is permitted, but not required, in mediation. While mediators may not give legal advice or interpret the law, they will refer parties to impartial outside experts within the disability and legal communities when questions or issues needing clarification arise.

A successful mediation results in a binding agreement between the parties. If mediation is unsuccessful and an agreement can not be reached, parties may still pursue all legal remedies provided under the ADA, including private lawsuits.

Complaints under both title II (public entities) and title III (private entities) can be mediated. Disputes involving barrier removal or program accessibility, modification of policies, and effective communication are most appropriate for mediation.

The Department refers appropriate ADA disputes to mediators at no cost to the parties. A list indicating the cities with mediators currently participating in the Department’s program may be obtained through the ADA Home Page on the World Wide Web (see page 10) or the ADA Information Line (see page 11). In addition, the Key Bridge Foundation is conducting ongoing mediator training sessions.

If you want a mediator in the Department’s program to work with you and the other party to resolve an ADA dispute, you simply follow the usual procedure for filing a complaint with the Department and note on the complaint that you want to take your dispute to mediation. While we cannot guarantee that everyone who wants mediation will be able to participate in the program, the Department will make every effort to comply with requests for mediation.

III. Technical Assistance

The ADA requires the Department of Justice to provide technical assistance to entities and individuals with rights and responsibilities under the law. The Department encourages voluntary compliance by providing education and technical assistance to businesses, governments, and members of the general public through a variety of means. Our activities include providing direct technical assistance and guidance to the public through our ADA Information Line, developing and disseminating technical assistance materials to the public, undertaking outreach initiatives, operating an ADA technical assistance grant program, and coordinating ADA technical assistance government-wide.

Department Inaugurates Fax on Demand -- The ADA Information Line's new Fax Delivery Service allows the public to obtain free ADA information by fax 24 hours a day, seven days a week. By entering the appropriate document code number, callers can select from among 21 different ADA technical assistance publications and receive the information, usually within minutes, directly on their fax machines or computer fax/modems. A list of available documents and their code numbers may be ordered through the ADA Information Line.

ADA Home Page

An ADA Home Page is operated by the Department on the Internet's World Wide Web (<http://www.usdoj.gov/crt/ada/adahom1.htm>). *The home page provides information about:*

- the toll-free ADA Information Line,
- the Department's ADA enforcement activities,
- the ADA Technical Assistance Program,
- certification of State and local building codes,
- proposed changes in ADA regulations and requirements, and
- the ADA Technical Assistance Grant Program.

and provides direct access to:

- ADA regulations and technical assistance materials (which may be viewed on-line or downloaded for later use), and
- links to the Department's press releases, Home Page, and ADA Bulletin Board, to bulletin boards of other Federal agencies, and to other Internet sites which have ADA information.

ADA Information Line

The Department of Justice operates a toll-free ADA Information Line to provide information and publications to the public about the requirements of the ADA. Automated service, which allows callers to listen to recorded information and to order publications, is available 24 hours a day, seven days a week. ADA specialists are available on Monday, Tuesday, Wednesday and Friday from 10:00 a.m. until 6:00 p.m. and on Thursday from 1:00 p.m. until 6:00 p.m. (Eastern Time). Spanish language service is also available.

To obtain general ADA information, get answers to technical questions, order free ADA materials, or ask about filing a complaint, call:

800-514-0301 (voice)

800-514-0383 (TDD)

Publications and Documents

Copies of the Department's ADA regulations and publications, including the Technical Assistance Manuals for titles II and III, and information about the Department's technical assistance grant program, can be obtained by calling the ADA Information Line or writing to the address listed below. All materials are available in standard print as well as large print, Braille, audiotape, or computer disk for persons with disabilities.

Disability Rights Section
Civil Rights Division
U.S. Department of Justice
P. O. Box 66738
Washington, D.C. 20035-6738

Copies of the legal documents and settlement agreements mentioned in this publication can be obtained by writing to:

Freedom of Information/
Privacy Act Branch
Administrative Management Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 65310
Washington, D.C. 20035-5310
Fax: 202-514-6195

Currently, the FOI/PA Branch maintains approximately five thousand pages of ADA material. The records are available at a cost of \$0.10 per page (first 100 pages free). Please make your requests as specific as possible in order to minimize your costs.

ADA regulations and technical assistance materials can also be downloaded from the Department's ADA Bulletin Board System (ADA-BBS) or the Internet. The ADA-BBS, which includes selected ADA documents from other agencies, can be reached by computer modem by dialing 202-514-6193 or accessed on the Internet through telnet fedworld.gov Gateway D. The ADA Home Page also provides a link to the fedworld gateway. The Department's regulations and technical assistance materials, as well as press releases on ADA cases and other issues, are available on the ADA Home Page at (<http://www.usdoj.gov/crt/ada/adahom1.htm>).

MY COUNTRY

One-Hour Film on the Disability Rights Movement, Funded by the Department of Justice, Set to Air on Public Television Beginning in July

In 1939, a policy banning black performers stopped contralto Marian Anderson from singing at Constitution Hall. Fifty years later, Anderson's own nephew, symphony conductor James DePreist, who contracted polio as a young man, faced architectural barriers at Constitution Hall. It was more than half a century after Anderson was turned away that Constitution Hall was renovated to provide access to people with disabilities.

In a one-hour documentary entitled MY COUNTRY, James DePreist profiles three people with disabilities whose lives have been shaped by the struggle for equal rights. Airing on public television beginning in July through American Program Service, MY COUNTRY will examine the civil rights movement that has brought down barriers for over 49 million Americans. MY COUNTRY is a production of Access Video and Ward & Associates funded by the Department of Justice and presented to public television stations by Maryland Public Television.

MY COUNTRY profiles three people with disabilities: Kathy Martinez, a disability rights activist; Hughey Walker, a Vietnam veteran and the first African-American elected official in his South Carolina county; and T.J. Monroe, the first person with mental retardation to serve on the President's Committee on Mental Retardation.

Kathy Martinez was studying at an Orientation Center for the Blind when protestors with disabilities took over the HEW building in San Francisco. She joined the protestors who supported the historic 25-day occupation, demanding access to schools, hospitals, and transportation. Still focusing on disability rights, Martinez now works from the World Institute on Disability to link people with disabilities with global developments.

Hughey Walker spent eight months as a point man in Vietnam before a bullet struck his spine. Now using a wheelchair, Walker returned home to South Carolina and found new barriers. Galvanized, Walker ran for County Council in a county that in 219 years had never had an African-American elected official. "Discrimination is wrong in any form," says Walker. "You can't just decide discrimination is okay as long as it is not against me."

In 1994, T.J. Monroe, a People First activist, became the first person with mental retardation to serve on the President's Committee on Mental Retardation. Placed in an institution as a child, Monroe fought a long battle for independence from the state. Now, he travels the country speaking at conferences and teaching workshops in addition to his job at a senior center. As Monroe tells audiences, "The bottom line is showing people that they are equal and they have rights just like everybody else."

Check television listings in July for the viewing time on your local public television station.

V. Other Sources of ADA Information

The *Equal Employment Opportunity Commission* offers technical assistance to the public concerning title I of the ADA.

ADA documents
800-669-3362 (voice)
800-800-3302 (TDD)

ADA questions
800-669-4000 (voice)
800-669-6820 (TDD)

The *Federal Communications Commission* offers technical assistance to the public concerning title IV of the ADA.

ADA documents
202-857-3800 (voice)
202-293-8810 (TDD)

ADA questions
202-418-1898 (voice)
202-418-2224 (TDD)

The *National Institute on Disability and Rehabilitation Research (NIDRR)* of the U.S. Department of Education has funded centers in ten regions of the country to provide technical assistance to the public on the ADA.

ADA technical assistance nationwide
800-949-4232 (voice & TDD)

The *U.S. Architectural and Transportation Barriers Compliance Board, or Access Board*, offers technical assistance to the public on the ADA Accessibility Guidelines.

ADA documents and questions
800-872-2253 (voice)
800-993-2822 (TDD)

The *U.S. Department of Transportation* offers technical assistance to the public concerning the public transportation provisions of title II and title III of the ADA.

ADA documents and general questions
202-366-1656 (voice/relay)

ADA questions
202-366-1936 (voice/relay)

Complaints and enforcement
202-366-2285 (voice)
202-366-0153 (TDD)

Project ACTION
800-659-6428 (voice/relay)
202-347-3066 (voice)
202-347-7385 (TDD)

The *Job Accommodation Network (JAN)* is a free telephone consulting service funded by the President's Committee on Employment of People with Disabilities. It provides information and advice to employers and people with disabilities on reasonable accommodation in the workplace.

Information on workplace accommodation
800-526-7234 (voice & TDD)

VI. How to File Complaints

Title I

Complaints about violations of title I (employment) by units of State and local government or by private employers should be filed with the Equal Employment Opportunity Commission. Call 800-669-4000 (voice) or 800-669-6820 (TDD) to reach the field office in your area.

Titles II and III

Complaints about violations of title II by units of State and local government or violations of title III by public accommodations and commercial facilities should be filed with -

Disability Rights Section
Civil Rights Division
U.S. Department of Justice
Post Office Box 66738
Washington, D.C. 20035-6738