

* The Exchange



a publication of the Georgia ADA Exchange, Inc.

Spring 2006

New Outreach Project



Hisako Schroeder coordinates our outreach program for the Asian Communities

A Haitian mother sat in an IEP meeting for her young daughter who has cerebral palsy. The meeting was in English and the school provided an interpreter who spoke Haitian French for the mother. The Physical Therapist talked at length about the little girl's difficulties in walking, talking, transferring, etc. After a long report, the interpreter asked shyly, "I don't understand what the car engine has to do with this little girl." The translator had been interpreting "large motor problems," as engine problems related to some automobile. The mother was totally lost in the meeting with no idea of how to help her daughter.

This little true story illustrates just a tiny part of the additional barriers to service and disability rights that non-English speaking peoples in Georgia experience each day. Most of the disability service organizations do not have the funds nor

[Continued On Page 6](#)

The Exchange is Getting A Makeover!

On July 1, 2006, the Georgia ADA Exchange, Inc. will begin doing business as Disability Resource Group. The Georgia ADA Exchange Board of Directors voted unanimously to adopt the new name that more accurately reflects the broadened scope of the organization's mission and activities. The Board also hopes that the organization will continue to expand its work outside the borders of Georgia. The staff and board members believe that the name, Disability Resource Group, speaks for itself, not requiring explanations about what we do.

When the Exchange began in the early nineties, there was no formal organization, just a group of dedicated advocates gathering once a month to talk about ways of bringing about greater compliance with the ADA in Georgia. It was truly an exchange of ideas and strategies. The organization received its first funding from the Southeast Disability and Business Technical Assistance Center in 1994. This original grant of \$18,000 enabled the group to hire a part-time director who would primarily work to educate Georgians with disabilities about the ADA. Over the past twelve years the

[Continued on next page](#)

The Exchange Gets A Makeover (Cont'd)

Exchange has grown both in focus and finances. The organization has received fourteen grants from federal, state, private foundations, and corporate funds. The Exchange has six staff members and a fifteen member board.

Disability Resource Group will continue to respond to telephone inquiries about disability rights, resources, and support. The organization will also continue to conduct trainings all over the state and in other states as requested. Likewise, the development and distribution of disability information materials will expand with offerings in seven languages. The Disability Resource Group will also strive to bring about the full inclusion of people with disabilities in every aspect of our many communities.

The telephone number and address for the Disability Resource Group will remain the same. The website can be accessed at both. There will be no change in staff.

Home Ownership: A Feasible Option Among People With Disabilities by Empish J. Thomas

Melissa Imtiaz, a 5-year home owner who is visually impaired, reflects on her experiences in purchasing her home. "I wanted my own home because I wanted my own space that I could control," she said. "It is part of the American dream to own your own home." There was a time where fantasizing about home ownership was about all that people with disabilities could do, but that dream is becoming more and more a reality. Some years ago, institutions were the primary option, then community-based housing, such as group homes. Living with relatives was a close second. Now, people with disabilities have evolved into home owners. This trend is changing due to the break down in physical, social and attitudinal barriers that have in the past prohibited people with disabilities from being an active part of society. "I highly recommend home ownership to other people with disabilities because I feel it is a great accomplishment to us," said Michelle Aulthouse, a 2-year home owner who uses a wheelchair. "Also the home is all yours. I think it is a good investment for the future."

With the help of legislation such as the Americans with Disabilities Act, 1990, exclusionary walls are crumbling down and people with disabilities are getting more accessibility. Additionally, home ownership programs for the disabled are popping up all over the country. Statewide, the Department for Community Affairs manages a home of your own program called the Choice Down Payment Loan Program, specifically catered to potential home owners who are disabled. The program has been very successful, showing that people with dis-

Home Ownership (Cont'd)

abilities deeply desire home ownership with nearly 60 loans processed since January. The program provides low interest loans and down payment assistance. “Applying for this type of loan is the same as a regular mortgage loan. Once a lender has been contacted you will go thru the lending process as anyone else and once you have met all of the qualifications of the specific program, you will be preapproved,” said Scott Walker, Disability Housing Coordinator. “But for CHOICE you have to meet income guidelines, have a disability and take homebuyer counseling classes.”



Since people with disabilities don't have a traditional history of home ownership, education is the key and taking home ownership classes becomes essential in the purchasing process. These classes are catered to new home owners and teach all levels of the purchasing process, from understanding the importance of a credit score, to the home inspection, to what to expect at the closing table. Credit Consumer Consulting Services, a non-profit agency that promotes financial literacy conducts free home ownership classes every Saturday in the Atlanta Metro area. “During the classes we go over the entire process; from affordability, credit and making a budget,” said Todd Mark, Public Relations Manager. “We explain the difference between what you are pre-approved for and what you can actually afford. Potential home owners must take into account other financial matters such as home repairs, home association fees, mortgage insurance and property taxes because these are not included in the pre-approval rate.” Hilary Elliott, an 11-year home owner who uses a wheelchair agrees but cautions. “Think about your future if your disability is progressive. When I first started looking for a home I used a cane, then it progressed into using a walker.” Even if your disability is not progressive consider having extra money saved up for modifications to the house. Accessible homes are scarce and modifying your dream home with widening doors, lower counters and ramps can make for easy accessibility and enjoyment.

Education is not just for the disabled home owner but for the people who are in the real estate industry such as the mortgage lenders, agents and inspectors. As a person with a disability be prepared to enlighten and instruct. Also, understand that they might not be aware of accommodations for your disability. “When purchasing a home, most importantly, connect with that Real Estate Agent. Make sure that they understand that they are working for you, not the people around you, and to always speak directly to you. You can do this in a tactful manner, and most times, this will make for a very relaxed relationship between you and your agent,” said

[Continued on next page](#)

Home Ownership (Cont'd)

Rita Harrison, a 12-year home owner who is visually-impaired. “Since I have the disability, and most people seem to shy away from people with disabilities, because of the fear of the unknown, I strongly believe that it is my responsibility to show that person that I am just like they are. Mark Gasaway a 16-year home owner who is deaf and blind agrees about education and understanding. When searching for his home, he requested a sign language interpreter to ease communication from looking at prospective houses to handling the lengthy paperwork at the closing table. “For the most part, an interpreter was present to help facilitate the process and having people who were willing to help as much as possible,” he said. “People who understood the scope of the situation was important to me.”

Home ownership is more feasible for the disabled now; but like other life decisions it is a serious commitment that can not be easily backed out of. So making sound decisions, talking to other home owners and doing your homework can make the experience a pleasant one and your home a home sweet home.

Empish JeAnne Thomas is a freelance writer, avid book reader and disability advocate. She combines all three of her passions by writing interesting and compelling stories on disability-related issues and literary topics. Her most recent work was a story that detailed a book club for the blind featured in her community newspaper. When she is not engaged in writing, Empish is active in the disabled community by mentoring writers with visual impairments and attending literary events. She currently lives in Atlanta, Georgia and can be reached at etwrites@bellsouth.net.

The EEOC At Work

Litigation Settlements

EEOC vs. Protocol Communications, January, 2005

A company was required to pay job applicant with a visual impairment \$50,900 for failing to provide reasonable accommodations. The applicant was seeking a customer service job. He had experience in this field using JAWS (Job access with speech), software designed to read what is on the computer screen. The employer asked his IT people if JAWS would work and they said no with consulting any assistive technology specialist. The applicant was never allowed to begin work.

Comments by the Exchange: This case is important since it is normally very hard to prove discrimination that happens in the job hiring process.

[Continued on next page](#)

The EEOC At Work (Cont'd)

EEOC v. Northwest Airlines, Inc. January, 2005

Northwest airlines is forced to pay \$510,000 to 28 people who were denied positions serving equipment and cleaning due to their insulin dependence or use of seizure medication. Northwest was also requested to stop its “zero tolerance” policy that prohibits the hiring of people using insulin or seizure medication in these two job areas.

Comments from the Exchange: Here the hiring requirements were too broad. Direct threat-An individual with a disability may be excluded if she or he poses a direct threat to the health or safety of others. Direct threat must consider each individual's particular impairment and the probable (not possible) risk for a specific job.

EEOC v. Apria Healthcare Group, Inc. March, 2005

The quality assurance coordinator, with good job evaluations, was fired “job abandonment” for absences related to her bipolar disorder. Her psychiatrist had written a letter requesting a reasonable accommodation of time off for treatment. Apria was required to pay \$60,000 (\$5,000 and \$55,000 in compensatory damages). Apria was also required to write an apology letter to the employee and a positive reference letter.

Comments from the Exchange: Apria did provide reasonable accommodation for some time off related to the bipolar disorder, but despite a psychiatrist letter and the request reasonable accommodation, the applicant was fired for missing work. One of the most difficult areas in Title I of the ADA is determining how much missed work is reasonable. This case seems to suggest that the employer cannot be too hasty in deciding “this is too much time off.”

For more information see <http://www.eeoc.gov/litigation/settlements/index.html>

New Outreach Program (Cont'd)

the knowledge to reach out to the 500,000 immigrants/refugees who have come to Metro-Atlanta in the last ten years. For two years, the Exchange has been conducting a Hispanic outreach project seeking to educate recent immigrants about the services available, their disability rights, and the many opportunities for a full life that are available to people with disabilities in this country. The response to our project has been very exciting. We have been featured three times in Hispanic newspapers. We distribute about two hundred disability rights and opportunities fliers each month. We are asked to speak at two or three gatherings each month also. Our Hispanic Coordinator, Erlinda Ramirez, answers many calls for guidance and she often goes with folks to appointments or IEP's.



Dr Aniche coordinates outreach to African immigrants and refugees.

We realized last summer that there are about 150 thousand non-Hispanic immigrants/refugees from non European countries in metro-Atlanta who have the same, if not greater, problem than our Hispanic callers have. The Exchange wrote and received a grant from the Atlanta Community Foundation to conduct an Immigrant/refugee Outreach Project along the lines of our Hispanic Project. We hired Dr. Ifeanyi Aniche and Hisako Schroeder as outreach coordinators. Dr. Aniche focuses his attention on reaching organizations that serve primarily African new comers while Hisako focuses her attention on Asian organizations. Our goals are: 1) To develop materials in at least seven languages (currently in Arabic, Bosnian, French, Russian, and Vietnamese) that give basic information about the possibilities for people with disabilities in this country. We also distribute materials on basic rights at school, in housing, employment, public services, and public accommodations. 2) We are providing disability awareness training for organizations that provide information and support to immigrants and refugees. 3) We assist the organizations and those they serve figure out which disability services will be appropriate and available and facilitate the referral so that the right services are delivered. 4) Finally, we are developing a brochure on resources for and tips on serving non-English speaking immigrants and refugees. We will distribute these brochures to disability organizations in the Metro area. We are also available to provide support services to disability organizations as they serve new immigrants. We are happy to help both legal and undocumented people in any way we can. We frequently call on the advice of immigrant and asylum attorneys to help those we are serving.

You can download all or of our materials in various languages from our website www.gaada.info. Feel free to call us for more information on these exciting outreach projects.

Frequently Asked Questions

These are some of the most frequently asked questions from our callers. The Exchange answers around 150 telephone calls per month from all over the state. Most of the callers are people with disabilities and or their family members. We also receive calls from business owners, attorneys, architects, employers, non-profit service agencies, and just concerned citizens. Our answers here and on the phone are not legal advice but simply guidance based on our understanding of the disability laws.

1. Who can you call if you run into a violation of the ADA? What if there is no accessible parking at all, or someone refuses to admit a service animal to a restaurant?

Answer: The police, state patrol, etc. do not enforce civil rights laws. The ADA is a civil rights law. There is very little you can do at the exact time of the violation other than explaining the law, or giving the violator a copy of a federal booklet explaining the appropriate part of the law. You can contact your state Protection and Advocacy Office, in Georgia, it is the Georgia Advocacy Office 1-800-537-2329. They may be able to explain the law to the violator or write a letter urging compliance with the law. You can always contact the Southeast Disability and Business Technical Assistance Center 1-800 949-4232 for additional ideas for bringing about voluntary compliance. You can call the Exchange at 770-451-2340 for discussion of your options also. All of us can help you decide if you wish to file a complaint with the proper federal enforcement agency. You can get a booklet from us on how to file a complaint and the complaint forms. The Justice Department receives thousands of complaints each year and so they can not respond to all of them. In the case of violation of Title 2 (involving state or local government) or Title 3 (involving a business or non-profit), you can seek an attorney who handles ADA cases and if he or she is willing to take your case, you can go directly into federal court. There are very few attorneys in Georgia who handle Title 2 or Title 3 cases. The Southeast DBTAC or the Exchange can give you a list of the attorneys who have told us that they handle such cases. You cannot receive punitive damages (money for your trouble) in a Title 3 case; but, if you win, the violator must come into compliance with the ADA and your attorney can get fees for handling the case. Many businesses and governments try to do the right thing as a part of good customer service or because, "it is the law." But occasionally, even with education and explanations, there is resistance to complying with the ADA. In these cases good advocacy strategies may work as well as legal action.

2. Does an apartment landlord have to modify an apartment for a renter who develops mobility impairment?

Answer: This is an area not covered in the ADA, but in the Fair Housing Amendment. If

Frequently Asked Questions (Cont'd)

the apartments were built before 1991, there are no requirements for making the interiors and entrances to the apartments accessible; unless, there are major renovations after '91. The landlord must allow the renter to make the interior modifications at the renter's expense. The landlord may also require the renter to put the apartment back like it was before the retrofitting, when the renter moves out of the apartment. Check out these websites for the requirements for apartments built since '91.

Those apartments run by cities or counties are covered by the ADA. They are required to have one out of 25 apartments be fully accessible. Residences that provide social services, recreational programs or meals are also covered under the ADA. Obviously, we could write many pages on this topic. For more information call us or the DBTAC. In Georgia you can call the Commission on Equal Opportunity in Housing at (404) 656-7708.

Thank You UPS!!



Ron Aversa, Employee Relations Manager and Christy Davis, Community Service Specialist of UPS helped the Exchange obtain a \$5000 grant to purchase equipment that can help us in our training activities and in our materials production. Maxine Benford and her wonderful UPS volunteers have provided us with hundred of hours of time copying and collating the hundreds of documents we need for our immigrant outreach project. Their wonderful work has helped us stretch grant dollars so that we can distribute materials in seven languages to the half million new immigrants and refugees

in the metro area. We thank UPS for its ongoing dedication and commitment to our organization and our mission.

Emergency Preparedness Grant

**FROM
THE
DIRECTOR**

G and his seventy-four year old mother waited for the promised lift van to evacuate them to safety the day that Katrina hit New Orleans. T was a fifty year old man who used a power wheelchair. They thought help would come. It never did. Both mother and son drowned when the water covered their subsidized apartment. Over 100 patients at a small private psychiatric hospital were left behind by staff. The staff had decided that the patients would be too upset by any move to an evacuation shelter. All of the patients drowned when water flooded the hospital. Many people were taken out of their power wheelchairs and carried to shelters. In the shelters, they were laid on the floor where they remained for the next week.. Dozens of people fought with emergency workers to be allowed to take their guide dogs with them on evacuation buses. Their insistence that the dogs served as their eyes went unheeded. Many dogs perished and many blind survivors were made terribly vulnerable at unfamiliar shelters... Many people died or became gravely ill due to lack of such basic medications as insulin and seizure medicine.

As I read these stories on the internet and saw them on the news, I thought about all of my friends and acquaintances on the Georgia coast. I wondered how many lives would be lost here if Georgia had a major hurricane hit. I began calling the Red Cross to see what was happening in our state to prevent such a horrible loss of life. I talked to about twenty people in the organization, all of whom assured me that they were not the right person but they would give me another number to call. I never got the “right” person but a sympathetic staff member finally told me that the Red Cross is not responsible for people with special needs during a disaster. I was told that people with disabilities can come to a shelter if they have an assistant with them. The Red Cross sent me many brochures on preparing for a disaster, written for people with disabilities. The information in them is good. They even sent me a cassette version. However, the information assumes that people with significant disabilities will have some sort of staff or family member who will help in case of an emergency.

The Red Cross gave me the name of the DFACS staffer in charge of disaster response. I talked to her at length. She also told me that DFACS is not responsible for people with disabilities unless they are in a nursing home setting and then their responsibility is to make sure abuse or neglect is not occurring. She told me that Department of Public Health has the responsibility of evacuating people with serious medical conditions; taking them to hospitals and nursing homes.

Three different disability organizations on the coast told me that in cases of natural disasters, they send their clients home as soon as possible where the families can help the clients evacuate.

Emergency Preparedness Grant (Cont'd)

As I read the Congressional reports on Katrina, and the National Council on Disabilities report on the disaster, I realized that people with disabilities must take the initiative to make sure we are an integral part of disaster planning. The Exchange wrote a grant to the Governor's Council on Developmental Disabilities to begin collaborative planning and training of emergency personnel and people with disabilities. The grant has been funded. Seven agencies will be collaborating with the Exchange on this important project: Life of Savannah, Savannah School of Art and Design Office for the Hearing Impaired Students, National Alliance on Mental Illness in Savannah, Effingham ARC, Georgia Guide dog Users based in Brunswick, The Autism Society of Georgia, and the Georgia Council of the Blind. We will begin our efforts in mid July. We plan to have a "Preparing for and Living Through an Emergency," brochure for people with disabilities published and distributed by next April.

Our Corporate Sponsors



**Dave
Richardson
Consulting**



**Georgia
Department
Of Labor**



Our Board Members

Exchange Board of Directors:

Ben Foster - Corporate Sun Trust Bank, Inc
Chairman of Finance Committee of the Exchange

Allen Brown - Bridges Program - Marriott Foundation

Bob Leon - Delta Airlines, Inc.

Josh Norris - Georgia Advocacy Office

Ron Aversa - UPS Corporate Office, Chairman of the Personnel Committee of the Exchange

Yolanda Hallas - AARP Georgia, Chairman of the Membership Committee for the Exchange

Sharon Hemphill - National Boys/Girls Clubs

Christy Davis - UPS

Tom Riddick - Corporate Bellsouth

David Richardson - Consulting Construction Engineer

Tameeka Hunter - GA Tech - Disability Student Services, Chairman of Strategic Planning Committee for the Exchange

Tim Bramble - Corporate Home Depot

Joanne Weaver - Center for Visually Impaired

Joel Hochmuth - Kennesaw State University, Chairman of the Marketing Committee for the Exchange

Priyanka Sinha- Raksha, Inc.

<http://www.raksha.org/>

Call Raksha toll free:

(1 866) 725-7423/(1 877) 672-5742

Office:(404) 876-0670

Help Line: (404) 842-0725

Our newest board member is Priyanka Sinha.

She is the Community Education Director with Raksha, a non-profit organization whose mission is to “promote a stronger and healthier South Asian community through confidential support services, education, and advocacy.” Priyanka is actively involved in work to end violence against women and children. She is the cofounder of Kaya, a social change multimedia performance group. She collaborates with Khuli Zaban, a South Asian LBT organization. Priyanka also has a close family member with a significant disability.

Homer Mullins- Odyssey Hearing Solutions

<http://www.odysseyhearingsolutions.com>

Homer Mullins is the co-founding partner of Odyssey Hearing Solutions, a private organization that assists adults and adolescents in understanding their challenges with hearing loss, AD/HD and other learning disorders, and other co-existing conditions that can place their cognitive faculties at risk.” Odyssey provides consultation and individual coaching nationwide. Homer retired in 2001 from King & Spalding. He has served on the board of directors on Compeer Atlanta. Homer’s training is extensive. He has completed the SHHH-RERC Hearing Assistive Training and Outreach Training Program. He is currently a student in the two-year Peer Mentoring Program at Gallaudet University. In August 2004, Homer was appointed to serve on the Georgia Bar Association’s Lawyer Assistance Program Committee whose purpose is to identify and assist Bar members and their families who are experiencing problems with hearing loss which can negatively impact their functionality at home and in their legal careers.

GEORGIA ADA EXCHANGE
4164 Admiral Drive
Chamblee, GA 30341

Phone: (770) 451-2340
Fax: (770) 451-9725
Email: nduncan@bellsouth.net
Website: gaada@info.com



Postage
Goes
Here

MISSION STATEMENT

*Bringing about full inclusion of
all people with disabilities into
all aspects of life in Georgia.*

The Georgia ADA Exchange, Inc.

Application for Membership– Individual Membership Fee: \$ 25.00– Corporate Fee: \$100.
The minimum contribution enables you to receive reduced fees for workshops, newsletters, and Americans with Disabilities Act updates. For more information regarding the benefits of membership, please call us at 770-451-2340. Scholarships available.

Name: _____ Phone: _____

Mailing Address: _____

City/State/Zip: _____ E-Mail Address: _____

Company/Organization: _____

Company/Phone/Fax: _____

Make checks payable to: Georgia ADA Exchange, Inc.
Mail to: Nancy Duncan, Executive Director
4164 Admiral Drive, Chamblee, GA 30341
Phone: 770-451-2340