



# Disability Rights online News

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Civil Rights Division

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## Disability Rights Online News

is a bi-monthly update about the Civil Rights Division's activities in the area of disability rights. The Division enforces laws prohibiting discrimination based on disability in employment, housing, access to businesses serving the public, access to government programs and services, including voting and public transportation, and unconstitutional conditions in institutions of confinement.

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## PHILADELPHIA WILL IMPROVE POLLING PLACE ACCESSIBILITY

On April 16, 2009, the City of Philadelphia, Pennsylvania, entered into a settlement agreement with the Department that will give people with mobility disabilities greater opportunity to vote in person at the polls, rather than voting by alternative ballot because of inaccessible polling places. Many of the City's 1200 polling places are located in residences, local stores, restaurants, and other small businesses.

Under the terms of the settlement, the City will hire an independent expert to assess the accessibility of nearly half the City's polling places and make recommendations to make them accessible. The Justice Department will evaluate the accessibility of the remaining polling places. If a polling place cannot be made accessible, the City will be obliged to try to find

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## 800 HOUSING UNITS IN LOUISVILLE, KENTUCKY, WILL BE MADE ACCESSIBLE

On April 14, 2009, the federal court in Louisville, Kentucky, approved a consent decree settling the Department's Fair Housing Act lawsuit alleging that the owners, developers, architects, and engineers involved in the design and construction of twelve multi-family housing complexes in Louisville discriminated on the basis of disability. The twelve complexes -- Audubon Woods Condominiums, Cooper Creek Village Apartments, Gardens of Glenmary Village Condominiums, Glenmary Village Apartments, Glenmary Village Overlook Condominiums, Renaissance St. Andrews Apartments, Renaissance St. Andrews Condominiums, Springs of Glenmary Village Condominiums, Valley Farms Apartments, Valley Farms Condominiums, Woodridge Lake Patio Homes, and Woods of St. Andrews Condominiums -- contain more than 800 units covered by the Fair Housing Act's accessibility provisions.

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(Philadelphia, continued)

an alternative location. Accessibility will be a major criterion in the City's selection of new polling places.

"The right to vote is the foundation of our democracy. This agreement will help ensure that persons with mobility disabilities have the opportunity to exercise their right and cast their ballot in person, at the polls, near their homes and alongside their neighbors," said Loretta King, Acting Assistant Attorney General for the Civil Rights Division. "The Justice Department is committed to continued, vigorous enforcement of the Americans with Disabilities Act."

A separate, class-action lawsuit filed by voters with disabilities, *Kerrigan v. The City of Philadelphia*, was also resolved by the settlement agreement.

(Louisville, KY, continued)

Under the settlement, the defendants will make the apartment complexes accessible to people with disabilities. The retrofitting includes reconfiguring bathrooms and kitchens, lowering thermostats to accessible heights, replacing inaccessible door hardware, modifying walkways, removing steps, providing accessible curb ramps and parking, and providing accessible walks to site amenities such as the clubhouses, pools, mailboxes, and trash facilities.

The defendants will also undergo training on the requirements of the Fair Housing Act, pay \$255,000 to compensate individuals harmed by the lack of accessible housing, and pay a \$25,000 civil penalty.

"The civil rights laws require equal access to housing, including equal access for persons with disabilities," said Acting Assistant Attorney

General Loretta King. "This comprehensive resolution will ensure that the equal housing opportunities required by law are provided in these housing complexes, and compensate those injured by the builders' and designers' failure to provide accessible housing."

"The U.S. Attorney's Office for the Western District of Kentucky commends the defendants in this action for agreeing to change their plans and construction to assure their developments are accessible to all," said Acting U.S. Attorney Candace Hill of the Western District of Kentucky. "The residents of these developments deserve quality housing that complies with Fair Housing Accessibility Guidelines and the Americans with Disabilities Act. The consent decree is a good resolution for the parties and for the people of this community."

The defendants are DKCD Inc. d/b/a Renaissance Development, d/b/a Renaissance Homes, and d/b/a Renaissance Realty Investments; William M. Carroll, Jr.; Eric Claypool; Cooper Creek Village LLC; Deering Road LLC; Glenmary Village LLC; Hawk Design Inc.; Heritage Engineering LLC; Land Design & Development Inc.; Mindel, Scott & Associates Inc.; Renaissance/Audubon Woods II LLC; Renaissance/Deering Road LLC d/b/a Woodridge Lake; Renaissance-Glenmary Village Apartments LLC; Renaissance Homes LLC; Renaissance/LS LLC d/b/a Springs of Glenmary Village; Renaissance Realty Investments ILLC; Renaissance/St. Andrews LLC; Renaissance/Valley Farms LLC; Renaissance/VFA LLC; Tucker & Booker Inc.; Woodridge Lake Builders LLC; and Woods of St. Andrews LLC.

The lawsuit arose from a complaint to the Justice Department by the Fair Housing Council, then a local Louisville non-profit organization that received funding from the Department of Housing and Urban Development. The Fair Housing Council ceased operations in 2007. The Department conducted its own investigation and subsequently filed the lawsuit in September 2007. (See previous article in issue # 22.)

## FOUR HOUSING COMPLEXES IN WASHINGTON STATE WILL BE MADE ACCESSIBLE

On May 20, 2009, the developer, architects, and engineers of four multi-family housing complexes in the Spokane, Washington, area entered into a consent decree with the Department resolving a lawsuit alleging that the complexes were designed and constructed in violation of the Fair Housing Act. The complexes are the Rock Creek Apartments, the Prairie Hills Apartments, the Granite Court Apartments, and the Hilby Station Apartments.

Under the settlement, which was approved by the federal court in Spokane on May 26, the defendants will make the apartment complexes accessible to people with disabilities. The retrofitting includes reconfiguring bathrooms and kitchens, widening inaccessible doorways, replacing inaccessible door hardware, modifying walkways to eliminate excess slopes and level changes, providing accessible curb ramps and parking, and providing accessible walks to site amenities such as the clubhouses, pools, mailboxes, and trash facilities.

The defendants will also undergo training on the requirements of the Fair Housing Act and pay \$120,000 to compensate individual victims of discrimination. In addition, the developer will pay a \$10,000 civil penalty to vindicate the public interest. People who believe they may

have been harmed by the lack of accessible housing at one of the apartment complexes involved in this lawsuit should contact the Justice Department at 1-800-896-7743.

“This settlement agreement makes clear that the federal government takes seriously accessibility requirements for multifamily housing,” said Acting Assistant Attorney General Loretta King.

“Accessible multifamily housing substantially improves the quality of life for many persons with disabilities in the Spokane area,” said James McDevitt,

United States Attorney for the Eastern District of Washington. “This settlement assures that these multifamily housing complexes will be modified to comply with the Fair Housing Act.”

The defendants include developer Lanzce G. Douglass and companies owned and controlled by him; Beverly Neraas, as representative of the estate of the late Spokane architect Donald E. Neraas; architect Ralph W. Hoover; Independent Home Designs Inc.; the engineering firm J. R. Bonnett Engineering Inc.; and engineer Gary S. Nelson.

## INDIANA TOWN WILL WAIVE DISCRIMINATORY ZONING POLICY

On March 19, 2009, the federal court in Hammond, Indiana, approved a settlement of the Department’s lawsuit alleging that the town of St. John, Indiana, violated the Fair Housing Act when it denied a petition for a zoning variance based on the disability of a prospective resident. In a lawsuit filed in September 2007, the Department charged that the town intentionally discriminated against people with disabilities when it refused to grant a variance allowing a St. John resident to permit an individual with a disability to live with the resident in his home.

Under the town’s zoning regulations in effect at that time, unrelated persons could not live together in a dwelling in a single-family district. In this case the resident, whose wife had multiple sclerosis, had retrofitted his house to accommodate

(Town Zoning Policy, continued)

her disability and cared for her for many years. After her death, he sought the variance for humanitarian reasons, so that he could offer another person with multiple sclerosis the benefit of living with him in the already retrofitted house. After the town denied the variance, the resident filed a complaint with the U.S. Department of Housing and Urban Development (HUD), which referred the matter to the Department of Justice. (See previous article in issue # 22.)

The settlement requires the town to grant the requested variance, train town officials involved in making zoning and land-use decisions on fair housing laws, and provide periodic reports to the Justice Department. The town will also pay a \$10,000 civil penalty.

“Local governments have the right to enforce their zoning laws, but they cannot allow their zoning decisions to be influenced by discriminatory bias,” said Acting Assistant Attorney General Loretta King. “The Department will continue to vigorously enforce the rights of persons with disabilities to live in homes of their choice.”

“The path to diverse, inclusive communities begins with zoning,” said Bryan Greene, General Deputy Assistant Secretary for HUD’s Office of Fair Housing and Equal Opportunity. “HUD works in partnership with the Department of Justice to respond to local government decisions that can sometimes exclude whole classes of persons from communities.”

## MULTI-FAMILY HOUSING ACCESS FORUM IN PHILADELPHIA DRAWS LARGE TURNOUT

On May 21, 2009, more than 100 developers and building professionals, government officials, and advocates for individuals with disabilities attended the Department’s ninth Multi-Family Housing Access Forum in Philadelphia, Pennsylvania. Hosted by Donna M. Murphy, Acting Chief of the Civil Rights Division’s Housing and Civil Enforcement Section, and Michael S. Maurer, a Deputy Chief of the

Section, the free event featured presentations by four prominent design and accessibility professionals followed by questions from the audience.

The theme of the Philadelphia event was “Good Access is Good Business.” In her welcoming remarks, Ms. Murphy encouraged building professionals to comply with the Fair Housing Act’s accessibility requirements from the outset on their projects, rather than

risking enforcement actions and expensive retrofits. She said, “[i]t pays to comply with the accessibility requirements not only because it is the law and the right thing to do, but because it is the right business choice as well.” Ms. Murphy noted that in the coming years, the Philadelphia area will face growing challenges to keep up with the increasing demand for housing and the growing numbers of people with a condition limiting basic physical activities.

Ms. Murphy also spoke about the Justice Department’s enforcement activities and emphasized that although the Department has obtained great results through litigation – over 16,000 housing units in 26 states will be made accessible to people with disabilities as a result of the Department’s settlements since October 2004 – litigation is costly for all parties. The Department would prefer building professionals to achieve compliance with the Fair Housing Act’s accessibility requirements at the design and planning stages, ensuring that the housing needs of people with disabilities are met without costly retrofits and litigation.

The featured presenters were Katherine Dowdell, AIA, of Blackney Hayes Architects; Nancy Bastian, RA, of Cecil Baker + Partners; Christine Lacy, the director of property management operations at



(Access Forum, continued)

Inglis Housing Corporation; and Jennifer Perry, a compliance specialist with the United Spinal Association, formerly the Eastern Paralyzed Veterans Association.

Ms. Dowdell described her firm's efforts to incorporate the elements of accessible design from the outset of a project's planning. She discussed the importance of having all the stakeholders, including owners and other clients, on board with the accessibility plan from the start, and working to resolve issues as they arise. Ms. Dowdell showed examples of her efforts to preserve the character and aesthetics of particular neighborhoods while incorporating the requirements of accessible design.

Ms. Bastian and Ms. Lacy encouraged designers to problem-solve creatively in finding ways for all users to benefit from integrated, aesthetically pleasing accessible design. They described their joint efforts to establish housing, through projects like the Inglis House, that goes beyond the minimum standards of accessibility to allow full access for residents with varying levels of physical disabilities. Ms. Lacy noted that there are long waiting lists for affordable, accessible housing and that the demand will grow. They also discussed the importance of including property

management professionals in discussions of design issues because of their understanding of how features are actually used by residents. For example, Ms. Lacy noted that certain flooring materials in bathrooms could, for a relatively minimal cost, reduce the number of falls and broken hips sustained by elderly tenants.

Ms. Perry discussed the Fair Housing Act's accessibility requirements and the "safe harbors" – ten sets of standards recognized by the U.S. Department of Housing and Urban Development as meeting these requirements. She emphasized that complying with local building codes or obtaining waivers from local accessibility requirements do not eliminate the need to comply with the Fair Housing Act's accessibility requirements. She explained that if designers and builders choose to follow one of the ten

HUD-approved safe harbors, such as the 2006 International Building Code, they must use that safe harbor's provisions throughout the project and not "cherry-pick" provisions from other safe harbors. She noted that accessibility specialists are available to provide technical guidance for design professionals on the Fair Housing Act's accessibility provisions.

Launched in 2005, the Access Forum's objectives are to help building professionals understand their legal obligations under the federal Fair Housing Act's accessibility requirements and to celebrate partnerships that have successfully produced accessible multi-family housing in which everyone profits -- developers and consumers alike. Previous events were held in Houston, Seattle, Miami, Minneapolis, Phoenix, Atlanta, Dallas, and Washington, DC.



**Presentation at the Philadelphia Access Forum**

## LAWSUIT AGAINST DEVELOPER OF 100 MULTI-FAMILY APARTMENT COMPLEXES WILL PROCEED

On March 23, 2009, the federal court in Baltimore, Maryland, handed the Equal Rights Center (ERC) and the Department a significant victory when it denied a motion to dismiss the complaint in *The Equal Rights Center v. AvalonBay Communities, Inc.*, a case in which the Department participated as *amicus*, or friend-of-the-court, on behalf of the ERC. The ERC filed this case on September 22, 2005, alleging that AvalonBay engaged in a pattern or practice of violating the Fair Housing Act by designing and constructing 100 inaccessible multi-family apartment complexes in eleven states and the District of Columbia.

AvalonBay's motion to dismiss, which the court denied in its entirety, raised numerous arguments in support of dismissal, including challenging plaintiff's standing to sue and arguing that certain claims were not ripe and that others were barred by the two-year statute of limitations applicable to private suits under the FHA. In its *amicus* brief filed on June 26, 2008, the Department successfully argued that the statute of limitations does not bar ERC's claims because the claims allege a pattern or practice of design and construction violations that continued into the limitations period. (See previous article in issue # 26.)

## MASSACHUSETTS HOUSING AUTHORITY SUED FOR DISABILITY DISCRIMINATION

On May 1, 2009, the Department filed a lawsuit against the Fitchburg Housing Authority in Fitchburg, Massachusetts, and its Executive Director alleging that they violated the Fair Housing Act when they refused to allow a tenant to transfer to a different apartment as a reasonable accommodation for her disabilities. The lawsuit, filed in the federal court in Worcester, also alleges that the defendants' reasonable accommodation and transfer policies discriminate against people with disabilities other than mobility-related

disabilities. The suit seeks monetary damages for the victims, a court order barring future discrimination, and a civil penalty.

"Public housing authorities must operate under the full scope of the Fair Housing Act and not engage in any pattern or practice of discrimination. Reasonable accommodations must be made available to those who need them," said Acting Assistant Attorney General Loretta King.

"Landlords need to exercise flexibility and open-mindedness when people with disabilities seek an exception to policies, practices or procedures that may be necessary to afford that person the same enjoyment of an apartment that is enjoyed by others," said HUD General Deputy Assistant Secretary Bryan Greene. "Rigid policies that make only limited exceptions for people with disabilities do not take into consideration the variety of challenges that people face and the need to tailor accommodations to the needs of a specific individual."

The lawsuit originated from a complaint filed with the U.S. Department of Housing and Urban Development. After investigation, HUD found reasonable cause to believe that unlawful discrimination had occurred and referred the matter to the Justice Department.

## OWNER OF NEW YORK APARTMENT COMPLEX SUED FOR DISCRIMINATING AGAINST PEOPLE WITH INTELLECTUAL DISABILITIES

On May 6, 2009, the Department filed a lawsuit in the federal court in Manhattan alleging that the owner of a large rental apartment complex in Haverstraw, New York, discriminated against tenants with intellectual disabilities by rescinding arrangements under which Loeb House, a housing services organization, had leased eight apartments for use by clients with intellectual disabilities and had guaranteed rents for its clients at twelve

additional apartments. The lawsuit seeks an injunction preventing the owner from terminating the leases of Loeb House and its clients, who need reasonable accommodations for their disabilities as required by the Fair Housing Act. The lawsuit also seeks monetary damages and a civil penalty.

“Landlords must be flexible in order to ensure that people with disabilities have the same enjoyment

of an apartment as others,” said Acting U.S. Attorney Lev Dassin of the Southern District of New York. “If landlords implement rigid policies that make limited or no exception for people with disabilities, as we allege here, then the federal government’s enforcement of the Fair Housing Act is mandated.”

The case was brought to the Department’s attention by the Rockland County Commission on Human Rights.

## SIX HOUSING COMPLEXES IN SOUTH DAKOTA SUED FOR DISABILITY DISCRIMINATION

On May 6, 2009, the Department filed a lawsuit against Equity Homes Inc, PBR LLC, BBR LLC, and Shane Hartung in the federal court in Sioux Falls, South Dakota, for failing to provide accessible features required by the Fair Housing Act at six multi-family housing developments in Sioux Falls. The complexes are East Briar Apartments, West Briar Apartments, Kensington Apartments, Beverly Gardens Apartments, Sertoma Hills Apartments, and Sertoma Hills Villas.

The lawsuit, which originated from a complaint filed with the U.S. Department of Housing and Urban Development (HUD), seeks a court order requiring the defendants to modify the complexes to bring them into compliance with federal laws and prohibiting future discrimination by the defendants, as well as monetary damages to compensate victims.

“When builders and designers construct homes without regard for accessible features, they are effectively shutting the door to persons with disabilities,” said Acting Assistant

Attorney General Loretta King. “Designing and constructing multi-family housing without basic features of accessibility violates the law.”

“The Fair Housing Act’s design and construction standards for accessible housing in multifamily dwellings are clear and have been law for 18 years. Most architects, builders and developers get it right. We commend Fair Housing of the Dakotas for bringing this case to our attention for enforcement of the law,” stated HUD Assistant Secretary for Fair Housing and Equal Opportunity John Trasviña.

## APARTMENT COMPLEX IN ALABAMA SUED FOR DISABILITY DISCRIMINATION

On April 29, 2009, the Department filed a lawsuit in the federal court in Mobile, Alabama, against Warren Properties, Inc., Laurie Weaver, and Evelyn Graves alleging that they violated the Fair Housing Act by denying a resident's request to transfer to a first-floor unit near the front of the complex as a reasonable accommodation for his physical disability. Due to a traumatic spinal injury, the resident uses crutches and braces to walk. During the course of his tenancy, he fell at least twice on the stairs near his second-floor apartment. In September 2007, a unit with a first-floor entrance became available, but the defendants rented it to tenants who had no mobility disability.

The resident filed a complaint with the U.S. Department of Housing and Urban Development, which referred the matter to the Department of Justice. The lawsuit seeks injunctive relief and monetary damages for the victim.

## NORTH CAROLINA TOWN SUED FOR DISCRIMINATING AGAINST PEOPLE IN SUBSTANCE ABUSE RECOVERY PROGRAM

On May 19, 2009, the Department filed a lawsuit against the town of Garner, North Carolina, and the town's Board of Adjustment alleging that they violated the Fair Housing Act when they refused to allow up to eight men recovering from drug and alcohol addictions to live together as a reasonable accommodation for their disabilities. The home is chartered by Oxford House Inc., a non-profit organization that assists in the development of self-governing houses in which people in recovery support one another's determination to remain sober. The town permits up to six persons to live in the home, but has refused to consider requests by Oxford House to increase the number to eight. The lawsuit, filed in the federal court in Raleigh, seeks monetary damages for the victims, a civil penalty, and a court order requiring the town to grant the requested accommodation and establish a procedure for considering future accommodation requests.

"The Fair Housing Act requires jurisdictions to make reasonable accommodations

in their rules when necessary to provide persons with disabilities an equal opportunity to housing. We will continue to enforce the Act vigorously," said Acting Assistant Attorney General Loretta King.

"Enforcement of Fair Housing laws prohibiting discrimination against people with disabilities is a priority of the U.S. Attorney in Eastern North Carolina. These federal laws provide a vital tool in enabling disabled persons to have access to decent and affordable housing in our communities," said George Holding, U.S. Attorney for the Eastern District of North Carolina.

This lawsuit arose as a result of a complaint filed with the U.S. Department of Housing and Urban Development by Oxford House. HUD conducted an investigation and referred the matter to the Justice Department.

### Did you know...

**The Fair Housing Act has prohibited discrimination against people with disabilities since 1988.**



## **CITY OF BALTIMORE SUED FOR DISCRIMINATING AGAINST PEOPLE IN SUBSTANCE ABUSE TREATMENT PROGRAMS**

On April 24, 2009, the Department filed a lawsuit in the federal court in Baltimore, Maryland, alleging that the City of Baltimore violates the ADA because its zoning code requires residential substance abuse treatment facilities to go through a burdensome “conditional ordinance” zoning process. Other comparable facilities are not required to go through this process, which requires approval by the Baltimore City Council and the local neighborhood association. Allegedly because of unfounded stereotypes about people who are in drug treatment, the process has resulted in facilities either being denied a permit or having to expend tremendous resources to get the permit.

“Persons with disabilities must not be subject to different, and more burdensome, zoning standards because of unfounded stereotypes,” said Acting Assistant Attorney Loretta King. “Drug treatment programs are vital to our nation’s health. We must not allow discrimination to prevent such programs from opening.”

## **NOBEL LEARNING COMMUNITIES SUED FOR DISCRIMINATING AGAINST CHILDREN WITH DISABILITIES**

On April 29, 2009, the Department filed a lawsuit in the federal court in Philadelphia, Pennsylvania, against Nobel Learning Communities Inc. (Nobel), a network of more than 180 private nonsectarian preschools, elementary schools, and secondary schools in fifteen states, operating under various names including Chesterbrook Academies, Evergreen Academies, Bethesda Country Day School, and Merryhill Schools. Nobel also provides before-school, after-school, and summer programs.

The lawsuit alleges that the company violated the ADA by denying admission to, failing to provide reasonable modifications for, and disenrolling children with autism spectrum disorders and other disabilities from its schools and programs. The suit alleges that five children with autism spectrum disorders were removed from Noble preschool-child care programs in Pennsylvania and Illinois and a child who has a brain shunt was denied admission to a Noble preschool in Seattle.

“All parents want their child to have the opportunity to reach his or her full potential,” said Acting Assistant Attorney General Loretta King. “The Justice Department will vigorously enforce Title III of the ADA to ensure that children with disabilities have a full and equal opportunity to participate in academic and non-academic activities.”

## **PLASMA CENTER AGREES TO ACCEPT DONORS WITH DISABILITIES**

On April 8, 2009, Bio-Medics, an Orange, California, company that owns several plasma donation centers throughout the United States and pays donors a fee for their services, entered into a settlement agreement with the Department resolving an ADA complaint alleging that the company prohibited a man from donating his plasma at a Bio-Medics donation center because he is blind. Under the settlement, Bio-Medics agreed to adopt policies and procedures to make sure that individuals with disabilities, including those who are blind or have low vision, are able to donate their plasma as long as they pass the mandatory physical that all donors are required to pass. The company also agreed to post a sign at each of its plasma donation centers describing its antidiscrimination policies, to train its employees on its new policies and the ADA, and to pay the complainant \$500.

## ADA MEDIATION HIGHLIGHTS

The ADA Mediation Program is a Department-sponsored initiative intended to resolve ADA complaints in an efficient, voluntary manner. Mediation cases are initiated upon referral by the Department when both the complainant and the respondent agree to participate. The program uses professional mediators who are trained in the legal requirements of the ADA and has proven effective in resolving complaints at less cost and in less time than traditional investigations or litigation. Over 78% of all complaints mediated have been resolved successfully.

In this issue, we highlight complaints by people who are deaf or hard of hearing that have been successfully mediated.

- An individual complained that a West Virginia debt collection agency refused to accept his TTY calls through the telecommunication relay system. The agency changed its policy to accept relay calls, trained its staff in using the relay system, and published an article about providing effective communication in a trade publication.

- In Arizona, a person who is deaf complained that a nationwide truck rental company refused to rent him a vehicle

because he did not have a telephone contact number. The company modified its reservation systems to allow customers to communicate by e-mail, text message, or telephone, trained all sales and reservations employees on the changes, and requested that independent franchisees make the same modifications to their reservation systems.

- A person whose mother is hard of hearing complained that a California movie theater did not maintain assistive listening equipment in working order. The theater implemented a procedure to regularly inspect and maintain its assistive listening system and trained its staff on how to respond if problems arise.

- In New Mexico, a person who is hard of hearing complained that a hotel did not provide a TTY or appropriate notification devices in his hotel room. The hotel acquired two kits containing these devices, agreed to provide ongoing training to staff in ensuring effective communication, and apologized to the complainant.

- In Pennsylvania, a person who is deaf complained that a hospital refused to provide a

sign language interpreter during his hospital stay and that it was difficult to activate the closed captioning on the television in his room. The hospital adopted a policy for providing effective communication with patients, including the provision of qualified sign language interpreters. The hospital will provide ongoing staff training on ADA requirements and add a notice of patients' rights under the ADA to its intake packet and post it throughout the hospital. The hospital also obtained additional TTYs and will ensure that closed captioned televisions are available in the rooms of patients who are deaf.

- In Illinois, a person who is deaf complained that a bank refused to accept a call using a video relay service, resulting in penalties and debt collection calls that negatively affected his credit rating. The bank retrained approximately 3,000 employees to accept calls by TTY, relay, and video relay services and posted information on its website concerning such calls. The bank also refunded \$479.40 to the complainant for penalties assessed, provided correction letters to credit agencies, and paid the complainant \$10,000.

## RECENT OUTREACH ACTIVITIES

- On April 28, staff gave a presentation at the Ninth Annual Multiple Perspectives on Access, Inclusion and Disability Conference sponsored by The Ohio State University in Columbus, Ohio. The theme of this year's event was "A Call to Action: Preparing to Serve Wounded Warriors." Approximately 100 advocates and students with an interest in disability rights issues attended the event.
- On April 29, staff gave a presentation on the ADA Amendments Act at the American Society of Association Executives, Chicago Law Symposium, in Chicago, Illinois. Attendees included trade association lawyers and executives.
- On April 30, staff participated in a panel discussion at the annual meeting of the American Association of Museums in Philadelphia, Pennsylvania. The topic, "Innovative Program Access for Visitors with Vision Loss," focused on how disability rights laws, research, technology, and best practices are moving museums to provide better access for people who are blind or have low vision. On May 1-3, staff disseminated information and answered questions about the ADA at the annual meeting, which was attended by approximately 6,000 museum professionals.
- On May 2, staff spoke at the national conference of the American Institute of Architects in San Francisco, California, on the topic of compliance with the ADA and other federal accessibility laws. This conference is widely attended by architects from across the country.
- On May 6, staff spoke at the Great Lakes Homeland Security Conference in Grand Rapids, Michigan, on the topic of ADA requirements relating to emergency management. This conference is attended by emergency management, public health, and law enforcement officials from Midwest states and other regions of the country.
- On May 7, staff participated in a panel made up of people with traumatic brain injury or post-traumatic stress disorder at the National Naval Medical Center in Bethesda, Maryland. Participants discussed the barriers that people with TBI and PTSD face when returning to work and effective techniques for overcoming these barriers. The discussion was broadcast by video conferencing to an audience consisting primarily of employers interested in employment of veterans with TBI and PTSD.
- On May 12, staff led an ADA training session and discussion for civil rights staff of the Department of Transportation (DOT) in Washington, DC. Attendees included civil rights officers from the Federal Transit Administration, Federal Aviation Administration, Federal Highway Administration, Federal Railroad Administration, and other DOT components. The training focused on title II/section 504 program access principles and revisions to the ADA as a result of the ADA Amendments Act.
- On May 14, staff participated in a one-hour teleconference call sponsored by the National Association of Governors' Committees on People with Disabilities (NAGCPD) to provide an ADA update for association members.
- On June 8, staff gave a presentation at the 28th annual National Emergency Number Association (NENA) 9-1-1 Conference and Trade Show in Fort Worth, Texas. The presentation provided an update on the Department's ADA

(Recent Outreach, continued)

enforcement and technical assistance activities. An estimated 2,000 people attended the conference, including emergency call center managers, directors, technology specialists, and policy leaders.

■ During June 8-10, staff presented several workshops at the 2009 National ADA Symposium sponsored by the ten regional Disability and

Business Technical Assistance Centers (DBTAC). Topics included an update of the Department's ADA enforcement and technical assistance activities, overviews of Title II and Title III requirements, and an overview of Project Civic Access. Approximately 400-500 state and local government ADA Coordinators and other officials, people with disabilities, and advocates attended the three-day event.

■ On June 11, staff participated in a one-day training session sponsored by the DBTAC Mid-Atlantic ADA Center in Rockville, Maryland. The presentation addressed Title II of the ADA from the Department of Justice's perspective. Approximately 25 ADA coordinators from title II entities and other interested parties attended the training.