DBTAC: SOUTHEAST ADA CENTER

Southeast Regional ADA Happenings

August 2008 - May 2009

Effective Communication 1

Facility Accessibility 2

Service Animals 3

State and Local Government 3

Effective Communication

Florida: Two individuals who are deaf complained that they were not provided an interpreter and were denied the use of a TTY during their incarceration at a Florida county sheriff's office. The sheriff's office adopted an effective communication policy, made arrangements to provide on-call interpreting services, and purchased a TTY.

Source: Enforcing the ADA: Jan-Mar 08 http://www.ada.gov/janmar08.htm

Middle District of Tennessee -- An individual who is deaf complained that a major hotel and resort complex did not have rooms accessible to people with hearing disabilities. The hotel agreed to permanently install visual alarms and notification devices in 107 guest rooms by 2009. In the interim, the hotel will make available 50 communication kits, including an alarm, a notification device, and a TTY, for guests who are deaf or hard of hearing. The hotel also agreed to place TTY's at its front desks and to post signage at all lobby phone banks directing people to the TTY's. The hotel also compensated the complainant $1,000 and paid $5,000 in civil penalties.

Source: Enforcing the ADA: Jan-Mar 08 http://www.ada.gov/janmar08.htm

North Carolina: A person who is deaf complained that a dental office refused to provide a qualified sign language interpreter for a visit to discuss surgery. The practice changed its policy and trained its staff in providing effective communication, including sign language interpreters, and posted signs in the office about the policy. The practice

1419 Mayson Street • Atlanta, GA 30324

(404) 541-9001 • (800) 949-4232 (v/tty) • (404) 541-9002 (Fax)

sedbtacproject@law.syr.edu • www.sedbtac.org

Funded by the National Institute on Disability and Rehabilitation Research of the U.S. Department of Education #H133A060094

also apologized to the complainant, reimbursed her for costs incurred, and paid her $200. Source: Enforcing the ADA: April –Jun 08 http://www.ada.gov/aprjun08.htm

Facility Accessibility

Tennessee: Justice Department Orders $40 Million in ADA Improvements to Liberty Bowl: Justice Department officials have notified Memphis [Tennessee] that the city has until September 2010 to update Liberty Bowl Memorial Stadium in compliance with Americans with Disabilities Act (ADA) requirements, a project that officials say will cost more than $40 million. Source: Commercial Appeal – TN http://www.sedbtac.org/articles.php?idpg=8&id=5767

Georgia -- The Department reached an agreement with Garibaldi's, Inc. that will make the facilities of Garibaldi's Restaurant and menu items served at the nearby Savannah Bistro accessible to people with disabilities. Because of historic features, narrow sidewalks, and the close proximity of the city's underground utilities, making the Bistro accessible was not readily achievable. Garibaldi's, Inc., however, also owns and operates Garibaldi's Restaurant, which is less than 100 feet away from the Bistro. The owner agreed to make Garibaldi's Restaurant fully accessible and to make the Bistro's menu selections available at Garibaldi's. In addition, the owner agreed to pay the complainant damages in the amount of $1,000.

Source: Enforcing the ADA: Jan-Mar 08 http://www.ada.gov/janmar08.htm

Alabama: The children of a person with a manual dexterity disability complained that a chain restaurant refused to provide their parent with a safety cup that the restaurant provides children. The company reaffirmed its commitment to modifying its policies for persons with disabilities, provided ADA training to all employees in the region, required that two of the restaurant's managers, one of whom was demoted due to this incident, write the complainants an apology letter, and provided a free meal to the complainants.

Source: Enforcing the ADA: Jan-Mar 08 http://www.ada.gov/janmar08.htm

North Carolina: A wheelchair user complained that a department store allowed merchandise to block the accessible route and stored boxes in the accessible dressing rooms. The store increased space between the racks, trained employees to ensure that merchandise is not stored in the aisles or in the dressing rooms, and apologized to the complainant. Source: Enforcing the ADA: Jan-Mar 08 http://www.ada.gov/janmar08.htm

Southern District of Mississippi -- An individual with a mobility disability complained that a municipal arts center lacked accessible parking and an accessible route from parking to facility entrances. The arts center installed accessible parking and modified curb ramps creating an accessible path of travel to all building entrances, installed curb ramps serving pedestrian approaches to the facility, including an accessible pedestrian drop-off area, and eliminated changes in level that created barriers along the path of travel to the facility. Source: Enforcing the ADA: April –Jun 08 http://www.ada.gov/aprjun08.htm

Service Animals

Florida: An individual with a mobility disability complained that she was denied access to a mental health hospital because she uses a service animal for balance. The hospital changed its policy and developed procedures to allow service animals to accompany individuals throughout the facility.

Source: Enforcing the ADA: Jan-Mar 08 http://www.ada.gov/janmar08.htm

Georgia: A person who is deaf complained that a veterinary practice refused to provide her with a qualified sign language interpreter for a discussion of a complex surgical procedure for her service animal. The practice developed a policy to ensure effective communication, including provision of qualified sign language interpreters upon request, trained employees on the policy, and reimbursed the complainant $600.

Source: Enforcing the ADA: April –Jun 08 http://www.ada.gov/aprjun08.htm

State and Local Government

Georgia Disabilities Council Seeks More Community Involvement

With projected shortfalls straining the state budget, the Georgia Governor's Council on Developmental Disabilities (GCDD) is adding a new component to its fight to assure people with disabilities have the opportunity to live full lives in their communities. While GCDD will continue to advocate for government-funded supports, it is also looking at how to organize and motivate communities to offer some of those same supports.

Source: Daily Citizen – GA http://www.sedbtac.org/articles.php?idpg=8&id=5760

Poplarville, Mississippi - ADA Curbing Moving Forward:
The Board of Aldermen received a report on a number of the city's sidewalks that are getting a curbside facelift to accommodate individuals [with disabilities] thanks to a Mississippi Development Authority Community Development Block Grant. The ramped curbs are making sidewalks compliant with the American Disabilities Act.
News source: February 19, 2009 Picayue Item, MS:

Project Civic Action: Settlement Agreement between United States of America and the City of Gadsden, **Alabama.** On September 25, 2008, the Department of Justice entered into a settlement agreement with Gadsden, Alabama, under Title II of the Americans with Disabilities Act of 1990 (ADA). The Department initiated a compliance review of the City of Gadsden in October, 2004, as part of Project Civic Access, a Departmental initiative to ensure greater access for Americans with disabilities to local government programs, services and facilities. City staff worked cooperatively with the Department throughout the investigation in order to reach an agreement. In addition, the Department reviewed Gadsden's policies and procedures regarding sidewalk maintenance, as well as the Gadsden Police Department's policies and procedures regarding providing effective communication to persons who are deaf or hard of hearing. Source: Project Civic Action http://www.ada.gov/gadsden_pca/gadsden_facsht.htm

Florida: An individual alleged that a Florida county failed to provide his wife, who is deaf, with an interpreter so that she could participate in county commission meetings. The county revised its policy, appointed an ADA Coordinator, posted a notice and grievance procedure policy on its website, and modified its public notices to include a staff contact for individuals who require disability-related accommodations.

Source: Enforcing the ADA: Jan-Mar 08 http://www.ada.gov/janmar08.htm