



# 30 ADA Milestones & Individuals Helping to Move Disability Rights Forward



There are hundreds of milestones, people, partners and organizations who have helped shape the Americans with Disabilities Act (ADA); and many disability rights trailblazers helped lay the groundwork years before the ADA landmark legislation was signed on July 26, 1990. Disability Law Colorado celebrates the hard-fought battles and passionate advocates who have blazed the trail of disability rights throughout the United States, and in particular in Colorado. We hope you enjoy our storytelling project: **30 for 30: Thirty ADA Milestones & Individuals Helping to Move Disability Rights Forward.**

1

**JENNIFER KEELAN & “THE CAPITOL CRAWL”** - On March 12, 1990 disability rights activists left their wheelchairs and dragged themselves up the Capitol Hill steps to demand the passage of the Americans with Disabilities Act. Jennifer Keelan, an 8 year old girl with cerebral palsy declared: “I’ll take all night if I have to.”



2

**OLMSTEAD V. L.C.** On June 22, 1999 the US Supreme Court ruling played a major role in categorizing mental illness as a disability under the ADA. The case involved Lois Curtis and Elaine Wilson, two women with mental and intellectual disabilities who had been treated in Georgia hospitals but were held in institutions for years, caught in a bureaucratic limbo as they waited for placements in community-based facilities. The case against Tommy Olmstead, who was the commissioner of the Georgia Department of Human Resources, was filed in 1995 and made its way up to the Supreme Court. In 1999, the court ruled that unjustified segregation of people with disabilities constituted discrimination that violated the ADA.

3

**THE GANG OF 19 AND ADAPT** - On July 5, 1978, a group of 19 people gathered at one of the busiest intersections in Denver, at Colfax Avenue and Broadway, got out of their wheelchairs and lay down to stop traffic. Their goal was to protest the inaccessibility of the city’s public transit system. The group had been pushing the city to install wheelchair lifts, and when a new fleet of buses was released without them, they were angry. The protest ultimately led to the creation of the Americans Disabled for Accessible Public Transit (now the American Disabled for Attendant Programs Today), in 1983, which quickly expanded with chapters all around the country. The group then pushed for transportation provisions to be added to the A.D.A.



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**RANDY CHAPMAN** came to Disability Law Colorado as a VISTA volunteer in 1977, was hired as a staff attorney in 1978, and served as Director of Legal Services from 1980-2015. In addition to managing the legal practice of the organization he is the author of *The Everyday Guide to Special Education Law*, first published in 2005.



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**COLORADO CROSS-DISABILITY COALITION** was founded after the passage of the Americans with Disabilities Act to provide advocacy and legal services statewide implementing accessibility standards and rights education. Disability Law Colorado co-counseled with CCDC and CREEC on improving access to Red Rocks concerts.

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**DALE COSKI** is a former police woman who was injured in a car accident. In 1986 the Colorado Civil Rights Commission found probable cause in a claim of employment discrimination when she requested reasonable accommodations in order to return to work. The City of Denver prevailed in the legal decision ultimately, but this case predated the Americans with Disabilities Act and would have had a different outcome after the passage of that legislation.



7

**MARY ANNE HARVEY** has been Disability Law Colorado's executive director since 1980. She is a past president of the national association, now known as the National Disability Rights Network (NDRN), and recently returned to the national board. She developed the publishing division known as Mighty Rights Press.

8

**JUSTIN DART** is widely recognized as the founder of the ADA and the American Association for People with Disabilities (AAPD). He is best known for saying, "Vote as if your life depends on it because it does!"

9

**CARRIE ANN LUCAS** - founded Disabled Parents Rights to fight discrimination against parents with disabilities; was a critical part of the disability rights movement in Colorado. Carrie Ann was a fierce pioneer of justice for parents with disabilities and a bareknuckled advocate. She became a national expert and trainer on the rights of parents with disabilities, and through her legal work, secured decisions upholding those rights in Colorado.



10

**DR. VICTOR PINEDA** led the disability rights movement at Berkeley. He was the youngest government delegate to participate in helping to draft the United Nations Convention on the Rights of Persons with Disabilities.

11

**ACLU OF COLORADO** has collaborated with Disability Law Colorado on a number of cases throughout our history. Most recently we collaborated with ACLU, the Colorado Juvenile Defender Center, and the State Public Defenders Office to investigate reports of abuse in the juvenile justice system producing a report titled Bound and Broken. This resulted in significant reform legislation to include changing the name of the Division of Youth Corrections to the Division of Youth Services.







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**CLARENCE MILLER** was well-known at the Colorado Capitol and Denver City Hall, sometimes referred to as the 101st legislator. He was an advocate for people with disabilities who hated the “R” word. Randy Chapman, Disability Law Colorado’s Director of Legal Services, helped him move from Johnson Hall at the Pueblo State Hospital into the community in the early 1980’s.



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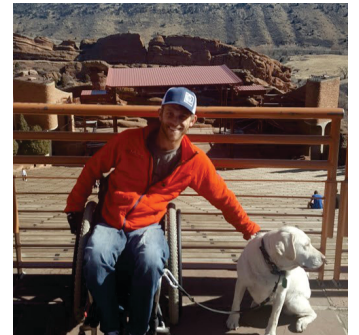
**DENVER FOX** served on the Board of Directors and helped establish our retirement plan. He is the father of Andy Fox and Tim Fox and a passionate advocate for people with disabilities and their parents. He is the founder of PAD-CO, Parents of Adults with Disabilities in Colorado.

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**LYNN SILVERSTEIN** was the plaintiff in *Silverstein v St. Joseph’s Hospital*. For decades this was the leading disability employment discrimination case under the Colorado Civil Rights Act. Silverstein was a nurse who had epilepsy but had been seizure free for years when she was fired from her job.

15

**RED ROCKS AMPHITHEATER** - Disability Law Colorado’s Access Team partnered with the Civil Rights Education and Enforcement Center (CREEC) and the Colorado Cross-Disability Coalition (CCDC) in filing a class action lawsuit in federal court against the City of Denver as the owner/operator of Red Rocks amphitheater for failing to make accommodations to allow people who use wheelchairs or other mobility devices to access the park, and (if they did manage to gain entry) to be able to sit in a location where they could actually see and hear the performance. Following negotiations with the City, a settlement was reached in November 2017 and finalized by the court in June 2018.



16

**MIA MINGUS** coined the term and developed the idea of “collective access” which emphasizes how disability interacts with other components of a person’s identities, and focuses on community-supported access and mutual independence.

17

**CALVIN FRAZIER** was Colorado’s Commissioner of Education when we filed the Right to Education suit in 1980 on behalf of parents who belonged to the Arc wanting their children who resided at the Wheat Ridge Regional Center to receive an education. Despite being named the defendant, he worked with us once the case settled to ensure children at Ridge received services. At one point, he made it clear to the San Luis Valley BOCES that the Department would require compliance with the new federal law as a result of this law suit.





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**PETER FANNING** started the Parents Encouraging Parents (PEP) Program in 1980 when he was Director of Special Education for the Colorado Department of Education. This is a weekend program for parents and is presented around the state on an annual basis. Disability Law Colorado has been a central part of the program since its inception training parents and educators about the right for children to receive a free appropriate public under IDEA and 504.

19

**EDUCATION RIGHTS & PARENT ADVOCACY** - The Education for All Handicapped Children Act (now the Individuals With Disabilities Education Act), enacted in 1975, required federally funded public schools to provide equal access to education and one free meal a day to children with disabilities. The law was passed after parents filed a number of lawsuits that referred to the landmark *Brown v. Board of Education* ruling. Legislators have also used the education law as a model for other disability laws. "If you don't have an education, we can't get you to get a job; we can't have you participate in society. If you don't have transportation, you can't get back and forth to your job," said Pat Wright, a disability rights activist who co-founded the Disability Rights Education and Defense Fund. "So each one of those things that nondisabled kids take for granted become the linchpin of people with disabilities' lives." The picture tied to this story is of fourth graders in 1978 at a Denver School that mainstreamed deaf children into general education classes.



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**TYLER MURRAY** – Plaintiff in *Murray v Montrose School District*. The case involved preventing the school district from sending him from Olathe to a centralized program in Montrose. Disability Law Colorado eventually lost on a legal issue in the 10th Circuit, but the district eventually changed the placement to allow him to remain in Olathe.

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**ARC OF COLORADO & ARC AFFILIATES** - established a legal office in 1974 with a grant from the Developmental Disabilities Council to provide legal representation and investigate conditions at the Wheat Ridge Regional Center. In the mid-1980's Disability Law Colorado worked closely with Executive Director Allan Bergman on changes to the DD statute. Former Executive Director Marijo Rymer received the 2017 Randy Chapman Lifetime Achievement Award. Disability Law Colorado partners with The Arc's throughout Colorado.



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**ANN ROSSART** was a named plaintiff in *Rossart v Meeker et al*, a class action case co-counseled with Fox & Robertson on behalf of individuals with developmental disabilities whose eligibility for Medicaid services was denied or terminated without notice or opportunity to appeal. Disability Law Colorado prevailed in the case.





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**23** **CIVIL RIGHTS EDUCATION AND ENFORCEMENT CENTER (CREEC)** was founded by Tim Fox and Amy Robertson to continue their work on disability, gender, and race discrimination as well as removing architectural barriers to people with disabilities. Disability Law Colorado often partners with CREEC on ADA cases.



**24** **DON GALLOWAY** championed the inclusion of Black people and people of color in the independent living movement. "My belief system is a person with a disability shouldn't be hired to just work with disabled organizations and on disabled issues... that's the key of success to me – is to see how we bring in other brothers and sisters to work in all capacities."

**25** **JUDY HEUMANN** formed Disabled in Action, focused on securing the protection of people with disabilities under civil rights law. Judy moved to California to work for the Center for Independent Living where she served as the deputy director from 1975 to 1982. She was an early adopter of the Independent Living Movement. Heumann was responsible for the implementation of legislation at the national level for programs in special education, disability research, vocational rehabilitation and independent living, serving more than 8 million youth and adults with disabilities.



**26** **ALEXANDER AITKEN** was a Colorado resident and rocket scientist with NASA who acquired a disability later in life after a series of strokes. In 2002, a portion of his estate was endowed to Disability Law Colorado to support legal services for persons with a mental disability that was organically or otherwise caused.

**27** **ED GEORGE** has been a volunteer for Disability Law Colorado, Mental Health Colorado and the Colorado Developmental Disabilities Council. He won the National Philanthropy Day in Colorado Grassroots Volunteer Award. He is a zealous advocate for people with disabilities and people first language. He was re-elected to Disability Law Colorado's Board and to the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Council.

**28** **PEAK PARENT CENTER** is Colorado's federally funded parent training center for special education. Based in Colorado Springs, Barb Buswell has been executive director since the organization was founded in the early 1980's. Disability Law Colorado has partnered with PEAK throughout their history. Their annual conference draws a national audience.





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**GALLAUDET UNIVERSITY ‘DEAF PRESIDENT NOW’** – On March 6, 1988, Gallaudet University in Washington, D.C., a liberal arts college for Deaf people, appointed a president who was not Deaf. The university had, in fact, never had a Deaf president. This set off a student protest that came to be known as Deaf President Now. It was an important moment in Deaf civil rights history because it “in some ways, led to contestations over what it means to be deaf and questions of belonging within deaf spaces,” Dr. Octavian Robinson, a historian and disability studies scholar, wrote in an email. After several days, the university named I. King Jordan its first deaf president.



30

**THE 504 SIT-INS** – On April 5, 1977, demonstrators marched outside government buildings in San Francisco and several other cities across the nation. Their demand: Sign the regulations enforcing Section 504 of the Rehabilitation Act of 1973. This provision, which had been modeled after the Civil Rights Act of 1964, prohibited recipients of federal aid from discriminating against anyone with a disability. The federal Department of Health, Education and Welfare had been tasked with writing the regulations and implementing Section 504, but it still had not been enacted four years later. The San Francisco contingent of more than 100 people entered H.E.W.’s offices and stayed for weeks. “It was kind of like a crescendo,” said Judy Heumann, who led the demonstration. “Like, ‘if we leave, we’ll never get back in.’”

