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THE ADA ENSURES THAT ALL PUBLIC BUILDINGS CONSTRUCTED MUST BE ACCESSIBLE TO PEOPLE WITH DISABILITIES.

**W**hen Syracuse University's Class of 1969 celebrated its 25th reunion in June, Brian McLane had an especially good time. Although he'd spent five years at SU, McLane saw much of the campus for the first time that weekend.

The reason? McLane, assistant commissioner of New York State's Office of Vocational and Educational Services for Individuals with Disabilities, uses a wheelchair. When he started college in 1964, nearly every building on campus was inaccessible to him. When he graduated in 1969 with a degree in speech and dramatic arts, little had changed. In between, McLane relied on others to physically carry him over and around the barriers that kept most people with disabilities off college campuses.

It was a big deal for Syracuse to

accept McLane, SU's first student in a wheelchair. His admission was negotiated in a meeting attended by McLane, his parents, his high school guidance counselor, and the SU dean of students.

"The dean's position was that SU was too big to go out looking for students who needed help, but if students came to SU, the University would do what they could," McLane recalls.

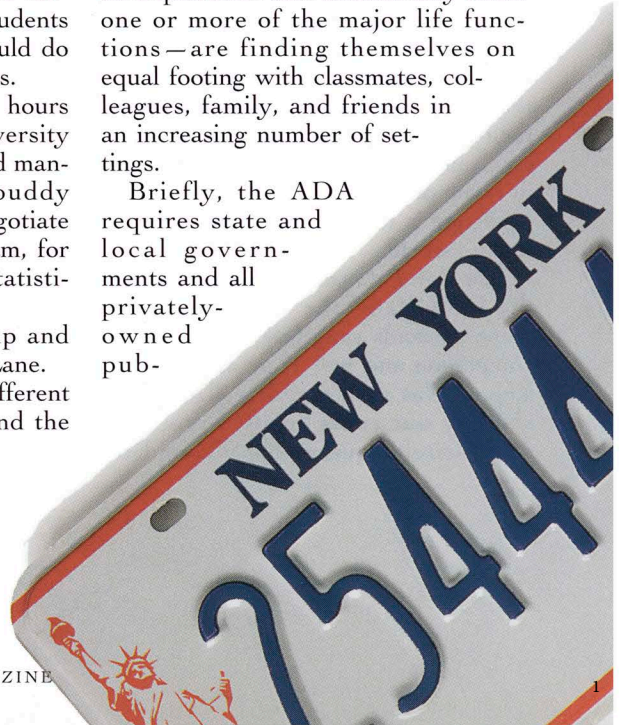
He was limited to nine credit hours per semester because the University believed it was the most he could manage. He was appointed a buddy responsible for helping him negotiate campus. And the basketball team, for which McLane worked as a statistician, was pressed into service.

"They literally carried me up and down stairs for years," says McLane.

What makes the nineties so different from the sixties for McLane and the

rest of the roughly 49-million Americans classified as disabled is the Americans with Disabilities Act (ADA) of 1990, plus a general raising of consciousness across America. More and more, people who are disabled—living with a physical or mental impairment that substantially limits one or more of the major life functions—are finding themselves on equal footing with classmates, colleagues, family, and friends in an increasing number of settings.

Briefly, the ADA requires state and local governments and all privately-owned pub-







# LIBERTY AND ACCESS FOR ALL

[A **LANDMARK** CIVIL RIGHTS LAW HAS MADE LIFE A LITTLE EASIER FOR  
AMERICANS WITH DISABILITIES.]

BY LAURIE ROOT HARRINGTON



lic facilities—restaurants, theaters, etc.—to make their programs and services readily accessible to and usable by individuals with disabilities. They must also make reasonable accommodations for qualified people with disabilities seeking employment.

“The Americans with Disabilities Act is a civil-rights act,” says SU professor of social work Nancy Mudrick. “That’s what’s most significant about it in my mind.”

She says the ADA represents the incorporation into public policy of a new perspective on disability, one that “moves disability from being treated as a medical condition, to

something more comparable to a characteristic that identifies a minority group.”

But there are two big differences between existing civil-rights legislation and the ADA, says Syracuse attorney David Klim: money and empathy.

“To not discriminate against minorities doesn’t translate into dollars. But to not discriminate against disabled people, that’s going to cost you,” says Klim.

Because of the cost of compliance—real and imagined—many business owners fear the ADA, according to Klim. What everyone *should* fear is difference number two.

“Anyone can become disabled,” says Klim.

In other words, the ADA is not just about “those disabled people”; it’s about everyone. The most common disabling conditions are directly related to age: orthopedic impairments,

arthritis, heart disease. One statistic Klim quotes states that by the year 2000, one-third of all Americans will be living with a disability.

If you are not disabled and have no close friends or family who are, it’s hard to grasp how difficult life can be. When McLane entered SU in 1964, there were no ramps, no curb cuts, no buses with lifts. As recently as the eighties, airlines would not fly people who used wheelchairs. Restaurants and theaters would not seat them. If you could get in the door and work at a job, there was no guarantee there would be bathroom facilities you could use.

You’d be hard-pressed to go anywhere without seeing a curb cut now, says McLane. “But believe it or not, that little gesture [now a nationwide standard] enables mobility. That’s why you now see so many people who are



## SIGNS OF THE TIMES

**B**rian Patchett became legally blind at age seven when weak blood vessels in both eyes broke, clouding his vision and making him one of the approximately 49-million Americans classified as disabled.

In the 20 years since, Patchett has grown into an advocate for people with disabilities. He spent two summers in Russia promoting the rights of people with disabilities and worked for two-and-a-half years for the Utah Assistive Technology Program, training people to implement the Americans with Disabilities Act (ADA). In Utah, he was considered one of the three or four people in the state most expert in the new law.

Patchett is now an SU graduate student in the School of Education's Rehabilitation Counseling program and the Maxwell School's master of public administration program. He also teaches a course in assistive technology, works at SU's Center on Human Policy, and monitors the University's move toward complete ADA compliance.

"I think most professors here are willing to work with students with disabilities. I haven't heard much negative about that," says Patchett. "But as far as physical accessibility goes, we're not there yet."

The personal issue for Patchett is signage.

"It's an expensive proposition to re-sign a whole university, I know, but I can't read many of the signs I encounter."

Patchett often finds his greatest obstacle is attitudes. That point was driven home in 1990 when he sought an internship with a United States senator. Patchett was stunned when the interviewer asked how a disabled person could possibly expect to keep up with the hectic pace.

The position went to a less-qualified candidate and Patchett went to the coordinator of the internship program, who placed him with the American Legislative Exchange Council.

"I did much more than I would have in a senator's office—went to a briefing with the President, met with members of the cabinet, had dinner at the Swiss Embassy," he says.

And managed to keep up just fine. —LRH



BRIAN PATCHETT

disabled out on the streets, because they can go from block to block."

Because of the ADA, there will never be another bus built that is not accessible to all, never another public building that is not accessible.

"Reunion weekend I could go to Carrier Circle and pick any hotel and know it would have rooms equipped for disabled people," says McLane.

Things have improved over the years, but many people still stay home because going out is dangerous, humiliating, or exhausting. Klim, a 1978 graduate of SU's College of Law, knows McLane from the days when

both attended Syracuse's segregated school for the disabled. Klim was born with the bone disorder osteogenesis imperfecta and uses a wheelchair as a result. As a lawyer, he has handled a dozen or so ADA cases. He knows adhering to the law *can* cost businesses money, "but it does not cost what they think it's going to cost them," he says, "and in many cases it doesn't cost them anything."

Klim has had his share of "outrageous" experiences, such as being carried, wheelchair and all, into an inaccessible courthouse by a judge and an 81-year-old bailiff.

"Independence should be fostered," Klim says.

**K**lim and other advocates only hope the ADA can deliver on all its promises.

"My biggest concern," says McLane, "is that the ADA still puts a tremendous burden on the individual to seek redress. If I feel discriminated against, I must take legal action, and that takes time, energy, and often money." Still, McLane says, he is



amazed at how many people have begun the process of voluntarily complying.

"I'm going places and doing things now that I never could have done 10 years ago," he says.

Mudrick worries the ADA won't fulfill its promise to increase employment opportunities. Only 63 percent of individuals who are disabled are employed. Experts believe 84 percent could be.

"The ADA has language to open employment doors to people with disabilities, but I'm not sure whether it's really going to be able to do it. Most of the complaints so far are about unfair termination rather than failure to hire," says Mudrick. "I suspect one reason is because you're never quite sure why you weren't hired; it's much easier to recognize discrimination once you've worked in a place of employment. That will be one of the challenges. People working in the vocation rehabilitation fields must be vigilant in the area of employment discrimination as they try to help their clients get into jobs."

Educating people with disabilities of their rights is also important, says Stephen Murphy, SU professor of counseling and human services, who teaches counselors who work with people with disabilities. During a two-year leave of absence from the School of Education, Murphy was director of a social services agency. "The ADA is not really going to make dramatic changes unless people with disabilities become aware of their rights and are willing to advocate for themselves and use the law to their advantage," he says. "The law is a really good first step, but its effects are still being measured."

Stacia Klim, age five, inherited her father's medical problems, but surgery and physical therapy have brought her to the brink of walking. One day she takes a few steps on her own and a little boy in her pre-K class runs over to proclaim, "I'm so proud of you! I've been waiting for this all my life!" Stacia herself encourages a classmate who is confined to a

wheelchair. She shows the girl her father's car, fully equipped with a wheelchair lift. "See, Becca," says Stacia. "You'll be able to drive. Don't worry."

In Stacia's class, children with disabilities move freely among children without. The mood is supportive, encouraging, and accepting. The hope is that this is our country's future.

"We shouldn't worry so much about

the technical aspects of the law," says McLane, "as why the law was created in the first place and what we can do to change the culture of America. Do this, and everybody wins." ■

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*Laurie Root Harrington earned a dual bachelor's degree from the College of Arts and Sciences and Newhouse in 1985, and a master's in English in 1986. She wrote about changes in Syracuse in our last issue.*

## SHOVEL, ANYONE?

Harvey Kaiser, senior vice president for facilities administration, has managed much of the vast improvement in SU campus accessibility for more than 20 years. He says a School of Architecture research project in the seventies established SU's standards on ramp designs, accessible bathrooms, hardware height, and automatic doors.

"Even before the Americans with Disabilities Act (ADA), we were conscious of our responsibility to improve access and make provisions for a wide range of disabilities," says Kaiser, who earned a master's degree in architecture from SU in 1965 and a doctorate in social science in 1974.

Installing elevators, lifts, and the like in the 15 campus buildings on the National Register of Historic Places has been especially challenging, says Kaiser, but major upgrades are scheduled regularly, like the elevator to be installed in Crouse College next summer.

"We have welcomed the ADA and will continue to work with the special-needs community and be responsive to their needs," says Kaiser. Still, one problem at SU is not likely to go away.

"Snow removal," says Kaiser, "remains our biggest problem." —LRH