



ADDRESSING CITIZENS' CONCERNS

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Exceptional Up and Coming Artists

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"Arrangement" by Kenny Morgan



HAPPY SUMMER



Five years ago, VSA Arts of Alabama, began offering weekly classes that focused on visual arts and music therapy sessions to participants with varied disabilities. On May 12, 2009, VSA Arts of Alabama Gallery hosted an art show to celebrate the talent and creativity of the artists. The show allowed over twenty-five disabled artists to showcase their talent in addition to earning money by selling their works of art.

With help from VSA and a list of other organizations, the Mayor's Office on ADA Compliance will host the first annual art day in Linn Park on July 25, 2009 for children with disabilities. "Extraordinary Arts for Extraordinary Kids" will give children with disabilities an opportunity to come out and show off their creative abilities. A number of art instructors will be volunteering their time to show the participants a few instructional tips that they can apply to their own projects. In addition to teachers, other volunteers will be on hand to accommodate any additional needs of the participants to ensure a fun and educational event. The success of this event will not only enrich the lives of everyone who attends, but will also ensure "Extraordinary Arts for Extraordinary Kids" is around for years to come.

Addressing Citizens' Concerns

Service Animal Seminar



Walter Daniels and Duchess

Even more than the misconceptions and myths, there are many questions about service animals that can be addressed with accurate information.

In order to help answer any questions, inform the public, and shed light on issues concerning service animal, the Birmingham ADA Committee, AHIF, Independent Living Resources of Birmingham and the ADRS have all come together to co-host a seminar on Service Animals. This long awaited seminar will take place on June 5, 2009 from 10:00 to 12:00 at the Alabama Department of Rehabilitation Services office in Birmingham and will include city personnel, disability staff, consumers, and business representatives.

The agenda will include an informative presentation on the laws pertaining to service animals, a presentation on service animals for individuals with physical dis-

abilities, a presentation of guide dogs for people with visual and hearing impairments, and a presentation on companion animals will be given by Cathy Rogers of Canine Companions, Inc. in addition, Mr. Walter Daniels, ADA Committee member and "Duchess" and Dr. Jack Sellers, will share a personal and unique perspective on their service animals.

To sign up or find out more information about the Service Animal Seminar, please contact The Mayor's Office On ADA Compliance, (205) 254-2079.

New Stimulus Package Includes Funding For ADA Compliance

The American Recovery and Reinvestment Act of 2009 was passed last week designating part of the program to better understand state and local government officials, business owners, and building professionals of their obligations under the Americans with Disabilities Act. According to the U.S. Department of Justice, property owners are discovering ADA compliance critically affects the bottom line and that a minimal investment can avoid costly legal action and meet ADA access requirements.

Recently in Libertyville, IL, Wal-Mart was sued for not providing adequate accessibility for disabled individuals. The ADA violations included inadequate or missing handrails; one of the top areas of non-compliance costing them millions in damages according to the U.S. Department of Justice. Seeing as it is quite noticeable that these types of ADA issues are a constant reoccurrence, the Department of Justice has made funds available to be distributed on a state level to anyone wishing to build, repair and upgrade facilities, systems and programs. Anyone who wishes to utilize these funds must contact their state government and prove eligibility to receive financial assistance.

An Accessible Church Means An Open Invitation For Those That Want To Participate

Baffled by the lack of church involvement from long-time parishioners that were newly retired, Marilyn Donnellan, brand new to the position of "A pastor's wife," decided to write an article on the subject. She concluded that the lack of church involvement was because the sanctuary was not accessible and therefore made it hard for the older, long-time members to participate in services.

It is common for any church ministry to falter if the senior members find it hard to participate in a church service due to inaccessibility. Donnellan goes on to add, "Ministry comes out of worship, and when mobility and other health issues hinder attendance at worship services, the invaluable spiritual gifts, experience, and wisdom of seniors in the church's ministry can be lost as a result." Daily life can invite health, pain, and mobility issues that can result in a once simple task into a tedious chore. This means the senior church members that suffer daily run the risk of becoming discouraged and unwilling to participate in church.

In the Americans with Disabilities Act's (ADA's) Title III, exemptions are given to private clubs and religious organizations. "ADA laws" do however, "apply to churches when they have fifteen or more employees and one of them has a disability."

It is a great testament that a large number of churches here in Birmingham have been sensitive to the needs of their members and have provided accommodations for seniors and the disabled regardless of ADA law exemptions.

On December 12, 2008, the District of Columbia entered into a settlement agreement with the Department of Justice to improve the accessibility of the city's homeless shelters. The agreement was a result of a survey conducted by a contractor who administers the shelter program confirmed that 23 percent of the city's homeless residents have a physical disability, 19 percent have a severe mental illness, and two percent have HIV or AIDS. Because of the data and the settlement agreement, the city must take public comments on its plan, hold at least one public hearing, and then submit a plan for final approval.

In addition, the District is also required to take interim steps to enhance the



Greek Orthodox Church 19th St. South



LEGAL BRIEFS



accessibility of shelter facilities while a new plan is under development. In turn, these temporary provisions will allow a long-term plan to be put into place. This will ensure that people with disabilities have equal access to homeless shelters. Improvements will also be made to procedures so individuals that frequent the city's shelters are aware of their rights under the ADA. As a result, this will enhance communication with the residents of the shelter who have speech, vision, or hearing disabilities and will also improve the oversight of private contractors and subcontractors that provide homeless shelter services in the District.

We are on the web!

OFFICE OF THE AMERICAN
WITH DISABILITIES

How to contact us:

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www.birminghamal.gov

**The ADA Committee meets every
Second Friday at 10:00 AM**



11th Circuit Court Upholds Hearing Aid Ban During Pre-employment Medical Testing

A security officer who failed a mandatory hearing test challenged a federal government policy requiring applicants for security positions to pass the test without the use of a hearing aid. He claimed that the testing requirements violated the Rehabilitation Act and the Americans with Disabilities Act (ADA), but the 11th U.S. Circuit Court of Appeals determined that there was no violation because the ban was job-related and consistent with business necessity.

ADA Advisory Committee

Chair – Charles Priest, Director, Alabama Head Injury Foundation

Vice Chair —Ron Talley, ASSISTECH Group

Secretary – Lorne Kelly—MAX Transit (VIP Para transit)

Committee Members

Xaveria Anderson– Ms. Wheelchair Alabama 2007

Walter Daniels— Retired Educator

John Duplessis –Easter Seals, Navigator Program

Cindy Jones— Alabama Industries for the Deaf & Blind

Dan Kessler–Director, Independent Living Resources ,Birmingham

Mike Norris– Independent Living Resources/Greater Birmingham

Graham Sisson– ADA State Coordinator, Alabama Rehabilitation

Gwendolyn Robinson– Concerned Senior Citizen

Myra Thompson– Social Security Adm. Disability Specialist

Rudy Roussel, Jr.- ADA Compliance Officer, City of Birmingham

Linda Coleman– ADA Program Director, City of Birmingham

UPCOMING

EVENTS

Visitability Workshop

Independent Living Resources of Greater Birmingham, Inc.

Date: June 22, 2009

Time: 9:00 a.m. – 2:00 p.m.

Location: Alabama Power, 1313 6th Ave. N

Contact Info: Dan Kessler

Phone: 251-2223, ext. 112,

e-mail: dgkessle@bellsouth.net

Extraordinary Arts for Extraordinary Kids

Mayor's Office on Americans with Disabilities

Date: July 25, 2009

Time: 10:00 a.m. – 3:00 p.m.

Location: Linn Park, 20th St. N

Contact Info: Rudy Roussel, Jr.

Phone: 297-8013

e-mail: rudy.roussel@birminghamal.gov