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IRLU – TIRR

This program is being presented by two organizations: one, The State Bar Disability Issues Committee, which is the State Bar Committee that was formed to address issues pertaining to Attorney's with disabilities, law students with disabilities, and to make sure that State Bar programs were accessible to people with disabilities and to assist attorneys, law firms, corporate law departments with applying the standards of the ADA in making sure that the spirit of the AK is followed by the State Bar and attorneys throughout Texas.

The other organization that's presenting this program is the Southwest Disability and Business Technical Assistance Center and they've really done the bulk of the work for this program, so we'd like to thank them for all their hard work. The southwest DIBTAC is authorized by the National Institute on Disability and Rehabilitation Research to provide the trainings, materials, and technical assistance to businesses, State and local governmental entities, and the public in general, regarding the ADA. They are based in Houston and they are a very good resource for questions and assistance involving the ADA.

So, now without further adieu we'll start our program, and Joe Bonky will introduce our first speaker.

Joe Bonky:

"Good morning folks. I have just some business things before we get started. The folks who are putting the books together have been up all night and when I got to IORD they didn't have this, they gave me 97 or 99 of them, so at 9:30 they promised to be finished, I will get the rest of the books then for those of you who do not have books will have them this morning.

Um, during a day like today, when we look at issues of the Americans with Disabilities Act, I think it's a good opportunity to look at issues of pigeonholing and stereotyping. I work for the EEOC, so that's one of the things that is a pretty important priority to me. And I think issues of pigeonholes are one of those aspects that we all do as a society. For example, I didn't know I was a Yankee until came to Texas. But I always thought that label was comical because I was coming from some place else. Shortly after I got here I found out I was a damn Yankee for staying. I thought, 'Wow! First they label you here then they qualify you', this is fascinating. And we bought a home and my wife and I were going to our new home and she turned to me and she said, "Joe, I like this label of damn Yankee". Now, when your spouse says this to you it really catches you off the hook. I said, 'Joyce, why is that?' She said, "Remember when we lived in New Jersey we were considered white trash from Brooklyn." So, in her mind we're moving up the social ladder and all we did was buy a house north of Jersey Village.

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While I was in college I dabbled in stand-up comedy, a medium takes the ordinary and heightens it to the extraordinary for the laugh and that's nothing more than what we do with the stereotypes; being Irish Catholic from Brooklyn, New York, I could do 22 minutes just on those stereotypes. And I used to think they were all funny until one day my sister and I were shopping across the street in Neiman Marcus, my daddy used to call it "Needless Markup", just to pigeon hole them for a moment. And, she was holding a sweater up against herself and the sales girl came around the clothing rack – my sister was seated in a wheel chair – and the sales lady turned to me and said, "Would she like to try that on?" And, I thought, 'There's the example of a pigeonhole that's not funny. There's that stereotypical behavior". And, I was upset at that moment that Neiman Marcus didn't have enough customer service to teach their staff the appropriateness of communicating with someone in a chair. So, the only thing that came to mind was I signed to the woman that I could neither hear nor speak and if she needed to communicate with me she should communicate with my friend in the wheelchair – I don't sign, by the way. Well, the look on this young lady's face is "Oh my God, the big guy doesn't talk!" And I stepped away and I let them transact their business. My sister bought the sweater and we were leaving the department that morning and I turned to the young sales lady and said, 'Thank you, have a nice day.' And it blew her mind. Now, today is not a day to teach you how to inappropriately deal with people who happen to inappropriately deal with people in wheelchairs. But I think we are planting a seed. We're nine years into the legislation of the ADA, we've got a long way to go and it's events like this that sprinkle more education out there to help with the effort of treating people as people first. It's with long introduction that I have privilege of introducing Lex Freedan. Now, I could rattle off probably hundreds of awards and recognitions that Lex has received over his lifetime. I could tell you a myriad of stories that, as his friend for the last 10 years, I have learned. But I think more importantly is to tell you that Lex is raising a grandson who is now a blue belt in Tae Kwan Do; I think that's his greatest achievement, and when you get to know him, what makes his eyes sparkle most is talking about the people who he loves and the people who love him. It's without further adieu that I give you really the founding father, in my eyes, of the Americans with Disabilities Act, senior vice president of the TIRR, Lex Freedan."

Lex Freedan:

"Thank you all very much. I enjoy having Joe introduce me because he is sort of lightens everything up a little bit and besides that he tends to talk for an extended period of time when he is supposed to do a short introduction, so that means I have less time to fill and in a CLE course, which I understand this is, that's one of the objectives is to avoid getting too serious and to try and get some material across and having people still awake and paying attention. I am a professor at Baylor College of Medicine, and in that role, we do a lot of continuing medical education and I don't know if lawyers are anything like doctors, but I do know that doctors, when they are involved in continuing medical

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education, must have to be a hundred other places at that time but they still need their hours credit and it's very hard to keep them focused and... which worries me sometimes by the way. Again, I don't know what the implications are for doctors... or for lawyers, but, for doctors, you know, if you're doing continuing medical education on brain surgery and your mind is somewhere else, that, you know, that leaves something to be desired. So, those of you who are here learning about the ADA, um, whatever we can do to help you focus, I'm sure up for that, 'cause, I want that doctor who's learning about brain surgery to pay attention when the CME course comes up.

Um, I have about three stories that I want to tell you this morning. One of them is a personal story; actually all three are personal to some degree. The first story is a story about my own experience with disability, quite frankly. I grew up in Northwestern Oklahoma in a small rural community of about 5,000. Some of you from this part of the Country may know Alva, Oklahoma, it's a County Seat in Wood's County, and it's a farming community. And, there were 97 people in my high school graduating class. I think that's the largest graduating class that Alva High School ever had, and we were all ambitious kids. You know, we don't come up in a community that was pretty well homogenous. The community was White, upper middle class. It was a farming community and anybody who wasn't a farmer worked in an industry that supported the farmers. My father was the gasman; he was the public utilities manager for the gas company in Alva, Oklahoma. Going to school we all had the benefits of a good education and we were all expected to go on, go to college, and do something more than our parents did. And I know a lot of you grew up in that same generation and had that same experience growing up. But, as I got into high school, we did have television in Northwestern Oklahoma back in the, I mean I think it got there in the '60's, but we had it in the '60's none the less. And, there were a lot of things on television about the Civil Rights Movement at that time, I recall, and things that were happening in Alabama and things that were happening in Arkansas and things that were happening around the Country in the area of Civil Rights. And, we studied this in our Social Studies class in high school but it was all like distant, because there weren't any people of Color in Alva, Oklahoma. There were in the city, Oklahoma City, where we would drive once a year to get our school clothes, and I had met some people of color, some African-American people. We did have in our school, a family named Manceas, but we didn't think of the Manceas family as being Hispanic, we didn't think about them as coming from Mexico because they lived in Alva. Their father had worked for the railroad and he had been there as long as our father's had and he was part of the community and we didn't see the Manceas family as being Mexican. We saw them as being members of the community. I remember that growing up down the street from me was a person of short stature, a dwarf, and we didn't much think of this person when we were growing up as kids, as being handicapped, because she came over and she played in the yard like everybody else. She grew up with us and she was part of the community. There was another fellow

that lived down the street the other direction from me and he was mentally retarded and we didn't think much about that either; he'd come and play with us until he got school age and then he disappeared. He wasn't there any more, and I remember asking my mother (after I had missed him one summer because that's when we used to play together; we were different ages, so we weren't in class together, wouldn't expect to be) whatever happened to David and my mother explained to me that David had some Special Education needs and he was now living in a Special School for mentally retarded people on the other side of the State and I wouldn't likely see him again. But, you know, as all kids growing up you sort of live with these things and you hear them and you learn about them. But the Civil Rights thing was something that really had a kind of abstract concept about because she didn't have a personal appreciation for what discrimination meant. We could only hear these stories about people using separate facilities and people sitting in the back of the bus and this was all like an abstract. It could have been an historical kind of a thing, it could have been a novel, a drama, it could have been happening somewhere else in the world but it wasn't happening in our community. It was something that we knew about by the television. So, that was me growing up.

I went to college at Oklahoma State University. I was valedictorian of my high school class and I had a scholarship and I went there and I was studying engineering, and I know that in the engineering school where I would go to the classroom building every morning there was a fellow who would go up to that building in a wheelchair. The only people in wheelchairs that I knew before were my grandmother and some of her friends who lived in the nursing home in Alva. So, I didn't know much about people in wheelchairs. Nick was a young guy in a wheelchair and I didn't really fully appreciate what could have caused him to be in a wheelchair, but I didn't want to deal with the question of should I open that door for him or should I let him do it himself and I would purposely every morning when I walked to class, go to the other door to avoid having to make this decision, because it seemed like if I went to the other door the guy in the wheelchair was always there going in about the same time I was. So, I went to class that way. Six weeks later, I broke my neck in a car accident. They took me to the hospital in Oklahoma City and I was there. I was there for about six weeks and then I went to Houston to rehabilitation at TIRR where I work and I learned I wouldn't walk again. The counselors told me I could do anything that I could have done before I broke my neck except I'd have to figure out how to do it from a wheelchair, and in fact, they suggested that I might want to consider being a school teacher because school teachers are engaged in a sedentary task and they can sit up. I had a good aptitude and I could sit in front of the classroom and lecture all day long and then somebody could wheel me home and put me to bed. So, I figured, you know, there was plenty to do. I wasn't really put out by the fact that I was disabled the rest of my life or going to be in a wheelchair. I didn't think about the implications about that, at that time, I mean, good grief, the Americans were sending the people to the moon cooped up in a

little spaceship where they couldn't move, so what was the big deal about being in a wheelchair. I went back to Alva and simultaneously my father was given the opportunity with the gas company to move to Tulsa and so we packed and moved and I thought this a perfect example of opportunity because in Tulsa was a brand new school, Oral Roberts University that had just been built. It was built according to modern architectural standards, it was built level, it didn't have the steps that OSU had or OU or SMU or any of the other schools that I might consider going to. Oral Roberts was built flat on the Oklahoma plains. And, not only that they had all kinds of money that people had sent to Oral to make his school the most modern in the world. They had audiovisual things they taped all the classes. I thought, you know, if there's a day that I can't go to class, um, I can get a copy of the tape and I can study it at home and keep caught up that way. There were a lot of reasons why this was a wonderful place for me to go, I mean, good night, all the other students would be Christians, so they would be helping me in and out of the classroom and, you know, this was wonderful. It was a blessing and I applied to Oral Roberts University. Well, I was supposed to start in September of that year, 1968, and I got a letter back from the Dean of Admission. I was really anxious, I opened it up, I read it – this was about June after I had broken my neck the previous year- and I got this letter and read it and it said, 'You've been denied admission to the University'. Well, I thought this has got to be a mistake, you know, these things happen. The letter came to me, the secretary was busy processing this, she picked it off the wrong files – always the secretary's fault, right" – came to me I opened it – no big deal- looked up the guys name – phone number's on the stationary – I called him right then, asked to speak to the Dean who picked up the phone. I said, 'Excuse me, my name is Lex Freeden, I made an application a couple of months ago to come to the University and start this fall. I just got a letter from you. It says I have been denied admission. I'm sure this is an error and I just wanted to notify you so you could send me the right letter'. And he said, "That's possible, just a minute, let me get your file", and he came back to the phone. He said, "I have your file in front of me now Mr. Freeden". He's humming to himself, he says (no doubt a Christian song), "I see from your application that you were the valedictorian of your high school class". I said, 'Yes sir, that's true'. Well, he said, "You did very well in the school". Well he turned a couple more pages. He said, "I see from your application that you were in the top 5% on the SAT scores". I said, 'Yes, that's true'. And he said, "You do very well in testing Mr. Freeden". I said, thank you. He turned another page, he said, "I have here a letter in the folder from your minister who gives you a fine recommendation", and I thought to myself, and, 'Yes, I did very well in Sunday School'. But I said, 'And you'll notice that that's a Methodist minister'. Well, the story behind that is that Oral Roberts turned to Methodist when he started Oral Roberts University because there were more Methodists sending money than there were Pentecostals which he was before. But I made the point that my Minister was a Methodist Minister and the Dean said, "Well, you actually have an outstanding record here. I'm sorry that we have to deny you admission to the University, but it seems that you've indicated that you use a wheelchair for mobility".

And I said, 'Excuse me, that's true. I don't understand'. He said, "Well, we have a policy of not admitting people with disabilities to the University". Well, you know, this sounded odd to me, but this is the first time that anybody had ever said anything like that to me in my life and I, just, you know, I took it at face value and I said, 'Well, I have been to the University. My family toured there and it's wonderful. I won't have any problems. All the classroom buildings are level. That's one of the reasons that I want to come to your school'. And he said, "I think we have a good campus here". And I said, 'And furthermore, some of my friends are going to school there and they'd be available to help me if there's any help that I needed'. Well, he said, "That's sort of the point. We don't want to have people here who would impose on our students. It's our role to pool students who want to pay attention to our education and we don't need distractions on the campus". And I said, 'My friends would be glad to help me', you know, and ... What do you say? What do you think about it? I just couldn't think of anything else to say. He said "Thank you for calling". And I said, 'Well thank you'. I couldn't hang up the phone, I have to sort of pitch it towards the hook and this time I just dropped it and it was just hanging there from the wall, and I just sat there, and I sat there for a long time and my mother didn't hear me talking and she came from another room and she said, "Are you okay?" and I said, 'Okay'. I couldn't tell her what happened. And my father came home from work a few hours later and my mother said to him "I think something's wrong with Lex". Ad my dad said to me "What's the matter son?" and I couldn't tell him. I mean, it was three days before I could tell my family about that conversation. And I still didn't understand it. I mean, some of you in this room, because of your own personal characteristics have experienced this feeling. For those of you who haven't I can not describe to you what it feels like. I consider myself to be a relatively articulate person and I've tried for years to figure out how to explain to somebody what discrimination feels like. But until you feel it, you don't know what it is. And that... it's a feeling; it's not an intellectual experience. I'm sorry. It is a feeling; it's something that eats at your gut. And it's something that is really painful. And, there is no purpose for it. We make, in society, judgments about people based on characteristics which have absolutely no correlation to what those people can do, who they are, or anything else. And when we make those kinds of judgments we are discriminating. And, don't ask me as a Christian person why prejudiced ever got introduced into our souls but it's there, and the only way that we as a society can grow, can progress, can move forward, is to understand that discrimination exists and to get rid of. Because making judgments about people as a basis of characteristics for which they have absolutely no control is not a constructive thing to do. It's a bad thing to do and in the United States, thank God, it's illegal. And that's what the Americans with Disabilities Act is all about as it relates to people with disabilities. Now, in 1984, I had the opportunity to go to Washington, DC and work as Executive Director of the National Council on Disability, and when I was interviewed for that job the

members of the council asked me, "What do you want to accomplish while you're the Director of this agency?" And I said, "Well I haven't really given a lot of thought to that but I want to have something tangible to show when I'm finished. My life is too short to go around in circles without anything to show as a product of the time I've spent trying to do something. So, I want to have something tangible to show". And the council members said, "Well, we have an idea and we need somebody to help us fulfill this idea. And the idea is that there would be a Civil Rights Act to protect people with disabilities from discrimination". And, as a matter of fact, I said, "That's a good idea". And the idea of the ADA was born at that time.

The National Council on Disability worked from 1984 to 1986 on a report called "Dwarting the Past". On January 26th we were scheduled to present that report to President Reagan and the first recommendation in the report, the Federal report, the first recommendation was that there should be a Civil Rights Act protecting people with disabilities from discrimination. Because it was a Republican administration, and particularly because it was the Reagan administration, we didn't use the word Civil Rights, we used the words Equal Opportunity. But everybody in this room knows it means the same thing. So, we were scheduled to present to the President this recommendation and we had hoped that he would welcome it. As it turns out, the Shuttle disaster occurred and, most of you remember; the Shuttle blew up with the teacher on board and the other astronauts, and as a result of that, the President had to cancel, He did cancel his appointments and we were distraught about that because we worked for two years on this report and this important recommendation, we had interviews, and so on. The scheduling secretary said, "I'm sorry, we are not going to be able to arrange for you to meet the President but you can meet the Vice-President". Well that was "Old George", you know. And at that time the Washington Post called him "Old George". I mean, "Do nothin', know nothin' George". And we were just disappointed as heck because we had this great report, we were gonna convince the President that he should be an advocate of Civil Rights for people with disabilities, and what did we get? George Bush, the Vice-President that nobody thought much about. But, nonetheless, we had a meeting with the Vice-President. We went in there, four of us from the council, we were surprised when we went in because George Bush had actually read this report before we got there, he had it open on his desk. We had a 10-minute photo opp scheduled with the Vice-President and he cancelled the rest of his meetings for the next hour so he could talk to us about that report. He was interested in it because he understood something about it. Two of his kids had disabilities. Now, that tells you something right there. We had a great meeting with Vice-President Bush and at the end of the meeting, at the end of the meeting, he sort of poured cold water on it. He said, "You know this is really a great thing that you've done. I really support it". He said, "But I must remind you that I'm just the Vice-President". He said, "I'll try to pass it along to the President when I meet him and encourage him to be supportive of it but, you know, part of the what the Press says is true; there's not much of a role and function for the Vice-President". And he said, "I'll do whatever I can". Well,

we left that meeting and we were happy on the one side that somebody, a high-ranking public official, had seen and appreciated what we had done. We were disappointed because we were convinced at that point that the administration probably wouldn't move forward without a recommendation. That was in 1986. The Congress thought it was a great thing. Senators came and waived the book, said, "This is the emancipation of people with disabilities". In 1987 they didn't do anything about it. The council decided at that point that if the Congress wasn't going to write a bill we would. We put together a legislative proposal. We found a Senator, Lowel Wyker, from Connecticut who introduced the ADA because he had a child with mental retardation and he understood what discrimination on the basis of disability was all about. Well, I'm sorry, but there wasn't a whole lot of interest in it at that time. However, something very, very important occurred and that is, George Bush was elected President of the United States. And in his inaugural address George Bush said, "One of the first things I want to achieve as President is to eliminate discrimination on the basis of handicap or disability". And within six months the ADA was passed and signed. So, the lesson behind that is don't burn any bridges. The ADA is law; we're all living with it.

Next week I have the opportunity to go to Washington DC, I'm going to interview three people for a television show. One of them is a woman who is deaf, who testified at the ADA hearings for us in 1985. She was a professor at Galidet University. She testified that the only job she could get given her credentials, despite her credentials in fact, was a job teaching at the deaf school at Galidet University because the other Universities wouldn't hire her; she was deaf. The second person I'm going to interview is a woman who wanted to be a school teacher who was told that despite the fact she had the teaching credentials, the certificate and everything else, by the New York City Public School System, that because she was in a wheelchair, she could not be a school teacher because she couldn't clean up after the children if they had an accident on the floor. And the third person I'm going to interview happens to be a man that testified, again, before us in 1985 who, at the time, was living in a nursing home, he can not speak, he has Cerebral Palsy, a very bad case of Cerebral Palsy, he can not speak, you couldn't understand him. He testified that he tried to live in the community, but nobody would rent him an apartment because he couldn't speak. Well, today, the first woman is now the Presidentially appointed National Institute on Disability and Rehabilitation Research Director, Kate Sealman. She'd be a valued faculty member at any University in the world. The second woman, Judy Human, is now the Assistant Secretary responsible for all the Special Education and Disability programs in the United States Department of Education. And the third person, Bob Williams is the Deputy Assistant Secretary in the Department of Health and Human Services.

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He lives in a condo in suburban DC in Silver Springs. He is married, he has a family and he is responsible for all the programs that provide health and human services to people with disabilities in the United States. The ADA is law, the ADA works and we need you to help us implement the ADA.

“ Thank you very much.”

IRLU-TIRR/jw/MT – tape

What can you do?

- prevention of
secondary cataracts

skin
internal organs
vision for deafness
CP ASDs / stroke

- Avoid frequent falls
resulting from
micro focus

- Stop overmedicalizing

- avoid gratification
w functional
outcomes

- Be advocates PAR

1. Consumerism

Basics of the new
disability paradigm

growing sense of
identity

consciousness of
inequity

frustration and
intolerance w
established approaches
classical

sense of urgency
radicalism

NEW HARRIS SURVEY MARKS STRONG APPROVAL FOR ADA NINE YEARS AFTER PASSAGE

9 of 10 Americans Who Are Familiar with Americans with Disabilities Act Express Support

FOR IMMEDIATE RELEASE

Washington, DC (April 15, 1999) - A new Harris poll released today reveals strong and sustained public endorsement of national civil rights protections for Americans with disabilities. Louis Harris & Associates surveyed 1,008 U.S. adults about their attitudes and perceptions of the landmark Americans with Disabilities Act.

The findings may be especially timely in light of this month's oral arguments before the U.S. Supreme Court in the Olmstead case. This lower court decision from Georgia will test key provisions of the Americans with Disabilities Act and its implications for state and local governments. [Former U.S. Attorney General Dick Thornburgh has submitted an amicus brief in the Olmstead case on behalf of the National Organization on Disability.]

Alan Reich, President of the National Organization on Disability, said, "This survey knocks on the head any suggestion that America's commitment to ending discrimination against people with disabilities is flagging. On the contrary, we see new evidence that fundamental fairness, which is the essence of the ADA, remains a cornerstone American value."

The Harris survey was conducted for the National Organization on Disability. The wording of questions and format, however, were designed and executed solely by the Harris organization. N.O.D.'s identity was not known to respondents.

Highlights include:

- 2 • Nearly nine out of ten (87%), of those adults who are aware of the ADA, support and approve of the Americans with Disabilities Act.
- 1 • A full two-thirds, or 67% of all adult Americans have read or heard about the Americans with Disabilities Act, which helps, supports and protects people with disabilities
- 3 • Three-quarters of all adults (75%) think that the benefits to people with disabilities are worth the additional costs to governments and businesses.

On specific areas of discrimination, the support for ADA protection was overwhelming:

- 4 • More than eight out of ten adults (83%) felt that creating opportunities for those with disabilities will decrease welfare rolls and increase employment

opportunities; while only 1 in 8 (12%) feel it will be very expensive and not worth the cost for employers to hire more people with disabilities.

- 5
- 94% of the total sample believe employers should not discriminate against any qualified, job candidate with a disability.
- 6
- 85% agree that employers with more than 15 workers should make reasonable accommodations for employees with disabilities.
- 7
- 91% want to see public transportation made accessible to disabled people.
 - 95% agree that public places such as hotels, restaurants, theaters, stores and museums, must not discriminate against visitors with disabilities.
 - And finally, 86% state that government must offer home care services that allow more people with disabilities to live at home instead of in nursing homes.

The National Organization on Disability promotes the full and equal participation of America's 54 million men, women and children with disabilities in all aspects of life. Founded in 1982, N.O.D. is the only national network organization concerned with all disabilities, all age groups and all disability issues. N.O.D. receives no government funds and is supported entirely by private donations from individuals, corporations and foundations. For more information, please contact N.O.D. at (202) 293-5960, TDD (202) 293-5968 or visit them on the World Wide Web at www.nod.org <<http://www.nod.org>>

This Harris Poll was conducted by telephone within the U.S. between March 19 and March 23, 1999, among a nationwide cross-section of 1,008 adults. Figures for age, sex, race, education, number of adults and number of voice/telephone lines in the household were weighted where necessary to reflect their actual proportions in the population. In theory, with a sample of this size, one can say with 95% certainty that the results have a statistical precision of plus or minus 3 percentage points of what they would be if the entire adult population had been polled with complete accuracy. The wording of the questions used in this survey are attached [below] for reference.

AMERICANS WITH DISABILITIES ACT - HARRIS SURVEY MARCH 1999

AWARENESS OF THE AMERICANS WITH DISABILITIES ACT (ADA)

Have you seen, heard or read anything about a law called the Americans with Disabilities Act, which helps, supports and protects people with disabilities or not?

Total

67% Have seen, heard or read about it

3 part package

1. ~~Copy out.~~ Planning and training for
Independence (define)
integrated systems based
2. Develop support system
infrastructure
HQS, transpo., bath care
3. Conceive and implement
coherent, consistent
incentive based public
policies that transition
pensioners back into the mainstream
Pensions are the easy
way out

The promise we should offer
and deliver to fulfil is that of
full participation
and
equal opportunity

**What happens after injury?:
People with disabilities in search of independence and work.**

Abstract of a presentation by Lex Frieden

This presentation will address quality of life from the perspective of an individual with a spinal cord injury of 32 years. The speaker will reflect on his own adaptation to disability and comment on the motives, incentives, and disincentives which influence people's disposition in regard to independence and work following injury.

In addition to the physical complications associated with mobility impairments, more difficult issues pertaining to psychological adjustment will be addressed. Attitudinal barriers which impose often subtle and complex spins on already difficult circumstances will be described.

The impact of cultural issues on the individual's orientation towards independence and work will also be addressed in this presentation. In particular, the effects of discrimination and prejudice in regard to disability will be discussed. Current efforts to combat such cultural dynamics in the United States and the relative impact of these efforts will also be presented.

Finally, the presentation will address the relative responsibilities of the individual with a disability and of the society in which the individual lives to accommodate the impact of disability. The presentation will conclude with some hopeful words about the next millennium.

story about friend

3 lessons

1. a accident will happen
2. when they do, you can't always fix what's ~~broken~~ broken
3. even though you can't ~~fix~~ fix it, you can seriously improve their environment, their accommodations and their Q of L.

That's what I want to offer you as a challenge —

researchers, policy-makers, program admin, advocates:

Be aware of consumerism!
What can you do to improve Q of L
adap. technology / AAS / med rehab.

education / VR

transp. / housing / econ. assistance
div. disabilities

grant and enforce rights to equality
ADA stuff

CARLTON CREST

HOTEL • BRISBANE

Guest Stationery

1 713

Thanks: Rod, Graham
Mike, Jan team

opportunity hospitality
first time in air,
great conference
Graham tribute ^{proposal} ^{propositions}
with disconnect profound insight
when they invited me to be
a keynote ~~at~~ a conference
on prevention
I broke my neck onto
head on dinner passengers
dumb no seat belts

if that not enough
they have me here as
the first speaker on first day
just after flying nearly
half way around the world
my body thinks it is night
and my head thinks it's day
and after crossing the dateline
I don't know if its more
north or less

CARLTON CREST

HOTEL • BRISBANE

Guest Stationery

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DISABILITY AGENDA

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A Quarterly Publication of the NATIONAL ORGANIZATION ON DISABILITY

Economic Life and Disability

The National Organization on Disability, in partnership with Louis Harris & Associates, last Fall conducted the third nationwide survey of the lives and experiences of people with disabilities. As in previous years, the survey focused heavily on the economic well-being of individuals with disabilities. The findings were as sobering last year as they were in 1994 and 1986. Specifically:

- People with disabilities in 1998 were some two and one-half times less likely than those without disabilities to be employed, with the 'employment gap' now standing at 50 percentage points - a slight increase since the level of 1986.
- One-third (34%) of adults with disabilities live in a household with a poverty-level annual income of less than \$15,000 in inflation-adjusted dollars, compared to about 12% of non-disabled Americans - a 22 point gap. This gap is virtually identical to the gaps reported in 1994 and 1986.

In order to better understand these persistent gaps, *Disability Agenda* reviewed the latest data from the U.S. Bureau of the Census.

Employment and Disability

As previous Harris surveys have suggested, employment rates vary greatly according to the severity and type of disability. According to the U.S. Bureau of the Census, the employment rates for people between ages 21 and 64 are:

82%	for all people (disabled and non-disabled)
77%	for those with a non-severe disability
52%	for those with any disability
26%	for those with a severe disability

Employment rates differ as well according to the type of disability. For instance, people with hearing disabilities are about half as likely to be employed as are those with visual or mental disabilities, and some two to three times as likely to be employed as are people with physical disabilities.

Disability and Age

The gaps in employment also vary markedly according to age. For instance, among people aged 16 to 24, people with disabilities are only 57% as likely as their non-disabled counterparts to be in the labor force (that is, either working or looking for work) and only 41% as likely to be employed full-time.

Between ages 25 and 34, these percentages are even lower: people with disabilities are only 44% as likely as their non-disabled counterparts to be in the labor force, and only 29% as likely to be employed full-time.

These figures continue to decline with age to the point that, between ages 55 and 64, people with disabilities are only 26% as likely as their non-disabled counterparts to be in the labor force, and only 17% as likely to be employed full-time, thus creating an even greater income gap among older people with and without disabilities.

The Effect of Education

Educational attainment has a profound influence on employment levels. For instance, for individuals between ages 16 through 64, people with disabilities with fewer than 12 years of education are only 20% as likely to hold a full-time job as are people without disabilities with the same educational levels. In contrast, for individuals with 16 or more years of education, people with disabilities are more than twice as likely - 41% - as people without disabilities to have a full-time job.

A similar picture emerges for earnings. Among people with disabilities aged 16 to 64 who are employed full-time, the average annual earnings for those with fewer than 12 years of schooling are just \$19,200, compared to \$45,500 for individuals with 16 or more years of schooling.

Interestingly, it is simply the fact of full-time employment that has the most impact on the earnings gaps between people with and without disabilities. People with disabilities who are either working (whether full-time or not) or looking for work earn only 60% to 70% of what demographically similar

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non-disabled people earn. However, people with disabilities who have a full-time job earn approximately 80% - thus approaching parity - of what demographically similar non-disabled people do.

Interpreting the Findings

These findings do have a number of important implications for the future.

First, disability's effects on employment and earnings are not uniform. They vary greatly according to age and the severity and type of disability - and so any solutions cannot be uniform either.

Second, greater educational attainment is perhaps the most powerful route to higher employment and earnings levels for people with disabilities. All else being equal, anything that makes it possible for young people with disabilities to obtain more education will enable them, as a group, to more easily find a job and to earn higher income levels, thereby helping to close the gaps in employment and earnings throughout their working lives.

Third, and perhaps most importantly, full-time employment emerges as the greatest single factor in closing the income gaps between people with and without disabilities. On average, individuals with disabilities who have a full-time job earn nearly as much as do demographically similar individuals without disabilities.

Closing the Gaps

The chain of cause and effect for economic well-being among people with disabilities is thus much the same as for the rest of the population.

Education increases the probability of employment. Employment increases earnings. And education, employment, and adequate earnings, in turn, are the first step - both the enabler and the fundamental economic prerequisite - for full participation by people with disabilities in American life.

Ensuring that young people with disabilities have access to the best education possible, and doing all that we can to make sure that people with disabilities can find full-time work, therefore must be the heart of America's disability agenda - particularly as it pertains to economic well-being - as the new century begins.

Statistical Snapshot

The Demographics of Disability

"The Demographics of Disability" is the first in a series of articles that presents the key numbers governing the circumstances of disability in America - the statistical backdrop for America's disability agenda. Subsequent articles in this series will explore the nature and effects of disability and the role of government in the lives of individuals with disabilities.

Disability and Age

According to the U.S. Bureau of the Census, by the middle of the 1990s, approximately 20% of the U.S. population, or about 54 million people, had some level of disability, with approximately half of those disabilities classified as severe. Disability ratios rise sharply with age.

Gender and Race

Disability varies somewhat by gender, with just over 8% of women aged 22 to 64 but 11% of men in the same age range reporting a severe disability. These variations are relatively constant through age 80; above that age, the proportion of women with a severe disability becomes considerably greater than for men - 58% versus 45% (primarily because women tend to live several years longer than men).

The proportion of Hispanics aged 22 to 64 with a severe disability, at just over 10%, is only slightly higher than the proportion of non-Hispanic whites (9%). However, the proportion of blacks aged 22 to 64 with a severe disability, at 16%, is nearly double that of whites.

U.S. Population

Age	% with a Disability
0 to 2	2%
3 to 5	5%
6 to 21	13%
22 to 44	15%
45 to 54	25%
55 to 64	36%
65 to 79	47%
80 and above	72%

Disability in Perspective

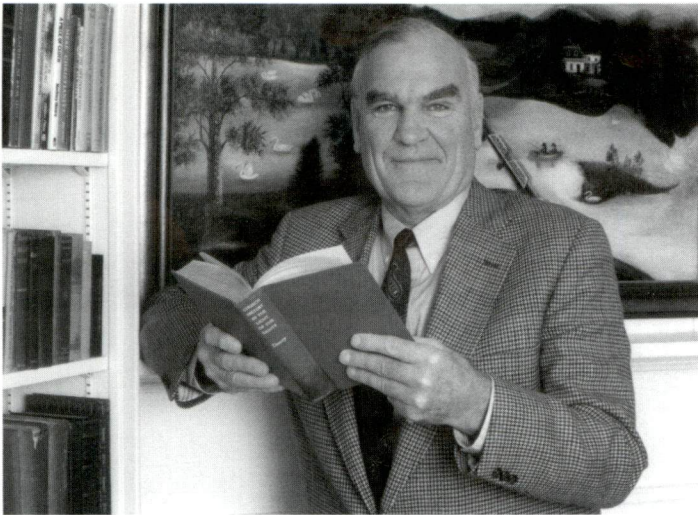
Youth and Disability - Findings from the Gallup Youth Survey

Public opinion surveys sponsored in recent years by the National Organization on Disability and others have shed a great deal of light on the lives and experiences of Americans with disabilities. Youth with disabilities - particularly teenagers - remain much less well understood. Fortunately, research by The Gallup Youth Survey, conducted by The George H. Gallup International Institute, is starting to provide us with some important new insights.

The Gallup Youth Survey, says George H. Gallup, founder and chairman of the Institute, "reveals that young people have had a good deal of experience with disability in their social lives, and that these encounters are largely positive." This foundation of experience and understanding, he notes, "creates a great opportunity to improve the lives and conditions of youth with disabilities in the years ahead."

Experience with Disability

According to the U.S. Bureau of the Census, only a relatively small proportion of young people actually have a disability. For youth between the ages of 15 and 21, the figure is approximately one in eight (13%). This figure is about the same, 12%, for youth between ages 6 and 14, and considerably less, from 2% to 5%, for preschoolers aged 0 to 5.



George H. Gallup, Jr., Chairman, The George H. Gallup International Institute

Despite this comparatively low incidence of disability, young people as a group do have extensive experience with disability in their social environment. According to the Gallup Survey, fully three-quarters of American teens go to school with one or more disabled schoolmates, while 54% see people with disabilities at church or Sunday School. A smaller proportion of teens (12%) have a direct experience with a family member with a disability, usually a parent, sibling, or grandparent.

These experiences with disabilities tend to be overwhelmingly positive. Nine out of ten teens with a disabled family member say that they have learned special things from their relative with a disability, and enjoy spending time with him or her. Among other

things, these youths have learned to be more patient and to enjoy doing things for others; in turn, they appreciate receiving additional love and support from the relative with a disability. Only one in ten teens say that they are jealous because of the extra attention that the family member with a disability receives.

Likewise, in church congregations, nine out of ten (89%) youths say that their fellow churchgoers with disabilities "feel very welcome" and another 10% say that they feel "somewhat welcome." The experience does not appear to be quite as positive in school. Only 37% of youths say that schoolmates with disabilities feel "very welcome" in their school, while 46% say that they feel only "somewhat welcome" and another 17% say they "don't feel too welcome."

Looking to the Future

Young people seem to understand that attitudes toward youth with disabilities need to be improved. In the Gallup Youth Survey, 70% of teens said that people with disabilities receive too little respect in our country. Given the increasing exposure to individuals with disabilities that ongoing public policy changes encourage, says Mr. Gallup, "the fundamental open-mindedness and generosity of American teens bodes well for the future of youth with disabilities."

This, he says, means that we are likely to see a continuing closing of the gaps in the experiences and opportunities facing youth with and without disabilities. As a result, all Americans - young and old alike - will gain.

1998 N.O.D./Harris Survey of Americans With Disabilities

Conducted by
Louis Harris and Associates, Inc.

Commissioned by the
National Organization on Disability

The complete report on the 1998 N.O.D./Harris Survey of Americans with Disabilities is now available!

Includes:

- Executive summary with trend data comparing 1998, 1994 and 1986 Harris Survey findings.
- Complete data tables
- Complete survey questionnaire

Price of survey is \$95; \$60 for disability organizations

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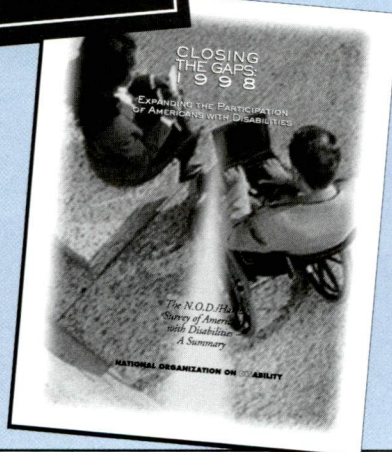
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Copies of **Closing the Gaps: 1998 - a summary of the 1998 N.O.D./Harris Survey of Americans with Disabilities** can be purchased for \$20 each.

The 1995 N.O.D./Harris Survey on Employment of People with Disabilities is also available for purchase for \$25.



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The National Organization on Disability, founded in 1982, is the only national network organization concerned with all disabilities, all age groups, and all disability issues. N.O.D. involves people with and without disabilities in carrying out its programs. N.O.D. is supported by private sector donations from individuals, corporations and foundations and receives no government funds. Your financial support is greatly appreciated. Contributions can be sent to National Organization on Disability, 910 Sixteenth Street NW, Washington, DC 20006.

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33% Have not

FAVOR/OPPOSE THE ADA

Overall do you favor and support the American with Disabilities Act or disapprove and oppose it?

[This question was asked only of those who have seen, heard, and/or read about the ADA]

Total

87% Favor and Support

8% Disapprove and Oppose

5% Don't Know

SUPPORT/DO NOT SUPPORT SPECIFIC PROVISIONS OF THE ADA

A. Employers may not discriminate against someone who is qualified to do a job just because they are disabled.

B. Employers with more than 15 employees must make reasonable accommodations for employees with disabilities.

C. New public transportation vehicles must be made accessible to disabled people.

D. Public places like restaurants, hotels, theatres, stores and museums may not discriminate against customers on the basis of disability.

E. Government must offer home care services that allow more people with disabilities to live at home instead of in nursing homes.

Total

Items	Support	Do Not Support	Don't Know
A.	94%	5%	1%
B.	85%	14%	1%
C.	91%	8%	1%
D.	95%	4%	1%
E.	86%	12%	2%

COST/BENEFITS OF THE ADA

Given, what we have just told you about the Americans with Disabilities

Act, do you think that the benefits of the ADA are worth the additional costs involved or that it is too expensive?

Total

75% Benefits are worth the additional costs

17% Too Expensive

7% Don't Know

1% Refused

EMPLOYER vs. WELFARE COSTS OF PEOPLE WITH DISABILITIES

Which of the two following statements comes closest to your opinion?

A. If more people with disabilities had paid employment, it would reduce welfare payments, they would become productive taxpayers and everyone would benefit.

OR

B. It will be very expensive for employers to hire many more people with disabilities and it will not be worth the extra cost.

Total

83% Agrees with A

12% Agrees with B

5% Don't Know

ADA AND THE QUALITY OF LIFE

Do you think the ADA has helped or has not helped improve the lives of people with disabilities?

Total

84% Has Helped

10% Has not Helped

6% Don't Know

Media seeking comment or interviews with spokespersons for the National Organization on Disability, please contact:

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