

AccessLetter

Cambridge Commission for
Persons with Disabilities

City Mulls Stronger Access Law

On July 30th, the Cambridge City Council's Ordinance Committee considered a proposed amendment to the city's human rights law requiring businesses to improve access for people with disabilities. Borrowing language from the landmark federal Americans with Disabilities Act (ADA), the amendment would make it illegal for Cambridge businesses to fail to remove barriers to access whenever it is "readily achievable" to do so. The proposed amendment defines "readily achievable" as "easily accomplishable and able to be carried out without much difficulty or expense."

In April 2002, the Cambridge Human Rights Commission (CHRC) and the Commission for Persons with Disabilities (CCPD) first met jointly to discuss amending the city's human rights law. "The two Commissions recognized that, because of physical barriers to access, people with disabilities are often unable to obtain the goods and services offered by

Cambridge businesses," said Michael Muehe, CCPD director; "furthermore, the two commissions acknowledged that the failure of some businesses to

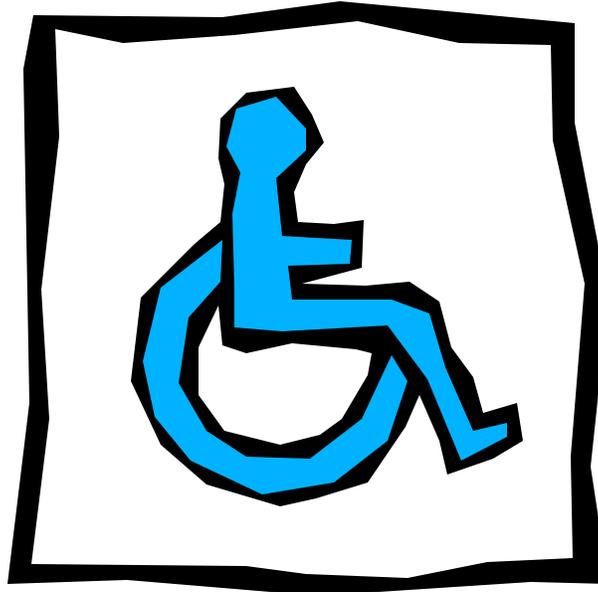
remove barriers to access was a violation of Title III of the Americans with Disabilities Act of 1990 (ADA), which requires public accommodations to remove barriers to access whenever it is readily achievable to do so."

"At the same time, the two commissions recognized that there is a real enforcement problem with Title III of the ADA," continued Muehe. To obtain enforcement, an individual with a disability could either file a complaint

with the U.S. Department of Justice or bring a lawsuit in federal court. Unfortunately, the USDOJ receives many more complaints than it has the resources to investigate, and filing a federal lawsuit can be costly and time-consuming. Simply finding a lawyer willing to file such a lawsuit is becoming increasingly difficult, since Title III does not allow for punitive damages.

Recognizing the significance of the ADA in providing protection from discrimination to individuals with disabilities, the two commissions unanimously voted to recommend changes to the city's human rights ordinance. The proposed amendment would incorporate the ADA's "readily achievable" requirement into the human rights law, thus taking advantage of the existing local civil rights enforcement mechanism afforded by the Human Rights Commission. On June 2, 2003, the City Manager transmitted the proposed ordinance amendment to the City Council.

(Access Law continued page 2)



Save the Date!

Wednesday, October 8, 2003
5:30 to 8 p.m.

Transitions from School to Work
CCPD's Annual Disability Employment Event

Cambridge Senior Center
806 Massachusetts Avenue, Central Square
(see enclosed flyer for details)

(Access Law continued)

Currently, according to Muehe, CCPD receives two or three calls per week about lack of accessibility. According to a 1998 CCPD survey, over half of the city's 400 establishments with common victualer licenses had barriers to persons with disabilities.

During the Ordinance Committee hearing, Muehe was prompted by City Councilor Brian Murphy to clarify what "readily achievable" would or wouldn't look like. Some examples of readily achievable barrier removal projects cited by Muehe included: ramping a one-step entrance, widening a doorway so that wheelchairs can pass through, and adding disability spaces to a business' parking lot.

Councilor Murphy also inquired about possible conflicts the ordinance amendment might create with the jurisdiction of the Massachusetts Architectural Access Board (MAAB). At present, Muehe explained, MAAB requires physical access in newly constructed or renovated buildings, but MAAB has no "readily-achievable" requirement for existing facilities that are not undergoing alterations. However, if a complaint was filed under the city's human rights law, and it turned out that MAAB regulations had not been followed during prior construction, jurisdiction would revert to MAAB.

City Councilor Denise Simmons sought clarification of what "public accommodation" means. Muehe replied that the existing human rights ordinance contained a specific definition for "public accommodation": private entities that provide goods and/or services to the public. Councilor Simmons also inquired as to what could business with a five-step walkup entry would be required to do under the ordinance amendment. Muehe responded that it would depend in part on the financial resources of the public accommodation. For example, for a store that was part of a large national chain, such a barrier might be readily achievable, but if it were a small "mom-and-pop" operation, it probably wouldn't be.

City Councilor David Maher suggested that the City Council's Economic Development Committee hold a meeting to further clarify these issues, and Councilor Simmons acknowledged the need to inform small businesses about the "readily-achievable" standard.

The Ordinance Committee hearing concluded with its members agreeing to keep the proposed amendment in that committee for now, but to also refer the amendment to the Economic Development Committee for further review. In addition, the City's Law Department will be requested to prepare a memo explaining terms included in the ordinance amendment such as "readily achievable" and "public accommodation".

New CCPD Members Appointed

Over the summer months, Cambridge City Manager Robert Healy appointed six new members to the citizen board of the Commission for Persons with Disabilities. The new members include:

Larry Braman has an extensive background in disability policy, and has worked professionally with the Massachusetts Architectural Access Board. Mr. Braman is a person with a disability.

A former schoolteacher, **Maureen Coyne** has also worked as a cashier at Stop & Shop for twelve years. As a person with a psychiatric disability, Ms. Coyne will add to the Commission's need to balance our attention to physical as well as mental disabilities.

Benjamin Harris is a business consultant who has over the past year given generously of his time in volunteering various Commission activities. Mr. Harris' interests buttress those of the Commission in building a better presence and analysis of issues related to people with psychiatric disabilities.

Representing the Department of Human Service Programs, **Eileen Keegan** is a welcome addition to the Commission. As the long-serving Division Head for DHSP's Community Schools Division, Ms. Keegan will bring a wealth of experience in the areas of education, children and youth.

David Krebs has been an enthusiastic and loyal volunteer in CCPD's disability awareness efforts, going in to Cambridge elementary schools with his son to give talks about disability to 3rd graders each spring. Dr. Krebs is a researcher, professor and the Director of the Biomotion Laboratory at Massachusetts General Hospital, and is a person with a disability.

Having previously served as chairperson of the Andover Disability Commission before moving to Cambridge, **Michael Warshawsky** has an extensive background in disability policy and advocacy. He has also served on the Statewide Independent Living Council. Mr. Warshawsky is a person with a disability.



The Commission for Persons with Disabilities enthusiastically welcomes its new members, and looks forward to the coming months as we further our mission to promote disability awareness and access for all.

UN Moves Forward with Treaty on Human Rights and Disability

A significant milestone was reached in late June of this year when delegates from 100 nations and 42 nongovernmental organizations at the United Nations in New York reached a historic decision—to move forward with the process of drafting an international human rights treaty on disability rights.

While the UN has human rights treaties dating back to the *Universal Declaration of Human Rights of 1948*, none of the equality clauses in any of the documents mentions disabled persons as a protected class with equal rights to citizenship.

Traditionally, people with impairments have been viewed as devalued objects of the medical and social service establishments. The UN “Standard Rules on Equality of Opportunities for Persons with Disabilities” (1993) have



the implicit moral and political commitment of each country to adopt measures to assure equality, but the Rules are not legally binding.

A new “comprehensive and international convention to promote and protect the rights and dignity of persons with disabilities” can go a long way toward changing world institutions so that individuals with disabilities will be seen as full human beings with the same rights of citizenship as everyone else. The Working Group that will prepare the draft text will include representative from 27 member states and 12 individuals from disabled peoples organizations.

For a more details of this groundbreaking work see Marta Russell’s account on Znet at www.zmag.org/sustainers/content/2003-07/25russell.cfm.

By Carolyn Thompson

Upcoming Events of Interest to the Disability Community

- Sept. 3 **Repetitive Strain Injury (RSI) Drop-in Group** (information & support) on first Wednesday of each month, 6 to 8 p.m. Visit web site www.rsiaction.org or call 617-247-6827 for location and more information.
- Sept. 3 **Women Maximizing Abilities Now**, a peer support group for women with physical or emotional disabilities and/or chronic conditions meets at The Women’s Center, 46 Pleasant St., Cambridge, 2 to 3:30 p.m. on the 1st and 3rd Wednesdays of each month. Wheelchair accessible; contact Mary Quinn at 617-354-8807 or woman@braintrust.org for more information.
- Sept. 4-17 **“From the Liberty Bell to Capitol Hill” - Free Our People MARCH from Philadelphia to Washington, D.C.** Join 20,000 other disability rights advocates on Capitol Hill to make this the biggest disability rally in history! For more information, call ADAPT at 512-442-0252 in Austin, TX, email adapt@adapt.org, nancydia@voicenet.org or adaptmtbob@aol.com or visit the web sites for American Association for People with Disabilities www.aapd-dc.org and Free Our People at www.freeourpeople.org.
- Sept. 6 **Introduction to Kayaking for adults at Marblehead – ASL interpreted** Learn the basics about kayaks, equipment, and paddling strokes in the security of tandem boats. Practice doing a “wet exit” and navigate the harbor while learning about tides, weather and wind. Fee: \$50. For more information check the website at www.outdoorexplorations.org, call 781-395-4999 voice, 781-395-4184 TTY or email info@outdoorex.org.
- Sept. 6-7 **Family Camping Weekend at Boxford, MA** includes guided hike, games, swimming, paddling, campfire and sleeping under the stars. Fee: \$50. For more information check the website at www.outdoorexplorations.org, call 781-395-4999 voice, 781-395-4184 TTY or email info@outdoorex.org.
- Sept. 7 **Accessible Hiking Program at Wendell State Forest** in Wendell, MA sponsored by Venture Into Wellbeing and the Universal Access Recreation Program of the Dept. of Environmental Management (DME). Use of adaptive equipment such as Terra Trek manual wheelchairs, baby joggers, walkers, and gait belts along with teamwork help people of all abilities access conventional hiking trails. [offered again Sept. 21 and two Sundays in Oct.] Contact either Gigi Ranno at 617-626-1294 or Marcy Marchello at 415-545-5758 or check the web at www.state.ma.us/dem/a_events.htm.

- Sept. 7 **Ropes and Rocks** will challenge teens age 13-18 to develop skills as they master the climbing tower and work as a team to navigate the high ropes course. Equipment and adaptations make activities fully accessible. Takes place on the North Shore. Fee is \$150. For more information check the website at <www.outdoorexplorations.org>, call 781-395-4999 voice, 781-395-4184 TTY or email <info@outdoorex.org>.
- Sept. 9 **Boston Voice Users** is a group for people who use speech recognition or dictation software that meets the 2nd Tuesday of each month at Massachusetts Institute of Technology in Building 2, Room 143. There is often a guest speaker. Meeting time is 7:30 to 9:30 p.m. Go to their website at <<http://harvee.billerica.ma.us/mailman/listinfo/boston-voice-users>> and click on Boston-voice-users Archives to find out more about meetings and discussions.
- Sept. 10 **MassRelay Community Forum at DEAF, Inc.**, 215 Brighton Ave. in Allston – Learn about the Massachusetts Relay Service for Deaf, hard of hearing or speech impaired individuals. Voice interpreters will be provided. [offered other dates in nearby towns] For additional information contact Massachusetts Relay Service, 1245 Hancock St., Quincy, MA or 800-439-0415 TTY, 617-773-1635 Fax, email <outreach@massrelay.org> or visit the website at <www.massrelay.org>.
- Sept. 11 **Mixed Abilities Movement and Dance Class for all ages**, weekly sessions from 5 – 6 p.m. at the Brookline Community Center for the Arts (BCCA), 14 Green Street in Coolidge Corner, Brookline. Weekly fee is \$11 when registering for 4-8 sessions; \$12 on a drop-in basis. People with and without disabilities will explore movement and play using travel, balance and counterbalance, weight-sharing and improvisation. For more information contact Erica Segal at 617-54-4809 or <dances@world.std.com>; to register contact the BCCA at 617-738-2800, or <www.BCCAonline.com>.
- Sept. 11 **CCPD Monthly Meeting** – 51 Inman Street, 2nd floor Conference Room, 5:30 to 7:30 p.m. Joint meeting with Cambridge Pedestrian Committee with opportunity for Public Comment.
- Sept 11 **Healing and Art for Trauma Survivors** is a group for women that explores how to use art to heal past traumas. Meets the 1st and 3rd Wednesdays of each month at the Women's Center, 46 Pleasant Street in Cambridge. Free, no experience necessary. For more information call the Center at 617-354-8807 or email: <info@cambridgewomenscenter.org>
- Sept. 12-14 **Abilities Expo for New England** for 3 days at the World Trade Center in Boston features exhibits of independent and assisted living products and services along with educational workshops. On-site admission is \$5 or you can print out application from web site to complete and take with you for free admission. Hours: 10 to 5 on Friday and Saturday, 11 to 5 on Sunday. Visit <www.abilitiesexpo.com/newengland> for more information.
- Sept. 13 **Family Cycling on bike paths at Wompatuck State Forest.** A variety of bicycles, tandem bikes, and handcycles will be provided; receive \$20 discount if you bring your own cycle. Fee: \$50. For more information call 781-395-4999 voice, 781-395-4184 TTY, email <info@outdoorex.org> or check the website at <www.outdoorexplorations.org>.
- Sept. 13 **Hiking and Orienteering for teens age 13-18 at the Lynn Woods Reservation.** Learn to navigate using a map and compass, how to use backpacking equipment, and how to select and set up a campsite. Fee: \$35. For more information call 781-395-4999 voice, 781-395-4184 TTY, email <info@outdoorex.org> or check the website at <www.outdoorexplorations.org>.
- Sept. 14 **Sailing for adults, 18 and older at Piers Park in Boston** with Outdoor Explorations (OE) for people with and without disabilities. Under the instruction of a skilled sailor and as part of a team, learn about rigging, knots, tacking and jibing. You will use state-of-the-art keelboats that combine stability with speed. Registration for this full day adventure is \$50. For more information call 781-395-4999 voice, 781-395-4184 TTY, email <info@outdoorex.org> or check the website at <www.outdoorexplorations.org>.
- Sept. 16 **Disability Policy Consortium (DPC)** monthly meeting on 3rd Tuesday of month, 1-3 p.m. at the State House, Room A-1, in Boston. For more information contact Robert Snierson, Chair, <rsnierson@aol.com> or Mary Lou Maloney at 617-216-5181.
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- Sept. 16 **Cambridge Group for Parents with Children on the Autism Spectrum** meets the 3rd Tuesday of each month, 7-8:30 p.m. at Cambridge Family and Children's Services, 60 Gore Street, Cambridge. For more information contact Maureen Branconnier at the Autism Support Center, 978-777-9135, ext.205 or <asc@nsarc.org>. or check the website at <www2.shore.net/~nsarc>.
- Sept. 17 **Reasonable Accommodation for People with Physical and Mental Disabilities**, seminar by Jane Alper, Esq., of Disability Law Center, covers technical information on Disability Fair Housing laws and gives practical examples of reasonable accommodations. Updated handbook is included. \$25 for Mass Housing Tenant Assistance Program (TAP) members, \$60 for others. For more information or to register contact MassHousing/TAP at <www.masshousing.com> or fax Janeen Harris at 617-624-9497. CEU credits are available.
- Sept. 17 **Women Maximizing Abilities Now**, (see Sept. 3 listing for details.)
- Sept. 18 **LD/ADHD Consumer Group** for persons with Learning Disabilities/ Attention Deficit Hyperactivity Disorder is sponsored by Massachusetts Rehabilitation Commission (MRC) and meets at MRC Somerville Area Office. The NEW LOCATION is One Davis Square in Somerville. Business meeting 10 am to 12 noon; Support Group 12 to 1 pm. For more information and directions contact Angelica Sawyer, 617-661-3117 (voice).
- Sept. 18 **Songs of the Blind Snowbird**, readings from a new book by Rob Jacobs who uses humor and irony to relate his journey into blindness and dispel the myths that make people fear those different from themselves. Meet the author at this Central Square Branch Library event, 45 Pearl Street in Cambridge from 7 to 9 p.m. For more information contact Louise Goldstein at 617-349-4010 voice or 617-349-4421 TTY.
- Sept. 20 **Introduction to Kayaking for 13 to 18 year olds in Marblehead Harbor**. (See listing for Sept. 6 for details.) Fee: \$50. For more information call 781-395-4999 voice, 781-395-4184 TTY, email <info@outdoorex.org> or check the website at <www.outdoorexplorations.org>.
- Sept. 21 **Intermediate Kayaking for Adults**. Learn skills to plan your own kayaking trip and build proficiency with an open water paddle from Marblehead Harbor out to Brown Island. Requires completion of Introduction to Kayaking or previous experience. Fee: \$50. For more information call 781-395-4999 voice, 781-395-4184 TTY, email <info@outdoorex.org> or check the website at <www.outdoorexplorations.org>.
- Sept. 24 **Access Advisory Committee to the MBTA** meets from 1:00 to 3:30 p.m. at State Transportation Building, 10 Park Plaza, Boston, Conference Room 2. Call 617-973-7507 voice or 617-973-7089 TTY for more information or to request interpreters. For problems with The RIDE service, call 617-222-5123 voice, or 617-222-5415 TTY.
- Sept. 24 **Repetitive Strain Injury (RSI) intensive 9 week support group** begins. Visit web site <www.rsiaction.org> or call 617-247-6827 for location and more information.
- Sept. 24 **Transitions to Adult Living** is a workshop for parents that explains how competitive employment and independent living goals should be addressed in the IEP (Individual Education Plan) for students 14 and older. Presented by the Federation for Children with Special Needs (FCSN), 6:30 - 9 p.m. in Arlington. For more information or to register contact call 617-236-7210, 800-331-0688 or email the Federation at <fcsninfo@fcsn.org>.
- Sept. 25 **Healing and Art for Trauma Survivors** at the Women's Center. (See Sept. 3 listing.)
- Sept. 26-28 **Backpacking Trip in the Berkshires for adults will be led by a Deaf guide (ASL)** with voice interpretation available for hearing participants. Learn skills necessary to plan your own adventure including map reading, campsite selection and proper use of gear. Fee is \$225. For more information call 781-395-4999 voice, 781-395-4184 TTY, email <info@outdoorex.org> or check the website at <www.outdoorexplorations.org>.
- Sept. 28 **Family Ropes and Rocks teaching climbing skills to individuals age 8 and older**. Practice on climbing tower and learn to help others. Work with family and other team members to navigate the ropes course. Equipment and adaptations make activities fully accessible. Takes place on the North Shore. Fee is \$75. For more information check the website at <www.outdoorexplorations.org>, call 781-395-4999 voice, 781-395-4184 TTY or email <info@outdoorex.org>.
- October 1 **Healing and Art for Trauma Survivors** at the Women's Center. (See Sept. 3 listing.)

- October 7 **Basic Rights**, a workshop for parents that covers information about state and federal special education laws to assist parents in the planning, decision-making and monitoring of their child's IEP. (Individual Education Plan) Presented by the Federation for Children with Special Needs in Boston, 10 a.m. to noon. For more information or to register contact call 617-236-7210, 800-331-0688 or email the Federation at <fcsninfo@fcsn.org>.
- October 8 **Transitions from School to Work: Exploring Paths from Dependency to Self-Reliance for Young Adults with Disabilities**, 5:30 to 8 p.m. at the Citywide Senior Center, 806 Massachusetts Ave. in Cambridge. [See enclosed SAVE the DATE flier] Contact the Cambridge Commission for Persons with Disabilities for more information, 617-349-4692 voice, 617-497-0235 TTY.
- Oct. 11-13 **Backpacking Trip in the Berkshires for youth age 13-18**. Learn skills necessary to plan your own adventure including map reading, campsite selection and proper use of gear. Fee is \$225. For more information call 781-395-4999 voice, 781-395-4184 TTY, email <info@outdoorex.org> or check the website at <www.outdoorexplorations.org>
- October 16 **CCPD Monthly Meeting** – 51 Inman Street, 2d floor Conference Room, 5:30 to 7:30 p.m. with opportunity for Public Comment.
- Oct. 17-19 **Women with Disabilities & Allies Forum: Linking Arms for Equality & Justice for All**, will address issues of mutual concern to the feminist and disability rights movements. This joint summit sponsored by American Association of People with Disabilities (AAPD) and the National Organization for Women (NOW) Foundation will be held at the Hyatt Regency Hotel in Bethesda, MD. Early registration is \$225; some reduced fees are available. For more information visit the NOW website at <www.nowfoundation.org> or AAPD at <www.aapd-dc.org> or call 202-628-8669 and V/TTY: 1-800-840-8844.
- Nov 14 **Caring for Our Mental Health**, with keynote speaker Kay Redfield Jamison, Ph.D., Professor of Psychiatry at the Johns Hopkins U. School of Medicine and author of *An Unquiet Mind, Touched with Fire: Manic-Depressive Illness and the Artistic Temperament*, and *Night Falls Fast*. This 8th Annual Conference on Women's Health and the Environment is at the Hynes Convention Center in Boston, 9 a.m. to 4 p.m. and is a project of the Teresa and H. John Heinz III Foundation.
- Nov. 18-20 **Build Boston**, regional trade show and convention at the World Trade Center in Boston for the design and construction industry. Includes exhibits and workshops on Universal Design. Visit <www.buildboston.com> or call 800-544-1898 for more information.

Cambridge Commission for Persons with Disabilities

The Commission was established in 1979 to act as a clearinghouse on disability and access issues throughout the City of Cambridge. We strive to raise awareness of disability matters, to eliminate discrimination, and to promote equal opportunity for people with all types of disabilities – physical, mental and sensory. The Commission provides information, referral, guidance, and technical assistance to individuals and their families, employers, public agencies, businesses and private non-profit organizations. Examples of our ongoing work include:

- Work with various City departments to ensure **compliance with the Americans with Disabilities Act of 1990** (ADA) and related state and federal disability rights laws;
- Provide free **disability awareness training** upon request for any Cambridge business or nonprofit entity;
- Issue **temporary disability parking permits** to Cambridge residents;
- Cosponsor the **taxi discount coupon program** with the Cambridge Council on Aging; and
- Facilitate additional **accessible parking spaces** through the Traffic, Parking, and Transportation Department.

The goal of our 11-member citizen advisory board, comprised primarily of individuals with disabilities, is to maximize access to all aspects of Cambridge community life. Our regularly scheduled Commission meetings, which always include an opportunity for public comment, are held at 5:30 p.m. on the second Thursday of each month.

Access Notice: The City of Cambridge and Commission for Persons with Disabilities do not discriminate on the basis of disability. This newsletter is available in e-mail, large print and other alternative formats upon request. To add your name to our mailing list, to inquire about alternative formats, or for information about other auxiliary aids and services or reasonable modifications in policies and procedures, contact CCPD.

Cambridge City Council

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Anthony D. Galluccio
David P. Maher
Brian Murphy
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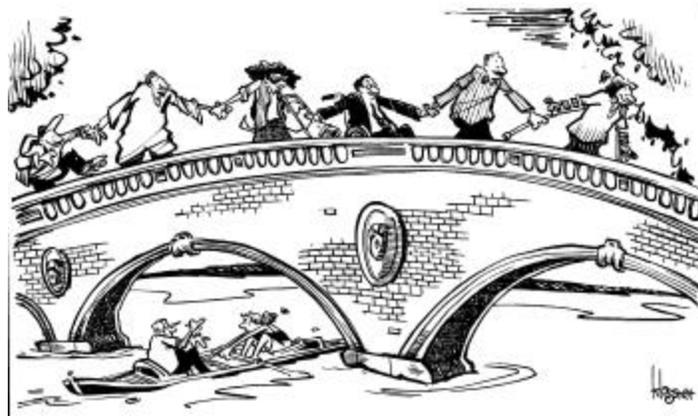
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Jill Herold, *Assistant City Manager, Human Services*
Ellen Semonoff, *Deputy Director, Department of Human Service Programs*

Commission for Persons with Disabilities

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AccessLetter is produced by the Cambridge Commission for Persons with Disabilities,

part of the Department of Human Service Programs,

51 Inman Street, second floor, Cambridge, Massachusetts, 02139

We welcome your articles, comments, criticisms, and suggestions. Write us!

Read past issues on our website: www.cambridgema.gov/~CCPD

If you would rather receive your copy of **ACCESSLetter** electronically, please provide us with your name and e-mail address. To request that your name be removed from our mailing list, contact us at 617-349-4692 Voice, 617-349-0235 TTY, 617-349-4766 Fax, or cthompson@cambridgema.gov

Cambridge Commission for Persons with Disabilities

51 Inman Street, second floor

Cambridge, MA 02139