

Disability History Timeline

The following is a select list of national and international milestones highlighting people, events and legislation that were a part of or effected disability rights.

Please Note: Because this document portrays the history of disabilities, some of the language is now considered offensive. The DeIAWARE DisABILITIES HUB has kept the language in place to show how language has historically changed and become more sensitive.

400 B.C.

Hippocrates, the Greek physician, wrote the first work on epilepsy disputing that the disorder was a curse or caused by the gods. He believed that epilepsy was a brain disorder. "It is thus with regard to the disease called Sacred: it appears to me to be nowise more divine or more sacred than other diseases, but has a natural cause from the originates like other affections. Men regard its nature and cause as divine from ignorance and wonder, because it is not at all like to other diseases."

1500's

The court fool was a part of the medieval and renaissance court society. Some jesters were disabled either physically or mentally.

Malleus Maleficarum, or translated "*The Hammer of the Witches*," is a witch hunting manual which discusses seizures as a characteristic of witches. The manual was written by two Dominican Friars with the authority of the pope.

1600's

Elizabethan Poor Laws were passed from 1583 to 1601 in order to aid the deserving poor, orphaned and crippled. The 1601 law was a consolidation of prior legislation and laid some of the burden on society by charging a "poor rate" on owners of property. Queen Elizabeth's government divided the poor into three groups. The disabled poor were placed in the group labeled "helpless poor."

The Salem Witch Trials resulted in the hanging of 19 witches, both male and female. It has been purported that some of the 19 were either feebleminded, of little or no education, or insane. Fear of what was different played into this community's persecution of so-called witches.

1751

The Pennsylvania Hospital in Philadelphia, with the help of Benjamin Franklin, is the first hospital to create a special section for the treatment of mental illness and mental retardation. In 1756, these patients would be chained to the walls of the basement and put on display for a fee.

1773

Virginia establishes the first hospital solely for the treatment of "idiots, lunatics and other people of unsound mind."

1776

Stephen Hopkins a signer of the Declaration of Independence who had cerebral palsy is known for saying, "... my hands may tremble, my heart does not."

1776

The Continental Congress enacted the first pension law after the Revolutionary War to help servicemen unable to provide for their families financial support.

1782

Edward Alanson, an English surgeon suggested a change in the way limbs were amputated which resulted in faster healings and less infections. It was a change that made significant impact on people who are amputees.

1784

Valentin Huay, known as father and apostle of the blind established the Institution for Blind Children to help make the lives of blind children more tolerable. He also discovered that blind children could read text with raised letters.

1793

Phillipe Pinel, a doctor at La Bicetre, a Paris asylum, unchained the mental patients at the institution. The unchaining of the insane became known as the "moral treatment" and was replaced with the use of straitjackets. Seven years later he would create a four part classification system of major mental illnesses, a first of its kind. The major mental illnesses were classified as the following: melancholy, dementia, mania without delirium and mania with delirium.

1798

President John Adams signed legislation for the relief of sick and disabled seamen.

1800-1801

Jean-Marc Itard began his training sessions with Victor, the "Wild boy of Aveyron." He established principles and method used in the education of the mentally disabled through his controversial work.

1809

Louis Braille is born at Coupvray near Paris. At age three an accident caused him to become blind. He was later sent to the Paris Blind School run by Valentin Huay. (see 1784)

1817

The American School for the Deaf is founded in Hartford, Connecticut by Laurent Clerc and Thomas H. Gallaudet. This is the first school for children with disabilities anywhere in the Western Hemisphere and marks the beginning of efforts in America to educate people with disabilities.

1818

The first patient was admitted to the Charlestown branch of the Massachusetts General Hospital later named McLean Asylum for the Insane.

1820

Louis Braille invented the raised point alphabet. It became popular years later when taught at the St. Louis School for the blind in 1860.

1832

Dr. John Fisher and some friends applied for and received a charter from the Commonwealth of Massachusetts to establish a school for the education of blind students. Perkins school was incorporated in 1829 and using rooms in his father's Boston home for classes, the director, Samuel Gridley Howe, opened the doors of the school in 1832.

1838

Jean Etienne Esquirol published *Des Maladies Mentales*. Esquirol was the first to distinguish between mental illness and mental retardation. He also established a classification system for mental disabilities.

1839

Edouard Seguin opened the first school for the severely cognitively disabled in France. His methods for educating mentally disabled children by using sensory training became famous throughout the world. In 1850 Seguin immigrated to the United States and established other teaching centers that utilized his methods.

1841

Dorothea Dix advocated for separation of the people with disabilities incarcerated in penitentiaries and poorhouses. Her efforts lead to the establishment of 32 state run mental institutions across the United States.

1843

The M'Naghten Rule jury instructions for a criminal case where insanity is the defense. It mentioned "that every man is to be presumed to be sane..." and had to establish that the party was laboring under a defect from disease of the mind at the time they committed the act. M'Naghten Case 1843 10 C & F 200

1845

As a result of the social movement led by Dorothea Dix, the first asylum for the mentally ill was built in Trenton, New Jersey. Dix was able to convince several other states to do the same. Her work with people with disabilities that she found in jails convinced her that there was a need for separate facilities.

1848

In 1848, Samuel Gridley Howe established the Massachusetts School for Idiotic Children and Youth, one of the first of its kind in the United States. His most famous student was Laura Bridgman, a blind and deaf girl, who became very popular with the public because of her affectionate behavior and a report on her by author, Charles Dickens.

Hervey B. Wilbur opened his private school in Barre, Massachusetts. The Institution for Idiots was in a modest house with about 12 students. Wilbur's system of education for the feebleminded was eventually adopted by several other institutions in the United States.

1849

First sheltered workshop developed for the blind at the Perkins Institution in Massachusetts.

1952

Hervey B. Wilbur provided definitions of four types of idiocy: Simulative idiocy (people whose development was merely underdeveloped and could be prepared for ordinary duties); Higher-grade idiocy (those who could eventually enter schools and fulfill civic duties); lower-grade idiocy (could be educated to perform simple tasks and live in the community with much support); and incurables (idiots for whom education was a goal in itself).

1856

James B. Richards opened the Private Institute for Imbeciles in Harlem, New York. Richards, a veteran teacher of the mentally disabled, began work with Samuel Gridley Howe at the Idiotic Asylum of Massachusetts in 1848. Richard's students experienced dramatic improvements.

1860

Cerebral Palsy was first classified by the British surgeon William Little. He described it as children with stiff and or spastic muscles in their arms and legs. It was first named Little's Disease (now called spastic diplegia) but was also known as Cerebral Paralysis. Little guessed that it was caused by a lack of oxygen at birth.

1861 – 1865

The American Civil War caused 30,000 amputations in the Union army alone which brought disability issues to the American consciousness.

1862

Joseph Carey Merrick, or more commonly known as the "Elephant Man" was born in Leicester, England. His body was covered with large tumors due to a rare nervous system disorder called neurofibromatosis and Proteus Syndrome. He earned money in sideshows.

1864

Columbia Institution for the Deaf and Dumb and Blind was authorized by the U.S. Congress to grant college degrees. It was the first college in the world established for people with disabilities.

1865

P.T. Barnum's American Museum on Broadway is destroyed by a mysterious fire. The Museum offered many strange and unusual attractions such as General Tom Thumb, a 25-inch tall dwarf. Chang and Eng, Siamese conjoined twins were also on exhibit at the museum.

1866

John Langdon Down published the first clinical description of what is later known as Down syndrome.

1867

First Ugly Law was passed in San Francisco Order No. 783 that prohibited street begging and restrict certain people from being out on public streets and public places. This law spread to other cities and was concerned more with appearance like deformity, unsightliness and being a disgusting object. This was to discourage people with disabilities from being out in urban areas.

1868

Packard, E.P.W. The Prisoners' Hidden Life or Insane Asylums Unveiled. Chicago: Published by the Author, 1868. Written as an expose on insane asylums in the 19th century, the author advocated for sweeping changes in the institutional system. Institutionalized herself, the author offered a first hand account from inside the insane asylum.

1869

The first wheelchair patent was registered with the United States patent office.

1872

Alexander Graham Bell opened a speech school for deaf teachers in Boston. He invented the telephone while trying to develop a mechanical way to make speech visible.

1880

National Association for the Deaf was founded to advocate for reforms on behalf of the deaf. First national convention held in Cincinnati, Ohio. Edwin Booth, Chair of the convention states: "We have interests peculiar to ourselves which can be taken care of by ourselves."

1881

Sigmund Freud at age 24 qualified as a doctor of medicine at Vienna University. His work at Meynert's Psychiatric Clinic began to formulate his theories of psychoanalysis.

1883

Eugenics is a term coined by Sir Francis Galton in his book Essays in Eugenics. Americans embraced the eugenics movement by passing laws to prevent people with disabilities from moving to the U.S., marrying or having children. Eugenics laws led to the institutionalization and forced sterilization of adults and children with disabilities.

1887

The book *Ten Days in a Mad House* by Nellie Bly exposed vile conditions at the Woman's Lunatic Asylum on Blackwell Island, a tiny island between New York's Manhattan and Queens. A grand jury launched an investigation into the institution and the way that people were committed.

1901

National Fraternal Society of the Deaf advocated for the ability to buy life insurance and obtain drivers' licenses. NFSD had its origins at the Michigan School for the Deaf in Flint, Michigan.

1907

Indiana passed the first eugenic sterilization law. (eugenics is selective breeding as proposed human improvement: the proposed improvement of the human species by encouraging or permitting reproduction of only those people with genetic characteristics judged desirable.)

Maria Montessori opened her first *Casa dei Bambini* or "House of Children." Montessori developed a successful program of education for learning disabled children that became widely popular. She went on to open several schools throughout the world and in the United States based on her method of developmental stages. She was greatly influenced by Jean Itard and Edouard Seguin.

Dr. Henry Cotton became the medical doctor and superintendent of the Trenton Psychiatric Hospital located in Trenton, New Jersey. Cotton's administration believed that by removing body parts starting with infected teeth he could cure his patients. He removed stomachs, gallbladders, testicles, ovaries, colons, and tonsils. He claimed an 85% cure rate. His bizarre surgeries resulted in one in three people dying. Dr. Cotton killed hundreds of patients and maimed many others. He pulled over 11,000 teeth including his own, his wife's and his two children.

1908

Clifford Beers published his autobiography, *A Mind That Found Itself*, advocating for change in mental institutions. A year after the publication, the National Committee for Mental Hygiene was formed to advocate for changes to the mental health system.

1910

Washington Supreme Court held that a statute eliminating the insanity plea was unconstitutional. *State v. Strasburg* 110P. 1020 (Wash. 1910)

1912

The Kallikak Family by Henry H. Goddard was a best selling book. It proposed that disability was linked to immorality and alleged that both were tied to genetics. It advanced the agenda of the eugenics movement.

The Threat of the Feeble Minded (pamphlet) created a climate of hysteria allowing for massive human rights abuses of people with disabilities, including institutionalization and forced sterilization.

1915

Dr. Harry Haiselden allows a disabled newborn to perish and promoted this as a way to reduce the disabled population. In 1916 the movie "The Black Stork" is produced to further advocate the practice.

1916

Lewis M. Terman perfected the use of the IQ test for American populations. Known as the Stanford-Binet scale, Terman convinced American educators of the need for intelligence testing. Terman proposed that with the use of intelligence testing, feeble-minded students could be separated into special classes that focused on "concrete and practical" instruction to become efficient workers.

1917

Shell-shocked British Army soldier Wilfred Owen landed in Craiglockhart Hospital near Edinburgh Scotland where he meets poet/soldier Siegfried Sasson. Later he meets Robert Graves. These three men created touching works on the subject of those disabled in battle.

1918

The Smith-Sears Veterans Rehabilitation Act provided for the promotion of vocational rehabilitation and return to civil employment of persons with disabilities discharged from the U.S. military.

1919

Easter Seals was founded by Edgar Allen a businessman from Ohio. It served as a model for many charitable organizations.

1921

Franklin Roosevelt contracts polio. Elected President of the United States in 1932, Roosevelt tries to hide his disability.

American Foundation for the Blind formed. Helen Keller raises funds for the foundation.

1922

Dr. Henry Cotton's book *The Defective Delinquent and Insane: The Relation of Focal Infections to Their Causation, Treatment and Prevention* was published.

1924

The Commonwealth of Virginia passed a state law that allowed for sterilization (without consent) of individuals found to be "feeble-minded, insane, depressed, mentally handicapped, epileptic and other." Alcoholics, criminals and drug addicts were also sterilized. The Virginia Sterilization Act of 1924.

1925

Frida Kahlo 18 was injured in a bus accident in Mexico. Her spinal column, collarbone, ribs and pelvis were broken and it has been conjectured that she may have had Spina Bifida. Bedridden for months, she began to paint and became an influential artist of the 20th century.

Samuel Orton began his extensive study of dyslexia.

1927

The Buck v. Bell Supreme Court decision ruled that forced sterilization of people with disabilities was not a violation of their constitutional rights. This decision removed all restraints for eugenicists. By the 1970s, over 60,000 people with disabilities were sterilized without their consent. The U.S. Supreme Court upheld Commonwealth of Virginia eugenic laws as constitutional. Justice Oliver Wendell Holmes equated sterilization to vaccination. Nationally, twenty-seven states began wholesale sterilization of “undesirables.” Buck v. Bell 274 U.S. 200.

1934

The California Council for the Blind later known as the National Federation of the Blind of California was formed by Jacobus TenBroek and Dr. Newel Perry.

1935

The League for the Physically Handicapped in New York City was formed to protest discrimination by the Works Progress Administration (WPA). The Home Relief Bureau of New York City stamped all applications with “PH” which stood for physically handicapped. Members of the League held a sit-in at the Home Relief Bureau for nine days and a weekend sit-in at the WPA headquarters. These actions eventually led to the creation of 1500 jobs in New York City for individuals with disabilities.

The Social Security Act was passed. This established federally funded old-age benefits and funds to states for assistance to blind individuals and children with disabilities. The Act also extended existing vocational rehabilitation programs.

1936

Federal Law mandated a priority to blind persons to operate vending facilities on federal property The Randolph—Sheppard Act, 20 U.S.C. 107 et seq.

1937

Ray Charles Robinson age 7, loses his sight completely due to glaucoma which he had since birth. He learned to read music in Braille and became a world renowned blues piano player and singer.

1938

Federal law requiring agencies to purchase products from workshops for the blind that met specific criteria. Wagner- O’Day Act

1939

World War II began. Hitler ordered widespread mercy killing of individuals who were sick or disabled. The Nazi euthanasia program (code name Aktion T-4) was instituted to eliminate “life unworthy of life.” 75,000 to 250,000 people with intellectual or physical disabilities were systematically killed from 1939 to 1941.

Lou Gehrig Appreciation Day held in Yankee Stadium in New York City. Lou had been diagnosed with amyotrophic lateral sclerosis (ALS).

1940-44

908 patients were transferred from an institution for retarded and chronically ill patients in Schoenbrunn, Germany to the euthanasia installation at Eglfing-Haar to be gassed. A monument to the victims stands in the courtyard at Schoenbrunn.

1940

The National Federation of the Blind was formed in Wilkes-Barre, Pennsylvania by Jacobus Broek and others. They advocated for white cane laws, input by blind people for programs for blind clients and other reforms.

The American Federation of the Physically Handicapped, founded by Paul Strachan, was the first cross-disability national political organization to urge an end to job discrimination, lobby for passage of legislation, call for a National Employ the Physically Handicapped Week and other initiatives.

1941

Hitler suspended the Aktion T4 program that killed nearly one hundred thousand people. Euthanasia continued through the use of drugs and starvation instead of gassings.

Rose Marie (Rosemary) Kennedy, the 23 year old sister of John F. Kennedy, is lobotomized (removal of brain tissue from the frontal lobe) to help calm her mood swings and stop her occasional violent outbursts. The procedure was not successful and Kennedy's mental capacity diminished to that of a two year old child. She could not walk, speak intelligibly, and was considered incontinent. She was sent to the St. Coletta School in Jefferson, Wisconsin two years later in 1943 where she spent the next 57 years. Her sister, Eunice Kennedy Shriver founded the Special Olympics in Rosemary's honor.

1942

Henry Viscardi, an American Red Cross volunteer, trained hundreds of soldiers with disabilities to use their prosthetic limbs. His work at Walter Reed Army Medical Center in Washington, D.C. drew the attention of Howard Rusk and Eleanor Roosevelt, who protested when Viscardi's program was terminated by the Red Cross and the military.

1943

The LaFollette-Barden Vocational Rehabilitation Act added physical rehabilitation to the goals of federally funded vocational rehabilitation programs and provided funding for certain health care services.

The classification of autism was introduced by Dr. Leo Kanner of John Hopkins University. Kanner used the term early infantile autism. The characteristics he described in a paper published in *The Nervous Child* are still included in the autism spectrum of disorders.

1944

Howard Rusk began a rehabilitation program for airmen with disabilities at the U.S. Army Air Force Convalescent Center in Pawling, New York. Dubbed "Rusk's Folly" by the medical establishment, rehabilitation medicine became a new medical specialty.

1945

President Harry Truman signed PL-176 creating an annual National Employ the Physically Handicapped Week.

1946

The Hill-Burton Act (also known as the Hospital Survey and Construction Act) authorized federal grants to states for the construction of hospitals, public health centers and health facilities for rehabilitation of people with disabilities.

The National Mental Health Foundation was founded by World War II conscientious objectors who served as attendants at state mental institutions rather than in the war. The Foundation exposed the abusive conditions at these facilities and became an impetus toward deinstitutionalization.

The Cerebral Palsy Society of New York City is formed by parents. It is the first chapter of the United Cerebral Palsy Association.

1946-1953

Researchers from MIT, Quaker Oats and Harvard University experimented on mentally challenged children by feeding them food that contained radioactive calcium and iron. (see 1998)

1947

The President's Committee on National Employment of the Physically Handicapped Week was held in Washington, D.C. Campaigns coordinated by committees, emphasized the competence of people with disabilities by using movie trailers, billboards, radio and television ads to convince the public that it was good business to hire the handicapped.

Paralyzed Veterans of America was formed.

1948

The National Paraplegia Foundation, founded by members of the Paralyzed Veterans of America as the civilian arm of their growing movement, took a leading role in advocating for disability rights.

University of Illinois at Galesburg program for students with disabilities was officially founded and directed by Timothy Nugent. The program moved to the campus at Urbana-Champaign where it became a prototype for programs for students with disabilities and independent living centers across the country.

We Are Not Alone (WANA), a mental patients' self-help group, was organized at the Rockland State Hospital in New York City.

1950

Mary Switzer was appointed the Director of the U.S. Office of Vocational Rehabilitation where she emphasized independent living as a quality of life issue.

Social Security Amendments established a federal-state program to aid persons with permanent and total disabilities.

The National Association for Retarded Citizens (ARC) was established. The organization has influenced legislation and public perception regarding individuals with disabilities.

Beginning of National Barrier-Free movement.

1951

Howard Rusk opened the Institute of Rehabilitation Medicine at the New York University Medical Centre in New York City.

1952

The President's Committee on National Employ the Physically Handicapped Week became the President's Committee on Employment of the Physically Handicapped, a permanent organization reporting to the President and Congress.

1953

Los Angeles County provided at-home attendant care to adults with polio as a cost-saving alternative to hospitalization.

1954

Vocational Rehabilitation Amendments were passed that authorized federal grants to expand programs available to people with physical disabilities.

Mary Switzer, Director of the U.S. Office of Vocational Rehabilitation, authorized funds for more than 100 university-based rehabilitation-related programs.

Social Security Act of 1935 was amended by PL 83-761 to include a freeze provision for workers who were forced by disability to leave the workforce. This protected their benefits by freezing their retirement benefits at their pre-disability level.

The National Association for Retarded Children along with President Dwight Eisenhower declared the first "National Retarded Children's Week" in 1954. This week was established to create awareness among the general public about the need for funding and legislation for the education of children with cognitive disabilities. Funds and legislation were desperately needed to build schools for children with disabilities.

1956

Social Security Amendments of 1956 created the Social Security Disability Insurance (SSDI) program for workers with disabilities aged 50 to 64.

1957

Billy Barty makes a national appeal to the little people of America to converge on Reno, Nevada. He founded the Midgets of America later named the Little People of America.

1958

Social Security Amendments of 1958 extended Social Security Disability Insurance benefits to dependents of workers with disabilities.

Rehabilitation Gazette (formerly known as the Toomeyville Gazette), edited by Gini Laurie, was a grassroots publication which became an early voice for disability rights, independent living and cross-disability organizing. It featured articles by writers with disabilities.

1960

Social Security Amendments of 1960 eliminated the restriction that workers with disabilities receiving Social Security Disability Insurance benefits must be 50 or older.

First Paralympics Games held in Rome, Italy and officially recognized by the International Olympic Committee.

The National Association for Down Syndrome was founded by Kathryn McGee

U. S. Supreme Court Case Dusky v. U.S., 362 U.S. 402 affirmed a defendant's right to have a competency evaluation before proceeding to trial.

1961

President Kennedy appointed a special President's Panel on Mental Retardation.

The American National Standard Institute, Inc. (ANSI) published *American Standard Specifications for Making Buildings Accessible to, and Usable by, the Physically Handicapped*. This landmark document became the basis for subsequent architectural access codes.

Dr. Robert Guthrie's PKU (phenylketonuria) newborn screening test is ready to be implemented. PKU is a hereditary disease that causes severe brain damage leading to cognitive disabilities. The test, a simplified version of prior tests, required only a prick of a newborn's blood placed on filter paper. A trial of the test was implemented on almost 3,000 residents of the Newark State Institution near Rochester, New York.

Ronnie White of the Miracles discovered 11 year old Steveland Judkins (Morris) and arranged an audition with Motown Records who immediately signed the musical prodigy as "Little Stevie Wonder". Stevie was born prematurely, with conditions which lead to the eventual loss of his vision.

1962

The President's Committee on Employment of the Physically Handicapped was renamed the President's Committee on Employment of the Handicapped reflecting increased interest in employment issues affecting people with cognitive disabilities and mental illness.

Edward Roberts sued to gain admission to the University of California, Berkeley. He was the first student with a severe disability to attend that school.

Eunice Kennedy founded the Special Olympics.

1963

President Kennedy called for a reduction "over a number of years and by hundreds of thousands, (in the number) of persons confined" to residential institutions and asked that methods be found "to retain in and return to the community the mentally ill and mentally retarded, and thereto restore and revitalize their lives through better health programs and strengthened educational and rehabilitation services." This resulted in deinstitutionalization and increased community services.

The Mental Retardation Facilities and Community Health Centers Construction Act authorized federal grants for the construction of public and private nonprofit community mental health centers.

South Carolina passed the first statewide architectural access code.

A new polio vaccine was developed by Dr. Albert Sabin. His form of the vaccine was taken orally instead of the earlier syringe method.

1964

In California, deaf orthodontist Dr. James Marsters sends a teletype machine (TTY) to deaf scientist Robert Weitbrecht asking him to find a way to attach it to a telephone system. Weitbrecht modified an acoustic coupler giving birth to the "Baudot," a code that is still used in TTY communication.

1965

Medicare and Medicaid were established through passage of the Social Security Amendments of 1965, providing federally subsidized health care to Americans with disabilities and elderly Americans covered by the Social Security program. These amendments changed the definition of disability under Social Security Disability Insurance program from "of long continued and indefinite duration" to "expected to last for not less than 12 months."

The Vocational Rehabilitation Amendments of 1965 were passed authorizing federal funds for construction of rehabilitation centers, expansion of existing vocational rehabilitation programs and the creation of the National Commission on Architectural Barriers to Rehabilitation of the Handicapped.

The National Technical Institute for the Deaf at the Rochester Institute of Technology in Rochester, New York was established by Congress.

The Autism Society of America was formed by parents of children with autism to advocate for services.

Senator Robert F. Kennedy visits Willowbrook State School and labeled the deplorable conditions a "snake pit." His visit led to several published articles on the problems at the school in the Staten Island Advance. Seven years later Geraldo Rivera televised the conditions at the dilapidated school.

1966

The President's Committee on Mental Retardation was established by President Johnson.

Christmas in Purgatory by Burton Blatt and Fred Kaplan documented conditions at state institutions for people with developmental disabilities.

1968

First International Special Olympics were held in Chicago, Illinois.

The Architectural Barriers Act prohibited architectural barriers in all federally owned or leased buildings.

California legislature guaranteed that the Bay Area Rapid Transit (BART) would be the first rapid transit system in the U.S. to accommodate wheelchair users.

1969

The book *The Origin and Nature of Our Institutional Models* by Wolf Wolfensberger posed that society characterizes people with disabilities as deviant, burdens of charity that were subhuman.

1970

The Urban Mass Transit Act required all new mass transit vehicles be equipped with wheelchair lifts. The American Public Transportation Association (APTA) delayed implementation of the Act for 20 years. Regulations were issued in 1990.

The Rolling Quads, a group of students with severe disabilities in the Cowell Residence Program at the University of California, Berkeley was started by Ed Roberts, a student who had been paralyzed in childhood by polio. The Physically Disabled Students Program (PDSP) was founded by Ed Roberts, John Hessler, Hale Zukas and others at UC Berkeley. With its focus on community living, political advocacy and personal assistance services, it became the nucleus for the first Center for Independent Living, founded in 1972. Roberts later became known as the father of the disability rights movement.

Judy Heumann, paralyzed by polio in infancy, sued the New York City Board of Education and became the first person in a wheelchair to teach in New York City. The Board had initially denied her teaching license because they did not believe she could get herself or her students out of the building in case of a fire. Disabled in Action was a group started by Judy Heumann at Long Island University, New York as well as the Independent Living movement which she co-founded with Ed Roberts.

Developmental Disabilities (DD) Services and Facilities Construction Amendments were passed which contained the first legal definition of developmental disabilities. They authorized grants for services and facilities for the rehabilitation of people with developmental disabilities and state DD Councils.

1971

The National Center for Law and the Handicapped was founded at the University of Notre Dame, Indiana. It became the first legal advocacy center for people with disabilities in the U. S.

The U.S. District Court, Middle District of Alabama decided in Wyatt v. Stickney that people in residential state schools and institutions have a constitutional right “to receive such individual treatment as (would) give them a realistic opportunity to be cured or to improve his or her mental condition.” People with disabilities were no longer to be locked away in custodial institutions without treatment or education.

The Mental Patients’ Liberation Project was initiated in New York City.

The Fair Labor Standard Act of 1938 was amended to bring people with disabilities (other than blindness) into the sheltered workshop system.

The Pennsylvania Association for Retarded Children brought about a lawsuit, on behalf of children with cognitive disabilities, against the state of Pennsylvania. The association was persuaded by Dr. Gunnar Dybwad, a very active advocate for the right of the disabled, to go ahead with the litigation in United States District Court. PARC versus Pennsylvania resulted in the establishment of rights for children with disabilities to access free and equal public education.

The U.S. Supreme Court Case, Richardson v. Perales, 402 U.S. 389 to delineate questions concerning administrative procedure in social security disability cases.

Florida Mental Health Act, FL statue 394, 451—394.47891) or the Baker Act allows involuntary institutionalization and examination of individuals in Florida.

1972

The Berkeley Center for Independent Living was founded by Ed Roberts and associates with funds from the Rehabilitation Administration. It is recognized as the first center for independent living.

The Rehabilitation Act was passed by Congress and vetoed by Richard Nixon.

The U.S. District Court, District of Columbia ruled in *Mills v. Board of Education* that the District of Columbia could not exclude children with disabilities from public schools.

The U.S. District Court, Eastern District of Pennsylvania, in *PARC v. Pennsylvania* struck down various state laws used to exclude children with disabilities from the public schools. Advocates cited these decisions during public hearings that led to the passage of the Education for All Handicapped Children Act of 1975.

Social Security Amendments of 1972 created the Supplemental Security Income (SSI) program. The law relieved families of the financial responsibility of caring for their adult children with disabilities.

The Houston Cooperative Living Residential Project was established in Houston, Texas. It became a model for subsequent independent living programs.

The Judge David L. Bazelon Center for Mental Health Law, founded in Washington, D.C. provided legal representation and advocated for the rights of people with mental illness.

Paralyzed Veterans of America, National Paraplegia Foundation and Richard Hedding filed suit against the Washington Metropolitan Area Transit Authority to incorporate accessibility into their design for a new, multibillion-dollar subway system in Washington, D.C. Their victory was a landmark in the struggle for accessible public mass transit.

The Network Against Psychiatric Assault was organized in San Francisco.

The U.S. Supreme Court case *Jackson v. Indiana* ruled that a person adjudicated incompetent could not be indefinitely committed,

In New York *ARC v. Rockefeller*, parents of 5,000 residents at the Willow Brook State School in Staten Island, New York filed suit to end the appalling conditions at that institution. A television broadcast from the facility outraged the general public. Eventually, thousands of people were moved into community-based living.

Disabled in Action demonstrated in New York City, protesting Nixon's veto of the Rehabilitation Act. Led by Judy Heumann, eighty activists staged a sit-in on Madison Avenue, stopping traffic. A flood of letters and protest calls were made. Demonstrations were also held by activists in Washington, D.C. Among the demonstrators were Disabled in Action, Paralyzed Veterans of America, the National Paraplegia Foundation and others.

The Commonwealth of Virginia ceased its sterilization program. 8300 individuals never received justice regarding their sterilizations.

1973

The Rehabilitation Act of 1973 was passed. Sections 501, 503 and 504 prohibited discrimination in federal programs and services and all other programs or services receiving federal funds. Key language in the Rehabilitation Act, found in Section 504, states "No otherwise qualified handicapped individual in the United States, shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Handicap parking stickers were introduced in Washington, D.C.

The first Conference on Human Rights and Psychiatric Oppression was held at the University of Detroit.

The Federal-Aid Highway Act authorized federal funds for construction of curb cuts.

The Architectural and Transportation Barriers Compliance Board established under the Rehabilitation Act of 1973 enforced the Architectural Barriers Act of 1968.

The Consortium for Citizens with Disabilities advocated for passage of what became the Developmentally Disabled Assistance and Bill of Rights Act of 1975 and the Education for All Handicapped Children Act of 1975.

The first self-advocacy conference was held in Victoria Island, British Columbia Canada. The conference was titled "First Convention for the Mentally Handicapped in North America." Three residents and two staff members from Oregon's Fairview Hospital attended the convention and founded People First the next year.

1974

The Disabled Women's Coalition was founded at the University of California, Berkeley by Susan Sygall, Deborah Kaplan, Kitty Cone, Corbett O'Toole and Susan Shapiro.

People First, the nation's largest and first self-advocacy organization, was founded by the five individuals who attended the self-advocacy conference in British Columbia Canada. People First is a national organization of people with developmental disabilities learning to speak for themselves while supporting each other. The first convention was held in Salem, Oregon.

Atlantis Community, Denver, Colorado was founded by Wade Blank who relocated adults with severe disabilities from nursing homes to apartments.

The Boston Center for Independent Living was established.

Halderman v. Pennhurst, filed in Pennsylvania on behalf of the residents of the Pennhurst State School and Hospital highlighted conditions at state schools for people with mental retardation. It became a precedent in the battle for deinstitutionalization, establishing a right to community services for people with developmental disabilities.

The first Client Assistant Project (CAP) was established to advocate for clients of state vocational rehabilitation agencies.

North Carolina passed a statewide building code with stringent access requirements. Drafted by access advocate Ronald Mace, the code became a model for effective architectural access legislation in other states. Barrier Free Environments, founded by Ronald Mace, advocated for accessibility in buildings and products.

Last of the "Ugly Law" was repealed in Chicago, Illinois. This law allowed police to arrest and jail people with "apparent" disabilities for no reason other than being disfigured or demonstrating some type of disability.

SSI or Supplemental Security Income program was created by the US government to provide stipends to lower income people who are blind or disabled or aged 65 or older.

The Atlantis Community of Denver, Colorado relocated adults with severe disabilities from nursing homes to independent living apartments.

Vietnam Era Veteran's Readjustment Assistance Act, VEVRAA, 38 U.S.C 4212 for disable veterans. The law requires that employers with federal contract provide equal opportunity for disable veterans, Vietnam and active duty veterans that served during a war, campaign or expedition.

1975

The Education of All Handicapped Children Act (PL 94-142) required free, appropriate public education in the least restrictive setting. This Act was later renamed the Individuals with Disabilities Education Act (IDEA).

The Developmental Disability Bill of Rights Act established protection and advocacy (P & A) services.

The Community Services Act created the Head Start Program. It stipulated that at least 10% of program openings were to be reserved for disabled children.

The Developmentally Disabled Assistance and Bill of Rights Act provided federal funds to programs serving people with developmental disabilities and outlined a series of rights for those who are institutionalized.

The American Coalition of Citizens with Disabilities was founded. It became the leading national cross-disability rights organization of the 1970s.

The Association of Persons with Severe Handicaps (TASH) was founded by special education professionals in response to PARC v. Pennsylvania (1972) and other right-to-education cases. This organization called for the end of aversive behavior modification and the closing of all residential institutions for people with disabilities.

U.S. Supreme Court ruled in O'Connor v. Donaldson that people cannot be institutionalized in a psychiatric hospital against their will unless they are determined to be a threat to themselves or to others.

Parent and Training Information Centers were developed to help parents of children with disabilities exercise their rights under the Education for All Handicapped Children Act of 1975.

Ed Roberts was appointed Director of the California Department of Rehabilitation. He established nine independent living centers based on the Berkeley Center for Independent Living (CIL) model.

The Western Center on Law and the Handicapped was founded in Los Angeles.

New York Governor Hugh Carey signed the Willow Brook consent order, closing down a state institution notorious for its horrible conditions. It remained open until 2008.

1976

Centers for independent living are established in Houston and Chicago.

The Federal Communications Commission authorized reserving Line 21 on televisions for closed captions.

Higher Education Act of 1972 amendment provided services to students with physical disabilities entering college.

Disabled in Action of Pennsylvania, Inc. v. Coleman was known as the Transbus lawsuit. Disabled in Action of Pennsylvania, the American Coalition of Cerebral Palsy Associations and others, represented by the Public Interest Law Center of Philadelphia, filed suit to require that all buses purchased by public transit authorities receiving federal funds meet Transbus specifications (making them wheelchair accessible).

Disabled in Action, New York City picketed the United Cerebral Palsy telethon calling telethons “demeaning and paternalistic shows which celebrate and encourage pity.”

The Disability Rights Center was founded in Washington, D.C. Sponsored by Ralph Nader’s Center for the Study of Responsive Law, it specialized in consumer protection for people with disabilities.

Deaf actress Linda Bove, graduate of Gallaudet College and veteran of the National Theater for the Deaf, signed a long-term contract to play Linda the librarian on public television’s *Sesame Street*. James Earl Jones, a well known actor who has a speech impediment also got his start on *Sesame Street*.

1977

Joseph Califano, U.S. Secretary of Health, Education and Welfare, refused to sign meaningful regulations for Section 504. After an ultimatum and deadline, demonstrations took place in ten U.S. cities on April 5th. The sit-in at the San Francisco Office of the U.S. Department of Health, Education and Welfare lasted until May 1st. More than 150 demonstrators refused to disband. This action became the longest sit-in at a federal building to date.

Section 504 regulations were issued.

Max Cleland was appointed head of the U.S. Veterans Administration. He was the first person with severe disabilities and the youngest person to fill that position.

The White House Conference on Handicapped Individuals drew 3,000 people with disabilities to discuss federal policy toward people with disabilities. It resulted in numerous recommendations and acted as a catalyst for grassroots disability rights organizing.

Legal Services Corporation Act Amendments added financially needy people with disabilities to the list of those eligible for publicly funded legal services.

In *Lloyd v. Regional Transportation Authority*, the U.S. Court of Appeals, Seventh Circuit ruled that individuals have a right to sue under Section 504 of the Rehabilitation Act of 1973 and that public transit authorities must provide accessible service.

The U.S. Court of Appeals, Fifth Circuit, in *Snowden v. Birmingham Jefferson County Transit Authority* undermined this decision by ruling that authorities need to provide access only to “handicapped persons other than those confined to wheelchairs.”

1978

American Disabled for Public Transit (ADAPT) was founded. It held a transit bus hostage in Denver, Colorado. A yearlong civil disobedience campaign followed to force the Denver Transit Authority to purchase wheelchair lift-equipped buses.

The Adaptive Environments Center was founded in Boston in support of barrier free accessibility for persons with disabilities.

Title VII of the Rehabilitation Act Amendments of 1978 established the first federal funding for consumer-controlled independent living centers and created the National Council of the Handicapped under the U.S. Department of Education.

On Our Own: Patient Controlled Alternatives to the Mental Health System by Judi Chamberlin became the standard text of the psychiatric survivor movement.

The National Center for Law and the Deaf was founded in Washington, D.C.

Handicapping America by Frank Bowe was a comprehensive review of the policies and attitudes denying equal citizenship to people with disabilities. It became a standard text of the general disability rights movement.

Fiesta Educativa (Education Fest) was formed to address the lack of Spanish-speaking support services to families with children with disabilities in southern California.

1979

Part B funds created ten new centers for independent living across the U.S.

Vermont Center for Independent Living, the first statewide independent living center in the U.S., was founded by representatives of Vermont disability groups.

In *Southeastern Community College v. Davis*, the Supreme Court ruled that under Section 504 of the Rehabilitation Act of 1973, programs receiving federal funds must make “reasonable modifications” to enable the participation of otherwise qualified disabled individuals. This decision was the Court’s first ruling on Section 504 establishing reasonable modification as an important principle in disability rights law.

The Disability Rights Education and Defense Fund (DREDF), founded in Berkeley, California, became the nation’s leading disability rights legal advocacy center. It participated in landmark litigation and lobbying during the 1980s and 1990s.

1980

Corbett O’Toole established the National Disabled Women’s Educational Equity Project, Berkeley, California. Based at DREDF, the Project administered the first national survey on disability and gender and conducted the first national Conference on Disabled Women’s Educational Equity held in Bethesda, Maryland.

The Civil Rights of Institutionalized Persons Act (CRIPA) gives the Department of Justice power to sue state or local institutions that violate the rights of people held against their will, including those residing for care or treatment of mental illness.

Social Security Amendments, Section 1619 was passed. Designed to address work disincentives within the Social Security Disability Insurance and Supplemental Security Income programs, other provisions mandated a review of Social Security recipients. This led to the termination of benefits of hundreds of thousands of people with disabilities.

The Civil Rights of Institutionalized Persons Act authorized the U.S. Justice Department to file civil suits on behalf of residents of institutions whose rights were being violated.

Disabled Peoples’ International was founded in Singapore with participation of advocates from Canada and the United States.

National Council on Disability was established as an advisory board within the Department of Education. Its purpose was to promote policies, programs, practices and procedures that guaranteed equal opportunity for all

people with disabilities, regardless of the nature or severity of the disability and to empower them to achieve economic self sufficiency, independent living and inclusion and integration into all aspects of society.

Attention Deficit Disorder is included for the first time in the Diagnostic and Statistical Manual of Mental Disorders (DSM) published by the American Psychiatric Association.

1981-1984

The Reagan Administration threatened to amend or revoke regulations implementing Section 504 of the Rehabilitation Act of 1973 and the Education for All Handicapped Children Act of 1975. Disability rights advocates Patrisha Wright (DREDF) and Evan Kemp, Jr. (Disability Rights Center) led an intense lobbying and grassroots campaign that generated more than 40,000 cards and letters. After three years, the Reagan Administration abandoned its attempts to revoke or amend the regulations.

The Reagan Administration terminated the Social Security benefits of hundreds of thousands of recipients with disabilities. Distressed by this action, several people with disabilities committed suicide. A variety of groups including the Alliance of Social Security Disability Recipients and the Ad Hoc Committee on Social Security Disability fought these terminations.

1981

The International Year of Disabled Persons began. During the year, governments were encouraged to sponsor programs bringing people with disabilities into the mainstream of their societies.

1982

The parents of "Baby Doe" in Bloomington, Indiana were advised by their doctors to decline surgery to unblock their newborn's esophagus because the baby had Down's Syndrome. Although disability rights activists tried to intervene, "Baby Doe" starved to death before legal action was taken.

The Telecommunications for the Disabled Act mandated telephone access for deaf and hard-of-hearing people at public places like hospitals and police stations. All coin-operated telephones had to be hearing aid-compatible by January 1985. The Act called for state subsidies for production and distribution of Telecommunications Devices for the Deaf (TDDs).

Disability rights advocates protested in ten cities for regulations implementing section 504 of the Rehabilitation Act 1973.

1983

The National Council on Independent Living (NCIL) was founded by Max Starkloff, Charlie Carr and Marca Bristo.

A national ADAPT action was held for accessible transportation in Denver, Colorado at the American Public Transit Association (APTA) Convention.

The World Institute on Disability (WID) was established by Ed Roberts, Judy Heumann and Joan Leon.

The Disabled Children's Computer Group (DCCG) was founded in Berkeley, California.

The National Council on the Handicapped called for Congress to include persons with disabilities in the Civil Rights Act of 1964 and other civil and voting rights legislation and regulations.

The United Nations expanded the International Year of Disabled Persons to the International Decade of Disabled Persons (1983-1992).

The Job Accommodation Network (JAN) was founded by the President's Committee on Employment of the Handicapped to provide information to businesses with employees with disabilities.

Amendments to the Rehabilitation Act provided for the Client Assistance Program (CAP), an advocacy program for consumers of rehabilitation and independent living services.

1984

Ted Kennedy, Jr., spoke from the platform of the Democratic National Convention on disability rights.

The "Baby Jane Doe" case involved an infant being denied needed medical care because of her disability. The litigation argued before the U.S. Supreme Court in *Bowen v. American Hospital Association* resulted in the passage of the Child Abuse Prevention and Treatment Act Amendments of 1984.

The U.S. Supreme Court, *Irving Independent School District v. Tatro* ruled that school districts are required under the Education for All Handicapped Children Act of 1975 to provide intermittent catheterization performed by the school nurse or a nurse's aide as a "related service" to a student with a disability. School districts can no longer refuse to educate a child with a disability because they might need catheterization or other such services.

The National Council of the Handicapped became an independent federal agency.

The Social Security Disability Reform Act was passed in response to the complaints of hundreds of thousands of people whose Social Security Disability benefits were terminated. The law required that payment of benefits and health insurance coverage continue for terminated recipients until they exhausted their appeals.

The Voting Accessibility for the Elderly and Handicapped Act mandated that polling places be accessible.

1985

The Mental Illness Bill of Rights Act required states to provide protection and advocacy services for people with psychological disabilities.

Final legal hearings on eugenics were held in the Commonwealth of Virginia. No financial settlement was granted.

The U.S. Supreme Court ruled in *Burlington School Committee v. Department of Education* that schools must pay the expenses of children with disabilities enrolled in private programs during litigation under the Education for All Handicapped Children Act of 1975, if the courts ruled that such placement was needed to provide the child with an appropriate education in the least restrictive environment.

The U.S. Supreme Court ruled in *City of Cleburne v. Cleburne Living Center* that localities cannot use zoning laws to prohibit group homes for people with developmental disabilities from opening in a residential area solely because its residents have disabilities.

The International Polio Network, St. Louis, Missouri, founded by Gini Laurie, began advocating for recognition of post-polio syndrome.

The National Association of Psychiatric Survivors was founded.

1986

Toward Independence, a report of the National Council on the Handicapped, outlined the legal status of Americans with disabilities and documented the existence of discrimination. It cited the need for federal civil rights legislation (eventually passed as the Americans with Disabilities Act of 1990).

Concrete Change, a grassroots organization advocating accessible housing, was organized in Atlanta, Georgia.

The Employment Opportunities for Disabled Americans Act was passed allowing recipients of Supplemental Security Income and Social Security Disability Insurance to retain benefits, particularly medical coverage, after they obtain work.

The Protection and Advocacy for Mentally Ill Individuals Act was passed setting up protection and advocacy (P & A) agencies for people who are in-patients or residents of mental health facilities.

Rehabilitation Act Amendments of 1986 defined supported employment as a “legitimate rehabilitation outcome.”

Air Carrier Access Act was implemented which prohibits discrimination by domestic and foreign air carriers against qualified individuals with physical or mental disabilities.

1987

Justin Dart, Commissioner of the Rehabilitation Services Administration, was forced to resign after he testified to Congress that “an inflexible federal system, like the society it represents, still contains a significant portion of individuals who have not yet overcome obsolete, paternalistic attitudes toward disability...”

The Alliance for Technology Access was founded in California by the Disabled Children’s Computer Group and the Apple Computer Office of Special Education.

1988

The Civil Rights Restoration Act counteracted bad case law by clarifying Congress’ original intention. Under the Rehabilitation Act, discrimination in any program or service that receives federal funding – not just the part which actually and directly receives the funding – is illegal.

The Fair Housing Act amendments prohibited housing discrimination against people with disabilities and families with children. It also provided for architectural accessibility of certain new housing units, renovation of existing units and accessibility modifications at the renter’s expense.

The "Deaf President Now" protest was held at Gallaudet University. I. King Jordan became the first deaf president of Gallaudet University.

ADAPT protested inaccessible Greyhound buses.

The Technology-Related Assistance Act for Individuals with Disabilities was passed authorizing federal funding to state projects designed to facilitate access to assistive technology.

The Congressional Task Force on the Rights and Empowerment of Americans with Disabilities was created by Rep. Major R. Owens, with Justine Dart and Elizabeth Boggs, co-chairs. The Task Force began building grassroots support for passage of the Americans with Disabilities Act (ADA).

Congress overturned Ronald Reagan's veto of the Civil Rights Restoration Act of 1987.

In *Honig v. Doe*, the U.S. Supreme Court affirmed the stay-put rule established under the Education for All Handicapped Children Act of 1975. School authorities cannot expel or suspend or otherwise move children with disabilities from the setting agreed upon in the child's Individualized Education Program (IEP) without a due process hearing.

1989

In *ADAPT v. Skinner*, the Federal Appeals Court ruled that federal regulations requiring that transit authorities spend only 3% of their budgets on access are arbitrary and discriminatory.

The original version of the American with Disabilities Act was introduced in 1988. It was redrafted and reintroduced in Congress in 1989. Disability organizations across the country advocated on its behalf (Patrisha Wright, Marilyn Golden, Liz Savage, Justin Dart Jr., and Elizabeth Boggs, among others).

The Center for Universal Design (originally the Center for Accessible Housing) was founded by Ronald Mace in Raleigh, North Carolina.

Mouth: The Voice of Disability Rights began publication in Rochester, New York.

The President's Committee on Employment of the Handicapped was renamed the President's Committee on Employment of People with Disabilities.

1990

The Americans with Disabilities Act was signed by George W. Bush. The Act provided comprehensive civil rights protection for people with disabilities. Closely modeled after the Civil Rights Act and Section 504, the law was the most sweeping disability rights legislation in history. It mandated that local, state and federal governments and programs be accessible, that businesses with more than 15 employees make "reasonable accommodations" for disabled workers and that public accommodations such as restaurants and stores make "reasonable modifications" to ensure access for members of the public with disabilities. The act also mandated access in public transportation, communication, and in other areas of public life.

Sam Skinner, U.S. Secretary of Transportation, issued regulations mandating lifts on buses.

American Disabled for Accessible Public Transit (ADAPT) organized The Wheels of Justice campaign in Washington, D.C. which drew hundreds of people with disabilities to support the Americans with Disabilities Act. Activists occupying the Capitol Rotunda were arrested when they refused to leave.

American Disabled for Accessible Public Transit (ADAPT) changed its focus to advocating for personal assistance services, changing its name to American Disabled for Attendant Programs Today (ADAPT).

The Education for All Handicapped Children Act was amended and renamed the Individuals with Disabilities Education Act (IDEA).

Terry Schiavo, severely brain damaged after her heart stopped because of a chemical imbalance believed to have been brought on by an eating disorder. Ten years later she was at the center of great controversy.

1991

Jerry's Orphans 1st annual protest of Jerry Lewis Muscular Dystrophy Association Telethon.

1992

Amendments to the Rehabilitation Act were infused with the philosophy of independent living.

International Day of Disabled Persons established by the United Nations (UN) to create awareness and understanding.

California hosts first Youth Leadership Forum for youth with disabilities.

1993

The American Indian Disability Legislation Project was established to collect data on Native American disability rights laws and regulations.

A legal case of four men convicted of sexual assault and conspiracy for raping a 17-year old woman with mental disability in Glen Ridge, New Jersey, highlighted the widespread sexual abuse of people with developmental disabilities.

Robert Williams was appointed Commissioner of the Administration on Developmental Disabilities. He was the first developmentally disabled person to be named the Commissioner.

Holland v. Sacramento City Unified School District affirmed the right of children with disabilities to attend public school classes with non-disabled children. The ruling was a major victory in the ongoing effort to ensure enforcement of IDEA.

1995

Maria Rantho, South African Federation of Disabled People's Vice-Chair, was elected to Nelson Mandela's Parliament in South Africa. Ronah Moyo, head of the women's wing of the Zimbabwe Federation of Disabled People, was elected to Robert Mugabe's Parliament in Zimbabwe. Both women felt they faced an uphill struggle with legislators who were ignorant of the needs of people with disabilities.

The First International Symposium on Issues of Women with Disabilities was held in Beijing, China in conjunction with the Fourth World Conference on Women.

ACLIFM, an organization of people with disabilities in Cuba, held its first international conference on disability rights in Havana, Cuba.

Justice for All was organized by Justin Dart and others in Washington, D.C.

When Billy Broke His Head...and Other Tales of Wonder premiered on PBS. The film is about the disability rights movement.

The American Association of People with Disabilities was founded in Washington, D.C.

The U.S. Court of Appeals, Third Circuit in *Helen L. v. Snider* ruled that continued institutionalization of a disabled Pennsylvania woman, when not medically necessary and where there is the option of home care was a violation of her rights under the Americans with Disabilities Act of 1990. Disability rights advocates perceived this ruling as a landmark decision regarding the rights of people in nursing homes to personal assistance services.

Sandra Jensen, a member of People First, was denied a heart-lung transplant by the Stanford University School of Medicine because she has Down's syndrome. After pressure from disability rights activists, Stanford University School of Medicine administrators reversed their decision. In 1996, Jensen became the first person with Down's syndrome to receive a heart-lung transplant.

American Association of People with Disabilities is founded in Washington, D.C. "The largest national nonprofit cross-disability member organization in the United States, dedicated to ensuring economic self-sufficiency and political empowerment for the more than 56 million Americans with disabilities."

Actor Christopher Reeve known for his role in Superman fell from a horse during an annual riding competition in Virginia. He sustained severe injury to c1-c2 vertebrae that left him paralyzed.

1996

Congress passed legislation eliminating more than 150,000 children with disabilities from Social Security rolls along with persons with alcohol and drug dependencies.

Not Dead Yet, formed by advocates with disabilities to oppose those who support assisted suicide for people with disabilities, focused on the idea of rationing health care to people with severe disabilities and imposition of "do not resuscitate" (DNR) orders for people with disabilities in hospitals, schools, and nursing homes.

In *Vacco v. Quill* and *Washington v. Glucksberg*, the Supreme Court validated the state prohibition on physician-assisted suicide, deciding that the issue is within the jurisdiction of the states.

1998

In *Bragdon v. Abbott*, the U.S. Supreme Court decided that under the Americans with Disabilities Act, the definition of disability includes asymptomatic HIV.

In *Pennsylvania Department of Corrections v. Yeskey*, the Supreme Court decided that the Americans with Disabilities Act includes state prisons.

MIT sued ordered to pay \$1.8 million in Fernald radiation settlement for experimenting on children with mental disorders from 1946 - 1953.

1999

In *Carolyn C. Cleveland v. Policy Management Systems Corporation, et. al.*, the Supreme Court decided that people receiving Social Security disability benefits are protected against discrimination under the Americans with Disabilities Act if and when they are able to return to work.

In *Olmstead v. L.C. and E.W.*, the Supreme Court decided that individuals with disabilities must be offered services in the most integrated setting.

In three employment cases (Sutton et. al. v. United Air Lines, Inc., Murphy v. United Parcel Service, Inc. and Albertsons, Inc. v. Kirkingburg) the Supreme Court decided that individuals whose conditions do not substantially limit any life activity and are easily correctable are not disabled under the Americans with Disabilities Act.

The Works Incentives Improvement Act (Ticket to Work) became law, allowing individuals who require health care benefits to work.

2000

The Commonwealth of Virginia House of Delegates approved a resolution expressing regret for its eugenics practices between 1924 and 1979.

The Developmental Disabilities Assistance and Bill of Rights Act. P.L. 106-402 ("**the DD Act**") authorized grant funds to provide civil rights protections, education and early intervention, child care, health, employment, housing, transportation, recreation, family support, and other services. The DD Act components are: 1) State Councils on Developmental Disabilities (DD Councils) - Councils are located in every State and Territory and include volunteers who are appointed by Governors. More than 60% of these volunteers must be people with developmental disabilities or family members. Councils work to promote the independence and productivity of people with developmental disabilities and promote systems change that will eliminate inequities in areas such as employment, education, and access to healthcare. 2) Protection and Advocacy (P&A) - P&As are required to pursue legal, administrative, and other appropriate remedies under all applicable federal and state laws to protect and advocate for the rights of individuals with developmental disabilities. 3) University Centers for Excellence in Developmental (UCEDDs) - The DD Act authorizes core funds to 67 UCEDDs, at least one in every state and territory, that are components of a university system or are public or not-for-profit entities associated with universities. UCEDDs provide interdisciplinary training to students and professionals, engage in cutting-edge research, provide technical assistance, and direct services and supports to people with disabilities of all ages and their families. 4) Projects of National Significance (PNS) - PNS is a discretionary program that focuses on emerging areas of concern and also supports technical assistance; research regarding emerging disability issues; conferences and special meetings; and the development of federal and state policy.

The Children's Health Act. The Act amends and reauthorizes the Traumatic Brain Injury Act of 1996; establishes the National Center on Birth Defects and Developmental Disabilities; authorizes funding to the Centers for Disease Control and Prevention (CDC) to expand state surveillance, national education, and prevention; to the National Institutes of Health to carry out applied research related to cognitive disorders and neurobehavioral consequences; and to the Health Resources and Services Administration for state capacity building grants. The law also authorize funding for state protection and advocacy services to provide legal advocacy for people with traumatic brain injuries (PATBI).

2001

President George W. Bush's New Freedom Initiative (NFI), Executive Order 13217, required the federal government to assist states, tribal and localities in swiftly implementing the Olmstead decision "to help ensure that all Americans have the opportunity to live close to their families and friends, to live more independently, to engage in productive employment, and to participate in community life."

Following September 11, 2001, a mandate was created for the development of a National Response Plan (NRP) as a guide to operations for response to a national disaster event. The NRP outlined the management,

operations and responsibilities of federal, state and local governments. The NRP recognized that populations at special or high risk in a disaster situation require special assistance and attention. Generally, aging adults, young children, persons with disabilities, and persons with chronic medical conditions are referred to in the NRP as populations at high risk.

The No Child Left Behind Act (NCLB) is a sweeping reform of the **Elementary and Secondary Education Act** (ESEA) which sets deadlines for states to expand the scope and frequency of student testing, revamp their accountability systems and guarantee that every teacher is qualified in their subject area. NCLB requires states to make demonstrable annual progress in raising the percentage of students proficient in reading and math, and in narrowing the test-score gap between advantaged and disadvantaged students. At the same time, the new law increases funding in several areas, including K-3 reading programs and before- and after-school programs, and provides states with greater flexibility to use federal funds. It is based on four basic principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods that have been proven to work.

Delaware House Bill 30 mandates a statewide attendant services program.

2002

US Supreme Court case Toyota Motor Mfg., Ky., Inc. v. Williams, 534 U.S. 184 (2002), the Court held that the terms “substantially” and “major” in the definition of disability “need to be interpreted strictly to create a demanding standard for qualifying as disabled” under the ADA, and that to be substantially limited in performing a major life activity under the ADA, “an individual must have an impairment that prevents or severely restricts the individual from doing activities that are of central importance to most people’s daily lives.” As a result of this and the 1999 *Sutton et al v. United Air Lines, Inc.* Supreme Court decisions, lower courts ruled in numerous cases that individuals with a range of substantially limiting impairments were not individuals with disabilities, and thus not protected by the ADA.

The “Help America Vote Act of 2002” (HAVA) (P.L. 107-252) was passed in response to problems that occurred in the 2000 elections. The legislation impacts accessibility in every part of the voting process, including voting machines, provisional ballots, voter registration, and poll worker training. It authorized funding at the federal level for states to plan and implement voting reforms. HAVA Required a State Planning Process with representative citizen input and State plans for full disability access to voting, including one accessible voting system in every polling place by January 1, 2006.

Delaware House Bill 447 strengthens accessible parking laws for people with disabilities.

2003

Delaware House Bill 154 makes it easier to integrate community based housing for all persons with disabilities and eliminates provisions that are invalid under the Federal Fair Housing Act..

Delaware Senate Bill 105 Requires a distinct Traumatic Brain Injury (TBI) unit count which provides more accurate statistics on students with TBI.

2004

Federal Executive Order 13347 was issued in order to “strengthen emergency preparedness with respect to individuals with disabilities.”¹ It became a policy of the Federal Government to ensure the supports needed by individuals with disabilities are integrated into emergency preparedness planning and implementation of emergency preparedness plans by Federal, State, local, and Tribal governments and private organizations.

The Assistive Technology Act ([P.L. 108-364](#)) reauthorized the Assistive Technology Act of 1998. Aimed at “getting more assistive technology into the hands of more consumers,” the legislation mandates state Tech Act programs to provide, with at least 60 percent of their Federal dollars, Alternative Financing and Device Loan programs and makes Demonstration Centers and Device Recycling programs discretionary. The Act authorizes a minimum level of funding to all state assistive technology programs and also authorizes resources to fund national technical assistance activities.

The Individuals with Disabilities Education Improvement Act makes changes in Individual Education Plan (IEP) requirements, transition services and the way in which school districts identify students as having disabilities with special attention to the issue of over-identification of members of ethnic and racial minority groups. The law also encourages more early intervention referrals and makes changes in the way disciplinary actions are handled and adopts portions of the No Child Left Behind (NCLB) Act. The Act also adopts the NCLB definition of “Highly Qualified Teacher,” provides for “risk pool” programs to address high needs children with disabilities, makes changes in procedural safeguards and dispute resolution and encourages ‘universal design’ as defined in the Assistive Technology Act. It also has provisions for assessments of special education students under NCLB, for paperwork reduction activities and for monitoring and technical assistance to school districts and states.

Delaware Senate Bill 261 Nurse Practice Act Exemption authorized competent individuals to delegate health care acts which they could normally perform themselves except for functional limitations.

Delaware Senate Bill 271 Homeless Students added a one sentence exemption to the statute which contemplates school attendance by students in the district in which they reside, i.e., generally where their parent or guardian lives; thus ensuring that any changes to the McKinney Act do not have to be addressed in new State legislation to ensure conformity.

Delaware House Bill 433 Assistive Technology (AT) Lemon Law required that new assistive technology (AT) sold or leased in the State include at least a one year warranty. Also authorized a refund or replacement of defective AT after two unsuccessful repair attempts or reaching a threshold of 30 days during which the AT has been out of service during the warranty period.

Delaware Senate Bill 270 Speech Language Pathologist (SLP) Incentive Loans expanded eligibility to non-public school employees providing services in IDEA-Part C programs and offered incentives to service providers of infants and toddlers enrolled in the Delaware Department of Health and Social Services (DHSS) programs to counteract the shortage of speech-language pathologists (SLPs).

First Disability Pride Parade was held in Chicago. Almost 2,000 people attended.

Tennessee v. Lane heard by the US Supreme Court where individuals sued the state of Tennessee for failing to ensure that courthouses were accessible to people with disabilities.

2005

The Safe Accountable, Flexible, Efficient Transportation Equity Act A Legacy for Users. This Act included a new program, Section 5317, authorizing \$78 million in funding for transportation services for people with disabilities that goes beyond the ADA. This Act provides a higher authorization level (\$112 million in FY 2006) for Section 5310, the grant program that funds local community-based organizations to provide specialized transportation services to individuals with disabilities and the elderly. The Act expired in 2009.

Delaware Senate Bill 18 Delaware Prescription Drug Assistance Program amends the Delaware Prescription Drug Payment program (DPAP) to ensure that, like the Nemours prescription benefit, the Medicare benefit will be the primary source of benefits for those who are eligible for it, but allows for Medicare participants who are

otherwise eligible for DPAP assistance to cover gaps left by the Medicare program, including co-pays, premiums, and prescription costs when necessary.

Delaware House Bill 142 Choice Schools amends the Delaware code relating to the school district enrollment choice program.

Delaware House Bill 236 Correction of Code Language for Physically Impaired and Traumatic Brain Injured Students amended Delaware Code language by striking the phrase 'physically impaired' in connection with Traumatic Brain Injury.

Delaware House Bill 175 P-20 Council Created. P-20 Council was created to coordinate educational efforts of publicly-funded programs from early care through higher education and to foster partnerships among groups concerned with public education. The P-20 Council shall make recommendations designed to ensure a more integrated, seamless education system that enables children to enter school ready to learn, receive challenging instruction throughout their school careers, graduate from high school ready for college or work, and continue their education in a way that makes them productive and successful citizens.

Delaware Senate Bill 118 Elective Surgery Consent. Added nieces and nephews to the list of individuals who may act as alternative decision-maker for an individual as it relates to consent for elective surgery.

The Department of Health and Human Services (HHS) Office of Disability facilitated the development and implementation of a comprehensive initiative with participating HHS agencies and offices in partnership with the Departments of Labor, Education, Transportation, Commerce, Justice, Housing and Urban Development and the Social Security Administration to address the comprehensive service needs of young adults with disabilities.

Terri Schiavo dies at age 41 after living 15 years in a persistent vegetative state. Despite protests by her parents, she dies from dehydration after a feeding tube is removed when her husband Michael is given the right by a court order to remove her feeding tube.

2006

Family Opportunity Act (contained in *P.L. 109-171*, the Deficit Reduction Act) gives states the option of allowing families with annual incomes between approximately \$17,050 and \$60,000 for a family of four who have children with significant disabilities (those who meet the Social Security definition of disability or have the potential to meet it) to *buy into Medicaid*. FOA also includes authorization and funding for *Family to Family Health Information Centers (F2F HICs)* which are non-profit, family-staffed organizations that help families of children and youth with special health care needs navigate the health care system to get appropriate services. The Health Resources and Services Administration (HRSA)'s Maternal and Child Health Bureau (MCHB) provides the primary funding support for the Centers in all states and the District of Columbia.

Improving Long-Term Care under Medicaid (contained in *P.L. 109-171*, the Deficit Reduction Act) gives states the option of creating home and community-based services and supports within the state Medicaid plan, without obtaining a waiver. States are permitted to allow individuals to choose to self-direct services. States must establish a more stringent eligibility standard for placement of individuals in institutions than for services in a home and community-based setting. Unfortunately, provisions added to the act before passage allows states to impose caps on services, and to establish waiting lists for the new home and community-based optional services.

Money Follows the Person Rebalancing Demonstration (contained in *P.L. 109-171*, the Deficit Reduction Act) provided demonstration grants to states to help individuals transition from institutions to community settings. The program provide financial incentives for states to rebalance their long term care systems and provide more cost-effective choices between institutions and the community.

Post Katrina Emergency Management Reform Act The *Act* includes a provision for people with disabilities, including the appointment of a Disability Coordinator to serve as a point person for disability issues in the Department of Homeland Security and requirements for the inclusion of people with disabilities in all aspects of emergency management at all levels of government.

The Lifespan Respite Care Act (*P.L. 109-442*) The Act authorized \$30 million in the first year and almost \$300 million over five years for competitive grants for states and local bodies to increase the availability of respite care services for family caregivers of individuals with disabilities, regardless of age. The Act also promotes a coordinated system of accessible respite care at the state and federal level.

Combating Autism Act schools must provide students an education that is "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances The Act authorizes increased funding to the National Institutes of Health and the Centers for Disease Control for education and screening and other programs for children with autism and other developmental disabilities, along with a portion to autism research.

National Institutes of Health Reform Act restructures and limits the growth of bureaucracy at NIH and provide funds for new forms of research. The *Act* includes a range of changes designed to create greater transparency and accountability in how each of the 27 institutes and centers at NIH (including the National Institute on Child Health & Human Development (NICHD) allocates funding for medical research.

Delaware House Bill 355 Created seamless eligibility criteria among DHSS divisions.

Delaware Executive Order 84 formed a Task Force to review and research the shortage of speech language pathologists in Delaware and the lack of Delaware colleges that offer classes for Speech Language Pathologist (SLP) accreditation.

Gallaudet University students protest after a new University president was hired who was not raised using sign language and lacked familiarity with deaf culture.

2007

Delaware House Bill 7 School Bullying creates a safer learning environment for students enrolled in public schools, including charter schools.

Delaware House Bill 83 required an accessible call button be available at gas stations so drivers with disabilities can obtain refueling assistance.

2008

The National Response Plan was updated and became the National Response Framework, a set of guidelines for responding to man-made and natural catastrophic events. This guide focused on high risk populations.

The ADA Amendments Act (ADAAA) of 2008 (*P.L. 110-325*). The ADAAA will restore the workplace protections of the Americans with Disabilities Act of 1990 which had been eroded by several court decisions. The law redefines "major life activities" in ways that make it easier for people with intellectual, developmental and other disabilities to qualify for protections against employment discrimination under the ADA.

The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act (contained in *P.L. 110-343*). The parity law mandates that commercial insurers must set mental health insurance co-payments and treatment limits equal to those for coverage of physical conditions. It also bans cost-sharing requirements that only apply to mental health or substance abuse disorder benefits.

The Prenatally and Postnatally Diagnosed Conditions Awareness Act (*P.L. 110-374*). The Act provides for the provision of scientifically sound information and support services to parents receiving a positive test diagnosis for Down syndrome or other prenatally and postnatally diagnosed conditions for their children.

The Higher Education Opportunity Act (*P.L. 110-315*) enacts the most significant federal efforts to date to assist students with disabilities to access and succeed in postsecondary education programs. It includes groundbreaking provisions regarding inclusion, enrichment, socialization, independent living, and person centered planning in the development of the course of study. The law also bolsters teacher training in special education.

The National Affordable Housing Trust Fund Act (included in *P.L. 110-289*) will develop 1.5 million new units of rental housing affordable to very low-income and extremely low-income households. This law creates the first new federal housing production program specifically targeted to extremely low income households since the Section 8 Housing Choice Voucher program was created in 1974.

The Over-the-Road Bus Transportation Accessibility Act (*P.L. 110-291*), gives DOT an additional tool to ensure accessibility of all buses and in particular “curbside” operators who have had a poor record of meeting ADA standards.

The Federal Railroad Safety Improvement Act (*P.L. 110-432*) reauthorizes Amtrak and requires Amtrak to report to Congress how they intend meet the 2010 ADA deadline to make all their stations accessible. It also authorizes funding to help Amtrak finance the accessibility improvements.

The Genetic Information Non-Discrimination Act (*P.L. 110-233*) will prevent employers from engaging in discriminative practices including firing, refusing to hire, or otherwise discriminating with respect to compensation, terms, conditions or privileges of employment based on genetic information. Similarly, this bill will prohibit insurance companies, from basing eligibility determinations or adjusting premiums or contributions on the basis of genetic information.

The SSI Extension for Elderly and Disabled Refugees Act (*P.L. 110-328*). The law extends SSI eligibility for elderly and disabled refugees, those who have sought asylum, and other humanitarian immigrants from seven to nine years. In addition, a provision of the bill will cover those who have already lost their SSI benefits. These individuals fled persecution or torture in countries such as Iran, Russia, Iraq, Vietnam, and Somalia and now meet the criteria for SSI eligibility based on disability or age.

Delaware House Bill 355 Health Insurer Coverage of Hearing Aids amended Delaware Code to clarify procedures and ensure insurance coverage

2009

ADAAA was enacted to carry out the ADA's objectives of providing “a clear and comprehensive national mandate for the elimination of discrimination” and “clear, strong, consistent, enforceable standards addressing discrimination” by reinstating a broad scope of protection under the ADA; the primary purpose of the ADAAA was to make it easier for people with disabilities to obtain protection under the ADA. The ADAAA was designed to reject earlier Supreme and lower court decisions by giving clear guidance to the courts.

The American Recovery and Reinvestment Act (ARRA) (*P.L. 111-5*) includes billions of dollars to protect and expand disability services and benefits. Most critical were the funding increases to Medicaid, special education, early intervention and vocational rehabilitation:

- \$87 billion for enhanced federal match for Medicaid

- \$11.3 billion increase for the Individuals with Disabilities Education Act (IDEA) State Grant
- \$400 million increase for the IDEA Preschool Program
- \$500 million increase for the IDEA Part C Early Intervention Program
- \$540 million increase for the Vocational Rehabilitation State Grant program
- \$140 million increase for Independent Living Programs

The Mathew Shepard and James Byrd Jr. Hate Crimes Prevention Act, contained in the National Defense Reauthorization Act for FY 2010 (P.L. 111-84), see section 123 stat 2835. The hate crimes law add disability as a protected class under the Hate Crimes Act.

The Christopher and Dana Reeve Paralysis Act contained in Title XIV of the Omnibus Public Lands Management Act of 2009 (P.L. 111-1). The Christopher and Dana Reeves Paralysis Act is the first piece of comprehensive legislation aimed at improving the lives of Americans living with paralysis. It creates new coordinated research activities through the National Institutes of Health, and focuses their efforts through collaborative scientific research into a cure for paralysis. It intends to promote enhanced rehabilitation services for paralyzed Americans no matter the cause, helping develop better equipment and technology that allows them to live full and independent lives.

Delaware House Bill 37 Mental Health Bill of Rights - Restraint/Grievances added various protections to the Mental Health Patients' Bill of Rights Act, including safeguards in the administration of restraints and requirement of an enhanced patient grievance system for Delaware Psychiatric Center (DPC) patients.

2010

ADA Standards for Accessible Design (2010 Standards or Standards) established. These standards were adopted as part of the revised regulations for Title II and Title III of the Americans with Disabilities Act of 1990 (ADA). The standards can be found at www.ada.gov/2010ADASTandards_index.htm.

Rosa's Law (P.L. 111-256) changes the terms "mental retardation" and "mentally retarded" to "intellectual disability" and "intellectually disabled" in federal laws regarding education, employment and certain health programs (not including Medicaid however). The statute does not alter eligibility, services or rights under these laws nor does it compel states to change their terminology, though many states have already changed their terminology.

The Twenty-First Century Communications and Video Accessibility Act (P.L 111-260) will ensure that Americans with disabilities can more fully participate in society and enjoy all that new technologies have to offer--especially Internet-based and mobile services. The new law will make it easier for people who are deaf, blind or have low vision to access the Internet, smart phones, television programming and other communications and video technologies. The law will also make sure that emergency information is accessible to individuals who are blind or have low vision. In addition, \$10 million per year will be allocated from the Interstate Relay Service Fund for equipment used by individuals who are deaf-blind.

The Teacher Jobs and State Fiscal Relief Act provides \$16.1 billion in Medicaid funding and \$10 billion in education funding that states can receive for 2011. Enactment of the law brings significant relief to advocates from across the country that had been bracing for further budget cuts to HCBS as well as special education teacher layoffs.

The Social Security Applicants Access to Representation Act (P.L. 111-142) provides for the permanent extension of the attorney fee withholding procedures to qualified non-attorney claimant representatives for the OASDI and SSI programs.

Delaware House Bill 237 required all newly constructed businesses and other places of public accommodation to be equipped with automatic doors or accessible call buttons to make the main entrances of such buildings accessible to persons with disabilities.

The Patient Protection and Affordable Care Act became law. Due to this law, since 2012 companies cannot drop a person's coverage when they get sick due to a mistake the person made on their application, or put a lifetime cap on how much care they will pay for if a person gets sick, and since 2014 companies cannot deny coverage based on preexisting conditions, or put an annual cap on how much care they will pay for if a person gets sick

Delaware House Bill 283 Deaf/Hard of Hearing Bill of Rights enacted rights for children who are deaf or hard of hearing in the Delaware School System.

Delaware Senate Bill 285 promoted accessibility of polling locations.

2011

Combating Autism Reauthorization Act of 2011 (P.L. 112-32) will continue to support the programs established by the Combating Autism Act of 2006, which include screening and surveillance of autism spectrum disorder (ASD) and educating professionals about proper screening, diagnosis, and intervention for children with ASD as well as many other developmental disabilities. The act authorizes \$231 million a year from Fiscal Year (FY) 2012 through 2014 for these efforts.

The Budget Control Act of 2011 (P.L. 112-25) will have a profound impact on all federal funding, including disability-related programs for fiscal years 2012 to 2021. This law will create a comprehensive 10-year plan to cut federal spending and reduce the deficit. Disability-related programs could be reduced, restructured, or entirely eliminated during different stages created by the law or in alternatives to this law to reduce federal deficits.

Delaware House Bill 1 Needs Based Funding enacted to ensure fair distribution of funding for children with disabilities in Delaware.

Delaware House Bill 141 established a formal Brain Injury Council within the State Council for Persons with Disabilities.

March 15, 2011, the new Americans with Disabilities Act rules came into effect. These rules expanded accessibility requirements for recreational facilities such as swimming pools, golf courses, exercise clubs, and boating facilities. They also set standards for the use of wheelchairs and other mobility devices like Segways in public spaces, and changed the standards for things such as selling tickets to events and reserving accessible hotel rooms. The new rules also clearly defined "service animal" as "...any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability." This portion of the law also states that the services the service animal provides must be "directly related to the handler's disability" and dogs that provide only emotional support or crime deterrence cannot be defined as service animals.

Delaware Senate Bill 22 ensured Autism Spectrum Disorders insurance coverage.

Delaware House Bill 51 Gold Alert Program required the Department of Transportation to display on its variable message signs information regarding missing senior citizens, suicidal persons, or persons with a disability.

Delaware House Bill 91, House Bill 214 and House Bill 245 amended current archaic and offensive references to persons with disabilities throughout the Delaware Code and required that all new state laws and publications use People First language, which promotes dignity and inclusion for people with disabilities.

Delaware House Bill 76 Prosthetic Insurance Coverage assured prosthetic parity for Delaware citizens who have experienced limb loss by requiring that all individual and group health insurance policies provide orthotic and prosthetic devices at a reimbursement rate equal to the Federal reimbursement rate for the aged and disabled.

Delaware House Bill 123 recognized the month of October as Disability History and Awareness Month in Delaware public schools.

2012

The 2010 ADA Standards for Accessible Design was put into effect with minimum requirements – both scoping and technical – for new construction and alterations of the facilities of more than 80,000 state and local governments and over seven million businesses.

Delaware Law Title 14, Chapter 228 - 4125 is amended making it possible for students with Disabilities who have not passed the Delaware Drivers Ed test the ability to take the test again.

Idaho Fish and Game Commission declared that a companion with a tag or permit is allowed to be assisted by a disabled hunter.

Delaware House Bill 319 Employment First promotes competitive employment opportunities for people with disabilities. This bill directly complements Governor Markell's initiative to increase the employment of people with disabilities in Delaware.

A Massachusetts Appeals Court overturned a decision by a lower court requiring a sterilization and abortion on a woman with schizophrenia or bipolar disorder.

2013

Delaware HB 89 promotes and facilitates the construction and operation within the State of Delaware of freestanding inpatient rehabilitation hospitals, which generally are capable of providing services to victims of stroke, spinal cord injuries, amputation or other traumas. No person shall be required to apply for or obtain a Certificate of Public Review for purposes of constructing, developing or establishing a freestanding inpatient rehabilitation hospital.

All swimming pools located at public accommodations must meet ADA standards with a fixed lift for the pool areas.

Delaware SB 100 Seclusion and Restraints standards and procedures. The U.S. Department of Education issued a mandate requiring schools to provide sports for children with disabilities. Specifically, students with disabilities who want to compete in sports for their school can join traditional teams if officials can make "reasonable modifications" to accommodate them. If those adjustments would fundamentally alter a sport or give the student an advantage, the department says schools must create parallel athletic programs that have comparable standing to traditional programs

The federal government dropped the term "mental retardation" and replaced it with "intellectual disability in legislation referring to individuals with disabilities.

Newport News, Virginia Circuit Court rejected a guardianship request from the parents of twenty-nine year old Jenny Hatch that would have allowed the parents to keep her in a group home against her will.

Delaware House Bill 165 updates the State's charter school law to improve charter school accountability and support. More specifically, the bill raises the bar for starting charter schools with a pre-screening process, applicant interviews and additional opportunities to receive and use public input regarding the impact of new and expanded charter schools. Further, the bill increases charter flexibility and support, with ten year terms for high-performing charters, more timely allocation of funding clear allowance of conduit financing, equalized minor capital funding, and creation of a charter school performance fund. Finally, the bill sets and enforces consistent expectations for charter schools, with authorizer-charter agreements, required plans for board member training, required provision of lunch to eligible students, clear closure protocols and a revised renewal process that is aligned to the charter performance frameworks.

Delaware House Bill 215 provides supplementary appropriations to certain Grants-in-Aid for Fiscal Year 20132014. Section 1 – Government Units and Senior Center \$21,632,943 \$21,598,445; Section 2 – One-Times and Community Agencies \$16,215,516 \$16,733,672; Section 3 – Fire Companies \$6,070,750 \$6,129,624; Section 4 – Veterans Organizations \$302,287. GRAND TOTAL \$44,221,496 \$44,764,028.

Delaware Senate Bill 27 would authorize the Department of Education, pending available funds, to offer competitive two year start-up grants to public schools for the purpose of developing new programs for students capable of performing accelerated academic work. Signed by the Governor June 30, 2013

Delaware Senate Bill 42 This bill ensures that individuals who are eligible for the Federal Medicare program due to disability are able to purchase the same Medicare supplement policies available to individuals eligible for Medicare due to age. This bill also ensures that the rates for Medicare supplement insurance purchased.

Delaware SB 100 Based on national reports documenting misuse of seclusion and restraint within public schools, many states are adopting remedial statutory or regulatory standards. In 2012, the U.S. Department of Education issued authoritative guidance encouraging states to adopt written standards deterring use of seclusion and restraint in public schools. This bill is the product of research and deliberations of an interagency committee formed by the Governor's Advisory Council for Exceptional Citizens (GACEC) to identify best practices and develop standards for Delaware public schools. Signed by Governor June 26, 2013

Iowa Court of Appeals ruled that a girls tree nut allergy was a protected disability under the Iowa Civil Rights Act and the ADA as an impairment.

U.S. Department of Education issued a mandate requiring schools to provide sports for children with disabilities who want to compete if the school can make reasonable modifications to accommodate them.

2014

The Workforce Innovation and Opportunity Act (WIOA) of 2014 (P.L. 113-128) reauthorizes and updates existing federal workforce development programs including the Rehabilitation Act, which provides for vocational rehabilitation (VR) services for people with disabilities. WIOA focuses VR outcomes on competitive, integrated employment as well as promotes greater emphasis on transition services for youth with disabilities through: emphasis on coordination between VR and other agencies; extending the initial time period for VR supported employment services (from 18 to 24 months); and modification of eligibility determination to promote access to VR by people with the most significant disabilities

The Autism Collaboration, Accountability, Research, Education, and Support (CARES) Act of 2014 (P.L. 113-157) reauthorizes the Combating Autism Act of 2011 for five years and makes a number of improvements to it. The legislation continues the increased autism spectrum disorder (ASD) research, surveillance, public awareness, and professional training efforts. The law also includes a name change that uses more respectful

language, a designated ASD position in the Department of Health and Human Services to oversee the law's implementation, increased representation of self advocates and family members on the Interagency Autism Coordinating Committee (IACC), and requirement of a report on the needs of transitioning youth.

Iowa Supreme Court held that court approval is required for sterilization of an incompetent person.

Delaware House Bill 129 tasks the Department of Health and Social Services with developing and implementing regulations that would ensure that hospital staff have the ability to quickly access a locked hospital bathroom in the event of an emergency.

Delaware House Bill 214 An act to amend Title 16 of the Delaware Code relating to information on Down Syndrome

The Stephen Beck, Jr. **Achieving a Better Life Experience Act or ABLE Act** was enacted. The Act creates a tax-free saving account for qualified expenses. This allows individuals with disabilities to save up to \$100,000 without risking eligibility for SSI or government program issues.

Delaware House Bill 251 An act to amend Title 13 of the Delaware Code pertaining to guardianship of a child.

Delaware House Bill 346 An act to amend Title 16 of the Delaware Code relating to the commitment of the mentally ill.

Delaware House Bill No. 416 An act to amend Titles 6,10,11,12,16,19,21,25 and 28 of the Delaware Code relating to the removal of insensitive and offensive language.

Delaware House Bill 167 This 2013 bill prohibits a public employer from inquiring into or considering the criminal record, criminal history or credit history or score of an applicant before it makes a conditional offer to the applicant. It would permit inquiry and consideration of criminal background after the conditional offer has been made. Police forces, the Department of Corrections and other positions with a statutory mandate for background checks are excluded from these provisions. The bill also requires contractors with State agencies to employ similar policies where not in conflict with other State or federal requirements.

Delaware House Bill 205 This bill requires that school districts schedule an in-service day for the day of any primary election in which district schools will be used as polling places. This bill also provides that the department of elections for each county may use public school buildings for primaries.

2015

US Supreme Court Case *Brumfield v. Cain*, 576 U.S., case in which the Court held that because Brumfield satisfied 28 U.S.C. § 2254(d)(2)'s requirements, he was entitled to have his *Atkins v.* claim considered on the merits in federal court.

U.S. Supreme Court case *Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc.* 576 U.S. the Court held that Congress specifically intended to include disparate impact claims in the Fair Housing Act, but that such claims require a plaintiff to prove it is the defendant's policies that cause a disparity. The Fair Housing Act prohibits discrimination based on disability.

A federal ruling allowed immigrants with serious mental disabilities deported from Arizona, California, and Washington between November 21, 2011 and January 27, 2015 to request that their immigration cases be reopened. The ruling covered immigrants deported from Arizona, California, and Washington between November 21, 2011 and January 27, 2015.

Delaware Senate Bill No. 33 IEP Process Synopsis: This bill implements the legislative recommendation of the IEP Improvement Task Force created by the 147th General Assembly. March 2015

New York City held its first Disability Pride parade.

2016

A Florida law, the first of its kind in the country, allowed people with developmental disabilities to have an expert with them during a police interview to explain what is happening and to pose questions in a way the interview subject can understand. It also made it easier for authorities to know who might need assistance by creating a voluntary new designation on state identification cards.

American Bar Association now forbids comments or actions that single out someone on the basis of disability, as well as other factors.

United States v. Morin, No. 15-50197 (5th Cir. 2016) the defendant challenged two special conditions of his supervised release. The court agreed that one of the conditions, which gave a private therapist the right to impose "lifestyle restrictions" that might be unnecessary to the treatment and could be in force throughout the defendant's supervised release, was an improper delegation. Thus the court vacated that condition.

Delaware House Bill 60 ("ABLE" Act) Synopsis: This bill creates an Achieving Better Life Experience "ABLE" Program in Delaware, to implement federal legislation enabling the creation of savings accounts with tax advantages similar to 529 accounts, designed to be used by persons with disabilities to save for qualifying disability and education related expenses.

Delaware Senate Bill 180 (Age of Majority) Synopsis: This bill provides procedure to ensure that each child with a disability who has reached age 18 will have an identified educational decision-maker to exercise special education rights on their behalf.

2017

US Court Decision — Endrew F. vs Douglas County School District – Strengthens the rights of children with disabilities under IDEA. Schools must provide students an education that is "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances"

US Supreme Court case Moore v. Texas, 581 U. S. (2017), decision clarifying that, in order to comply with Atkins v. Virginia, 536 U.S. (2002), courts must use legitimate medical diagnostic criteria when diagnosing mental disabilities in those on death row. The Court relied on Atkins, which held that the execution of any individual with a mental disability is unconstitutional, in holding that "mild levels of intellectual disability [...] nevertheless remain intellectual disabilities [...] and States may not execute anyone in the entire category of intellectually disabled offenders."

US Supreme Court case Fry v. Napoleon Community Schools, 580 U.S. ____ (2017), which the Court held that the Handicapped Children's Protection Act of 1986 does not command exhaustion of state-level administrative remedies codified in the Individuals with Disabilities Education Act (IDEA) when the gravamen of the plaintiff's lawsuit is not related to the denial of free appropriate public education (FAPE).

Delaware House Bill 21 with HA2 Synopsis: An act to amend Title 16 of the Delaware Code relating to nondiscrimination in access to organ transplantation.

Delaware House Bill 40 Synopsis: An act to amend Title 13 of the Delaware Code relating to mental and behavioral health transition plans.

Delaware House Bill 145 Synopsis: An act to amend Title 16 of the Delaware Code relating to achieving a better life experience savings account.

Delaware Senate Bill No. 638 Synopsis: An act to amend Title 9 of the Delaware Code relating to exemptions to real property taxes for an individual with a disability.

Delaware House Bill 39 This Act extends Family Court's jurisdiction under Chapter 50, Title 16, over a youth who has a mental condition and requires services or treatment but is not amenable to or compliant with such services. This Act applies only to youths who are under the custody of the Department of Children, Youth and Their Families when they turn 18 years old and, prior to turning 18 years old, were identified as having or diagnosed with a mental condition as defined in § 5001 of Title 16. Jurisdiction under this Act does not require

DSCYF to provide foster care board extension payments or stipends to a youth. This Act has no effect on a youth reaching the age of majority at 18 years or on DSCYF's custody over a youth terminating by operation of law when the youth turns 18 years old.

Delaware Senate Bill 38 For purposes of clarity regarding Delaware's commitment to supporting Delawareans with disabilities, including military service-related disabilities, this Act codifies existing county-level tax exemptions. Absent this Act, Delaware will continue to be one of the only states, if not the only state, that is silent at the state level with regard to exemptions for service-related disabilities. This Act requires a county government to provide exemptions to real property taxes for individuals with a disability that are at least as generous as the exemptions currently provided by the county government. In addition, if a county government provides an additional exemption to real property taxes for individuals with a disability who became disabled as a result of service in and while in the service of any branch of the United States armed services, the county government must provide exemptions that are at least as generous as the exemptions currently provided by the county government.

2018

Delta and United Airlines require documentation about the health of support animals and their behavior in public places

A woman was removed from a Frontier Airlines flight even though she claimed the squirrel in her possession was her emotional support animal. Frontier Airlines adapted a policy that the animal must be a dog or a cat to be an emotional support animal.

Delaware House Bill 286 Synopsis: An act to amend Title 14 of the Delaware Code relating to Educator licensure. Enactment of the Every Student Succeeds Act amended the Individuals with Disability Education Act ("IDEA") by mandating that special education teachers must have obtained full certification and may not be working under emergency certifications. The Delaware Department of Education must stop issuing emergency certifications in special education in order for for the State to continue receiving \$36 million in federal IDEA funding for our schools. This Act creates a mechanism that is in compliance with federal requirements to enable educators to obtain a certificate of eligibility in the areas of special education. Educators will be able to meet federal requirements while being enrolled in an approved, alternative routes to certification program. This Act will allow local education agencies to staff special education classrooms while ensuring the educators are receiving high quality training working toward their standard certificate in the appropriate area of special education. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Delaware House Bill 142 An act to amend Title 14 of the Delaware Code relating to limitations on the use of seclusion and restraint. This Act will improve guidelines for training by school districts and charters as it pertains to School Resource Officers (SRO), their duties and training when interacting with students with disabilities. The limitations and prohibitions described in this section are in addition to, and not in derogation of, any other constitutional, statutory, or regulatory rights otherwise conferred by federal or state law or regulation.

Delaware House Substitute 1 for House Bill 287 An act to amend Title 14 of the Delaware Code relating to state high school diploma requirements This Substitute Bill makes the following changes to House Bill No. 287: 1. It changes the name of the new diploma to a "Diploma of Alternate Achievement Standards" instead of a "Diploma of Modified Performance Standards." 2. It adds a requirement that a student must be eligible to take a statewide alternate assessment to receive the new diploma. 3. The Act takes effect in the academic year after enactment.

Delaware House Bill 292 An act to amend Title 14 of the Delaware Code relating to services for children with Autism Spectrum Disorder This Act implements the recommendations of the March 2105 Autism Educational Task Force report regarding § 1332 of Title 14, the Program for Children with Autism and its Special Staff. Enacted nearly three decades ago, this law established a network of educational programs initially within a separate school structure known as The Delaware Autism Program (DAP). This Act establishes the qualifications and duties of the Statewide Director and enhances the current mandatory committee structure to

include a Parent Advisory Committee, in addition to the Peer Review Committee and Statewide Monitoring Review Board, to increase family input, monitoring, and protections. This Act creates a 3-year pilot program that revises the concept of DAP toward a system in which the statewide Director will work in collaboration with a team of experts to provide technical assistance and training to districts and educational entities. It allows for and provides adequate resources for all students with ASD in Delaware by eliminating the distinction between DAP-approved programs and other in-district options and by providing in-state experts at a lower cost than out-of-state residential treatment and consultants. The pilot program created under this Act makes changes that recognize and support the need for specialized technical assistance and training staff to be available to build capacity for teachers in all districts and other programs educating students with ASD. These changes expand available supports so that excellent, evidence-based training and technical assistance can be made available to all Delaware schools and the students who attend them.

Delaware House Bill No. 326 An act to amend Title 14 of the Delaware Code relating to the Delaware Advance Scholarship Program. This Act creates the Delaware Advance Scholarship Program ("Program"). The goal of this Act is to encourage Delaware students with intellectual disabilities to pursue studies for a comprehensive certificate or degree at a Delaware institution of higher education in order to promote economic self-sufficiency. This will result in an economic benefit to the State in the form of a more diverse, well-prepared workforce that is less reliant on government support. This Act follows the Higher Education Opportunities Act of 2008, which authorizes comprehensive transition and postsecondary programs as a pathway to higher education for students with intellectual disabilities.

Delaware House Bill No. 354 An act to amend Title 6 of the Delaware Code relating to equal accommodations. (Amendments to Equal Accommodations Statute) This Act makes the Delaware Equal Accommodation law internally consistent, correctly organized, and aligned with the Americans with Disabilities Act (ADA). This Act corrects the potential for confusion in Chapter 45 of Title 6 in the following ways: 1. The current law states that the purpose of Chapter 45 is to prohibit discrimination based upon physical disability, but Chapter 45 actually prohibits discrimination against individuals with physical or mental disabilities. This Act corrects the purpose language in §4501 of Title 6 by changing the term "physical disability" to "disability" so that it accurately states the scope of the protection provided by Chapter 45. 2. The current law uses the term "support animal" while the ADA and other states use the term "service animal." This Act replaces the term "support animal" with "service animal" to use the same term as the ADA. 3. The current law defines "support animal" as assisting only individuals with physical disabilities and does not address service animals that assist individuals with nonphysical disabilities, even though Chapter 45 prohibits discrimination against individuals with physical or mental impairments. This Act uses the ADA definition of service animal, which requires that the dog be trained to do work or perform tasks for an individual with a disability. 4. The current law places the prohibition against discriminating against an individual with a support animal in the definition section rather than in the prohibited practices section. This Act moves the requirement that a service animal be permitted to accompany an individual with a disability in public places from the definition of disability to the statute that lists unlawful practices. With these corrections, this Act restructures and corrects the language in Chapter 45 of Title 6 so that it is consistent with the ADA and clear that an individual with any disability, including an individual with Post-Traumatic Stress Disorder or other psychiatric, intellectual, or mental disability, may be accompanied by a service animal in a public place. Signed by the Governor 9-2018

Delaware House Bill No. 374 with House Amendment 1 An act to amend Title 16 of the Delaware Code relating to the Medical Marijuana Act This bill adds glaucoma, chronic debilitating migraines, pediatric autism spectrum disorder, and pediatric sensory processing disorder to the list of debilitating medical conditions which may qualify a person, upon certification by a physician, to be eligible for the use of medical marijuana in accordance with the terms of the Delaware Medical Marijuana Act.

2019

Supreme Court held in *Madison v. Alabama*, that the Eighth Amendment may permit executing a prisoner even if they cannot remember committing their crime but it may prohibit executing a prisoner who suffers from dementia or another disorder rather than psychotic delusions.

Supreme Court case *Box v. Planned Parenthood of Indiana and Kentucky, Inc.* dealing with the constitutionality of a 2016 anti-abortion law passed in the state of Indiana. Indiana's law sought to ban abortions performed solely on the basis of the fetus' gender, race, ethnicity, or disabilities. Lower courts had blocked enforcement of the law for violating a woman's right to abortion under privacy concerns within the Fourteenth Amendment as previously found in the landmark cases *Roe v. Wade* and *Planned Parenthood v. Casey*. The lower courts also blocked enforcement of another portion of the law that required the disposal of aborted fetuses through burial or cremation. The decision by the Supreme Court overturned the injunction on the fetal disposal portion of the law, but otherwise did not challenge the lower courts' ruling on the non-discrimination clauses, leaving them in place.

Resources

The Arc Key Federal Laws www.thearc.org/what-we-do/public-policy/know-your-rights/federal-laws#x2014

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The Delaware Code

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Governor's Advisory Council for Exceptional Citizen's (GACEC) Project