The Fight for Disability Rights

Thirty years ago, lawmakers passed the Americans with Disabilities Act, a key law that protects people who have disabilities from discrimination.

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Adapted by Fishtank Staff

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Judy Heumann knows what it's like to grow up in a world that wasn't built for her. In 1949, when she was 18 months old, she contracted a disease called polio, which left her paralyzed.

When Heumann's mom tried to enroll her in kindergarten in New York City, the principal wouldn't let her in, calling her wheelchair a "fire hazard." Three years later, Heumann was finally allowed to attend school. But she and other students with disabilities were forced to learn in the basement—separate from other kids.

As Heumann got older, it was difficult for her to go to the movies with her friends because theaters lacked wheelchair ramps. She often had to be carried up flights of stairs.

But Heumann never felt ashamed of who she was, and why should she? She knew it wasn't people with disabilities who needed to change—it was the world around them.

"People continually think that those of us with disabilities would prefer not to have our disabilities," Heumann, now 73, says. "It's important for people to see that disability is a normal part of life."

Heumann spent decades as an activist in the disability rights movement, leading sit-ins and other protests to demand equality for people who have disabilities.

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Heumann spent decades as an activist in the disability rights movement, leading sit-ins and other protests to demand equality for people who have disabilities.

That movement resulted in the signing of the Americans with Disabilities Act (ADA) on July 26, 1990. The law makes it illegal to discriminate against people because of their disabilities. It also requires that places like schools, grocery stores, and theaters be made accessible—for instance, by installing wheelchair ramps, designated parking spots, and signs written in Braille.

Today, the ADA is still considered one of the most important civil rights laws in U.S. history.

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"For a long time, people with disabilities had little to no rights across the United States," says Keri Gray. She's a senior director at the American Association of People with Disabilities. "The ADA is a big piece of legislation that ensures that people with disabilities . . . can thrive."

History of Discrimination

About 61 million American adults have a disability—one in four. This includes people who have Down syndrome, autism, blindness, hearing loss, or ADHD (attention-deficit/hyperactivity disorder), among others. A person's disability can be permanent or temporary.

Like Heumann, people with disabilities have had to overcome a long history of discrimination. Before the ADA, for example, restaurants could legally refuse to serve people with disabilities and employers could legally refuse to hire them.

Americans with disabilities were often looked down upon and segregated from society. In many states, they were barred from going to public schools. And many kids with disabilities were sent to institutions, where they were kept out of sight of the general public and sometimes neglected or abused by the adults who were supposed to care for them.

There were also physical barriers that prevented people with disabilities from fully participating in society. Many things that are common today—curb cuts on street corners, wheelchair lifts on public buses, and ramps in front of buildings—were rare. That meant people with disabilities often lacked the same opportunities as people who didn't have disabilities.

Celebrating Differences

Fanisee Bias was diagnosed with a disease of the spinal cord when she was in middle school. Now a college student, here's what she wants you to know about her life—and the ADA.

I was in my sixth-grade P.E. class when I went to get up from the ground. All of a sudden, I was unable to feel my legs. My vision became blurred and sound was faint. I was in shock. I was rushed to the hospital, where I was diagnosed with a spinal disease called transverse myelitis. Throughout junior high and high school, I was in a wheelchair. I then moved on to forearm crutches, and now I walk with canes.

I used to think my "old" life ended at the time of my diagnosis. But it turns out that was just the beginning of a new perspective on life, happiness, and disability.

I never really talked about my disability in junior high. Growing older, I found the right people, support systems, and ways to get involved in disability justice. I soon found my passion and purpose.

When I got to the University of San Diego in 2018—as a young, disabled, low-income woman of color and first-generation college student—I was eager to find community. I created a student group called the Alliance of Disability Advocates.

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We push for greater accessibility on campus, such as elevators in buildings and American Sign Language interpreters. We also work to erase stigmas surrounding people with disabilities and to increase awareness of the ADA.

That law isn't always enforced, so young people with disabilities need to know their rights and be their own advocates. We should never stop striving for more inclusivity and progress.

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"People who don't have a disability often don't think about it," says Lindsey Patterson, a history professor at Elmhurst University in Illinois who studies the disability rights movement. "But for people with disabilities, stairs can be the barrier between whether they have a job or not or if they can go to school or not."

Fighting Back

When the Civil Rights Act of 1964—which banned discrimination based on race—became law, it inspired Americans with disabilities to fight back against the injustices they faced.

"I don't want people to feel that they are lesser because they have a disability. Ultimately, their disability gives them strength."

After graduating from college in 1969, Heumann won a lawsuit against the New York City school system for denying her a teacher's license because of her paralysis. She became the first teacher in New York City public schools to use a wheelchair.

With that victory, Heumann became a leader of the disability rights movement, where she continued to protest for equality. During one rally in 1972, for example, she and other activists parked their wheelchairs in the middle of a busy New York City street—stopping traffic to call attention to their cause.

A Dramatic Protest

Over the decades, support for a comprehensive civil rights law to protect Americans with disabilities began to grow. But by the spring of 1990, more than 25 years after the passage of the Civil Rights Act of 1964, Congress still had not approved similar legislation to safeguard the rights of people with disabilities. To pressure lawmakers to act, hundreds of protesters gathered in Washington, D.C., on March 12, 1990.

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KEY MOMENTS Disability Rights Milestones		
1933 **A President With Polio**	**1960** **The Paralympic Games**	**1975** **Education for All**
Franklin D. Roosevelt, who was paralyzed by polio in 1921 at age 39, becomes the first modern-day president with a physical disability. He mostly hides his wheelchair from public view.	The first Paralympics are held in Rome, Italy. At the 2020 Paralympics—set to take place this summer in Tokyo, Japan—athletes will compete in track and field, cycling, swimming, and other events.	Congress requires public schools to provide equal access to students with disabilities. As a result, more kids with disabilities are able to attend classes alongside kids without disabilities.

With news cameras rolling, dozens of people ditched their wheelchairs and crutches and pulled themselves up the 78 steps of the U.S. Capitol. One of them was 8-year-old Jennifer Keelan-Chaffins, who has cerebral palsy, a condition that affects muscle control and balance and can make it difficult to walk. It took the second-grader nearly an hour to make it to the top of the stairs (see photo, above). But she was determined. "I'll take all night if I have to," she said.

The protest came to be known as the Capitol Crawl. It showed the world how difficult it can be for people with certain disabilities to get around—and why the Americans with Disabilities Act was needed.

"Declaration of Equality"

About four months later, history was made. At a ceremony on the White House lawn, President George H. W. Bush signed the ADA into law, calling it a "declaration of equality."

"Let the shameful wall of exclusion finally come tumbling down," he announced.

Today, the ADA means that schools, transportation, and other areas of public life are supposed to be accessible to everyone. As a result, things like elevators and closed-captioning on TV are more common.

And because of the ADA, young people today are growing up in a very different world from the one in which Heumann grew up. Tom Geraci, for example—a high school student from Newton, Massachusetts—has a form of autism. He says the ADA "has greatly improved our visibility in society, our access to reasonable accommodations in school, [and has] reduced discrimination."

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However, people with disabilities still face challenges. Many public places still aren't fully accessible. At the same time, studies have found that students with disabilities are bullied at high rates. And only 31 percent of working-age people with disabilities were employed in 2019, compared with 75 percent of those without disabilities, according to the U.S. Department of Labor.

Jake Linn, a student at the School of the Art Institute of Chicago who has ADHD and anxiety, says a big problem is that people with disabilities are still too often viewed in a negative light. He's studying film in college, hoping to help change the way people who have disabilities are portrayed on TV and in movies.

"People have gained their perceptions from media," he says. "And there are often negative depictions of people with disabilities, which has affected people like me."

As for Heumann, she wants kids and teens with disabilities to know that their rights are protected by the ADA—and that having a disability is just one part of who they are.

"I don't want people to feel that they are lesser because they have a disability," she says. "Ultimately, their disability gives them strength."

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