

Episode 50: Let's Talk...Disability Independence Day
Released on July 23, 2021

[00:00:00.00] TORAL PATEL: The opinions expressed by the guests and contributors of this podcast are their own and do not necessarily reflect the views of Cornell University or its employees. Anthony, how are you?

[00:00:11.22] ANTHONY SIS: Toral! Hey. I feel like we haven't spoken in forever.

[00:00:15.14] TORAL PATEL: Forever! We've done-- we've done other things together, but we haven't been in this space in a really long time.

[00:00:21.42] ANTHONY SIS: We haven't. And we've done two series on our own. So you did the API at Cornell. I did Beyond Binaries. And so I think it's time for a Let's Talk episode, just me and you. What do you think?

[00:00:35.39] TORAL PATEL: Yeah. And we have so much to share on this episode. Should we jump right in?

[00:00:40.02] ANTHONY SIS: I say let's do it. Let's go.

[00:00:42.15] [MUSIC PLAYING]

[00:00:44.95] TORAL PATEL: Welcome to the Inclusive Excellence Podcast. On today's show, we'll be talking about Disability Independence Day, which is celebrated on July 26. We'll share a little bit about why we celebrate this day, and share ways you could honor and celebrate it this year. My name is Toral Patel.

[00:01:01.52] ANTHONY SIS: My name is Anthony Sis.

[00:01:03.09] TORAL PATEL: And you're listening to the Inclusive Excellence Podcast.

[00:01:03.25] [MUSIC PLAYING]

[00:01:17.20] ANTHONY SIS: Before we get started, we wanted to share that since Toral and I last spoke, we have gone through a pretty good amount of changes within our department. One of them being our name. So for our listeners who may be new in tuning into the show, we used to be called the Department of Inclusion and Workforce Diversity. Now we are called the Department of Inclusion and Belonging. Toral, do you want to share a little bit more about the new name, where it came from, what the inspiration was behind it?

[00:01:48.46] TORAL PATEL: Yeah. So as many of you know, we've had some changes in terms of personnel within our department. And that's allowed us to kind of change the vision and the work that our department is going to be focused on. And so by changing the title to the Department of Inclusion and Belonging, our focus will mainly remain strategic in nature. And that just really fits with the title better.

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[00:02:08.02] ANTHONY SIS: Absolutely. And with our framework, belonging at Cornell, which is our diversity-wide framework here at the university, so just to let you all know, we are now the Department of Inclusion and Belonging. So feel free to call us DIB or D-I-B, b for boy. For sure, moving on.

[00:02:27.58] Now I feel like it's a long time since we last caught up, as we talked about. And a lot clearly, has happened in the world, in the workforce. So just to get us started, I wanted to ask you, Toral, what is something you came across recently that gave you hope or inspiration related to DE&I.

[00:02:48.09] TORAL PATEL: Yeah. So I think there is probably I don't know, quite a few stories that I've seen in the news lately. And this is something that happened about five or six months ago, but it's kind of just come back in the news recently. And it's about this athlete with Downs Syndrome who competed in the Ironman, or who completed the Ironman. And I thought that was amazing.

[00:03:08.17] And it's really great with the topic that we're discussing today. And another one in similar light that stood out to me-- it was a small story. I don't know that it got as much press. But there was-- it's a wedding shop in England.

[00:03:20.98] And you know how these shops have the windows where they kind of advertise some of their products? But they kind of create like a beautiful window display, right? Macy's is famous for creating displays during the wintertime, Christmas time frame. And so this particular place is the wedding shop in England. And within their window display, they had-- they would display one of their beautiful dresses, but the mannequin was actually sitting in a wheelchair.

[00:03:46.72] And it's not something that you see ever happening anywhere the focus on disability and how their wedding dresses-- they can accommodate anybody. And so I thought was this a unique way to advertise their wedding dresses. And especially put it in a window display, which has never been done before. So it was a small story.

[00:04:03.16] Again, I don't think it got the press that I think it needed. But I thought it was amazing. I thought that was very inspiring for me. How about you. Anthony?

[00:04:09.91] ANTHONY SIS: You know, it's interesting because I also-- what gave me hope and inspiration recently was seeing this advertisement for this deodorant created by Degree. And so Degree just created the world's first adaptive deodorant built with a diverse disability community called the Agree inclusive. And so I saw this advertisement. It's a little bit over a minute long. There are two of them.

[00:04:33.56] One is showing this boxer who is boxing this individual who has a disability, and him utilizing-- or of this individual utilizing one of the products. And the second video is of somebody who is blind and also utilizing this product, which is a slight variation of the first one that was shown in the first commercial. And I just thought it was so cool, because I feel like this notion of universal design is so key to really

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enhancing inclusion. And so whether you work in products or even if you think about services or by a line of work, the trainings that I provide, it's all about embedding inclusion from the jump and equity from the creation, all the way from the creation to the actual execution of a training or creating a product.

[00:05:18.02] And so just seeing that and knowing that it was built with the disability community in mind and in consultation with them, I thought was pretty awesome. Gave me a lot of hope and inspiration, especially for just how I envision this work looking like moving forward, which we both have talked about in making sure that the E&I is just embedded into the fabric of how people do business and have people have conversations. And so just seeing that product in that commercial for me was like, OK, cool.

[00:05:46.21] There are other companies that are doing this. There are other organizations who are striving to get this work right. But I just felt like that was one really good example. And I'll be sure to put the link in the show notes to both of those commercials that people are interested in.

[00:05:58.25] TORAL PATEL: Yeah. And I feel very similarly about the athlete who competed in the Ironman competition. You know, and we've talked about this before in our previous sessions in this concept of being the first, right? And so this individual is the first individual with Downs Syndrome to complete it. The reason why it came up for me again, and it's inspiring, even to months after he actually was in the competition, was the fact that now he is a role model for others to be-- who are looking forward to competing in the Ironman competition themselves. I thought it was just fascinating.

[00:06:29.98] ANTHONY SIS: Yeah. And I think this kind of nicely transitions us over into our topic for today. So we're here to talk about National Disability Independence Day, which is coming up right around the corner. And so in order for us to do this, we are actually going to take you back a few decades. This will be a short history lesson, which we've never done before.

[00:06:51.26] But we felt like it was definitely necessary for this topic, because we didn't want to omit certain parts of history that really led to the celebration and the recognition of this day and why this day is important. So Toral, what is this day? And why is it important? I also think we should maybe cue some music for this part. What do you think?

[00:07:10.85] TORAL PATEL: Yes, yes. I agree. Let's start with music. [MUSIC PLAYING]

[00:07:16.67] So National Disability Independence Day celebrates the day the Americans with Disabilities Act, also known as ADA, was passed and signed into law by President George H.W. Bush, which was in July 26, 1990. Since then, a number of regulations, as well as an Amendment in 2008, has been created to enhance the ADA. The ADA is important because it bans discrimination against Americans with disabilities

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in jobs, schools, transportation, and all public and privately owned places that are open to the general public. Before becoming law, the ADA faces lots of resistance, mostly by small business owners who are concerned about the cost of outfitting workplaces with proper facilities to accommodate disabled workers.

[00:07:59.89] ANTHONY SIS: And what's important to remember is that this piece of legislation did not happen overnight. It was decades in the making, starting with the Rehabilitation Act of 1973. This act became the first piece of US legislation that banned discrimination on the basis of disability, similar to how previous Civil Rights laws banned discrimination based on race, ethnic origin, and sex or gender. Under this act, people with disabilities were viewed as a class, a minority group, instead of being categorized based on diagnosis, which is really important.

[00:08:37.07] TORAL PATEL: Then the Rehabilitation Act of 1973 included Section 504, which was based on the 1964 Civil Rights Act, and required the integration of people with disabilities into mainstream institutions. But from 1973 to 1977, no legislation was created. So its enforcement could not begin until the sit-ins began.

[00:09:00.24] ANTHONY SIS: Yes. And I also want to add here that sit-ins are a form of nonviolent protest that have been used really effectively. It happens when protesters see themselves in a strategic location to protest. It could be on the street, inside a restaurant, or in front of a government building. They stay seated until their demands are met. Often, they're taken away or arrested instead, which is exactly what happened in April 1977.

[00:09:28.08] TORAL PATEL: So because the implementation of Section 504 did not occur for years, people decided to sit-in in eight federal buildings across the United States. However, the one in San Francisco lasted the longest. It lasted for 28 days, and was critical enforcing the signing of the regulations. It began with a rally outside the federal building. Then people marched inside, where between 1 and 200 people would remain until the end.

[00:09:55.13] ANTHONY SIS: Let's take a moment here because, 28 days? That's a long time to be sitting in a federal building. So did it get passed?

[00:10:04.79] TORAL PATEL: It did!

[00:10:06.02] ANTHONY SIS: That's it then, right? People with disabilities have equal access and protection under the law?

[00:10:11.12] TORAL PATEL: Yes. But, right? There's always a but. It took a lot more than one sit-in or the eight sit-ins that we just talked about for this to actually happen.

[00:10:19.60] [MUSIC PLAYING]

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[00:10:22.85] So about two weeks into the sit-in, the protest leaders realize that in order to succeed, they would need more national attention. And as a result, people travel to Washington, D.C. to meet with groups on the East Coast and put more pressure on the politicians. Protesters had meetings with congressional representatives, which was a challenge at the time, since many federal buildings, including the Capitol, were not accessible for people in wheelchairs. Ultimately, the legislation was signed on April 28, 1977.

[00:10:51.64] ANTHONY SIS: Now this piece of legislation was passed in 1977. But between 1977 and 1990, there were many attempts by politicians to deregulate Section 504. 504 of the Rehab Act is what would ultimately form the basis of what would become the ADA. As a result of politicians trying to deregulate section 504 and not make buildings and other public spaces accessible, there was another protest in 1990, known as the Capitol Crawl.

[00:11:22.38] TORAL PATEL: So in March of 1990, the ADA seemed like another piece of legislation that was going to be stalled in Congress. An organization known as ADAPT, also known as American Disabled for Attendant Programs Today, held a march from the White House to the steps of the Capitol. During this march, 60 disability activists with physical disabilities shed their crutches, wheelchairs, power chairs, and other assistive devices, and proceeded to crawl up all 78 west side steps of Capitol. A tour of the Capitol that ADAPT arranged turned into a meeting in the Capitol rotunda between ADAPT and the House Speaker and the House Minority leader. Although the action resulted in the arrest of 104 grassroots demonstrators, the Capitol Crawl pushed the ADA bill out of the committee and onto the Congress floor. And on July 26, 1990, President George Bush signed the Americans with Disabilities Act during a ceremony on the South Lawn of the White House. This included Reverend Harold H. Wilk, who used his feet to hand the president a pen to sign the bill.

[00:12:28.89] ANTHONY SIS: This is an incredible story, and one that I think gets forgotten about when it comes to in general, the importance of protests to really create action and sign pieces of legislation into law. Did you know about this history, Toral?

[00:12:43.34] TORAL PATEL: I did not. So, Anthony, I'm in the same boat as you. It was embarrassing to not know the history. Obviously, I knew about the law. And I've known pieces-- bits and pieces about the law.

[00:12:53.67] I had no idea about Section 504. I did not know anything about the Capitol Crawl. And so like you, as I learned, as I did my own research, it's so much that I learned about how this law came into being.

[00:13:06.27] ANTHONY SIS: Right. Yeah. So just as a wrap-up just so that folks are following us in terms of the history, so July 26 celebrates the day that the Americans with Disabilities Act got signed back in 1990. And so one of the things I wanted to ask Toral, and have a conversation about is really thinking about how maybe the ways in

which ADA has helped shape you or your life, or maybe the lives of those around you, your loved ones, friends, family?

[00:13:35.82] And I can start first, by just sharing when my grandma was alive, just knowing that a lot of the spaces that she accessed when I went with her were accessible. And I often think about just the action of simply pressing that wheelchair button in buildings for it to automatically open. And I would do that for her a lot. And now currently, my mom-- she's temporarily disabled. She broke her ankle a few months back. And it's just been an interesting journey just knowing that even to this day, even with the access to buildings that have been incorporated in spaces like hospitals and other public spaces, it's still proves to be a challenge for her, as somebody who is temporarily disabled.

[00:14:17.95] And so I just think about knowing that that one button in the building was created due to this act and due to this law and piece of legislation. Like, had it not been for that, how would both my grandma and my mother access public spaces? Like, I have no idea. And it's still, even now to this day, it's still challenging for them in many ways still, to be able to then sit down in a public facility with my mom. Initially, with her broken ankle, she had to use a scooter. And so she had to use a scooter that lifted her knee.

[00:14:46.38] And it was a challenge for her to be able to utilize the scooter and to go up and down hills, if there were any present. And so I just think about things like that were created as a result of the ADA in terms of accessibility in public spaces. And I just think that's so powerful and it's so meaningful. And in hearing this story again, the history, the activism and the activists that put their own bodies on the line because they just wanted greater access to resources and to buildings and to spaces. So I don't know.

[00:15:19.29] It kind of hits me at an emotional level, because I'm like, wow. Like, this was created as a result of things like the Capitol Crawl, things like the Section 504 sit-in is what it's called from 1977. Like, I think all of that to me, just the power of activism to get things signed into law just so that people can have access to resources and buildings and spaces, I think that's just a beautiful story to tell and to really highlight.

[00:15:42.36] TORAL PATEL: Yeah. And for me, Anthony, I think like, as I told you earlier, I was doing my own research. And the one thing that's kind of been standing out to me as I've been reading more and more is this concept-- I keep coming back to it-- is this concept of the letter of the law versus the spirit of the law. And I think this applies to any law that comes out. And I feel as though there is a much more bigger focus on the letter of the law.

[00:16:04.62] And so we talked a little bit earlier about how people were not in favor of moving the ADA law forward because of all the changes that they would have to make to the physical spaces, which costs a lot of money, right? And so even after the law was signed in, you know, at least in my research, what I noticed is that people followed the law, but it was again, to the letter of the law. So it was at the bare minimum and not to

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the spirit of the law, which is how-- for me, when I think of it is like, the minimum, which is required by law, versus how good things can really be if you kind of follow the spirit of the law. And I agree with you that I think the changes from the Section 504 and the Capitol Crawl, the law has made significant changes in how we design buildings and how we design technology. But I think that if we actually look at the law and move towards following in the spirit of the law versus the letter of the law, I always feel like there's still so much work that needs to be done.

[00:17:01.77] And we talked a little bit about what can we do from an employee perspective? How can we challenge ourselves to become more aware? And so even basic things like when we're creating documents, like identifying are those accessible when we create PowerPoint presentations? Or PDFs, are they accessible? Just kind of keeping that thought in mind when you're working through that.

[00:17:22.23] Other things that I think we've done here within our own department, we did a challenge related to diversity inclusion. And one thing we challenged everybody to do is actually take an accessible route to work. And so granted, that within your morning, your building, your own house might not be accessible. But when you get to work, where your car is parked, all the way to your office, take an accessible route. And what did that do?

[00:17:45.58] And I think something that I realize is just how much longer it took me. Because when I didn't have to think about accessibility, I could take all the shortcuts. And then when I thought-- or added my accessibility lens and couldn't take all those necessary shortcuts that I was taking before, I just realized how much longer it took me to get to work.

[00:18:02.94] ANTHONY SIS: Because the shortcuts, I'm assuming, had like, steps and-

[00:18:05.91] TORAL PATEL: Yes. Or cut through this parking lot or through this little section over here that maybe has grass on it or something like that. If I was in a wheelchair, I might not be able to go through that area. And so then when I take the accessible route, I realize just how much longer it takes for me to get to work.

[00:18:21.15] ANTHONY SIS: Yeah. No, those are some great resources. And I remember doing that diversity challenge. So, great resources. And I remember seeing that and being like, wow. Like, that would be challenging.

[00:18:31.57] So I heard the same comments from a number of people as well, who chose that specific action. I think a lot about how I became much more informed about disability was through my work in this role, particularly with managing the website updates. So special shout out to IT, CIT here at Cornell that has an abundance of experts and information about web accessibility. So if you just type in the Search web accessibility Cornell, you can access a lot of that information. And they have a lot of information and resources exactly to your point around how to create documents accessible.

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[00:19:05.22] When you're creating a new website or managing content, what are some things you'd want to consider? For this series in particular, we've created transcripts for each and every episode so that people with various abilities can listen to and get access to the show and to the contents of the show. So these are just some specific things. And I think these are just some of the ways in which we can really honor and celebrate National Disability Independence Day every year. And I just also would encourage people to, as I said earlier, just really think about inclusion and equity and access from the jump of whenever you're doing anything.

[00:19:40.81] So really thinking about as you're creating this content or as you're creating this product, for example, with Degree, like, how are we thinking about access? And can everybody with various disabilities access these particular resources? So that's just what I'm taking away from this conversation from learning about the history of the ADA, how it got passed, and what I hope other folks will hopefully resonate with as well. What about you, Toral? What's your final word?

[00:20:07.50] TORAL PATEL: So, Anthony. I agree with everything that you said. What I would encourage people to do is just continue their own individual learnings.

[00:20:14.23] And so one of the things that you can do is learn about your own biases. There is an implicit bias test that you could take to learn about your biases. And there's one particularly related to disability. And so we'll include that link to that in our show notes as well, for you to continue your learning.

[00:20:30.76] Well, that's it for today's show. And just as a friendly reminder, we love it when you reach out to us to tell us about the impact that this podcast has had on you, whether it's at work or in your personal lives. Please be sure to subscribe to us wherever you listen to podcasts. And rate and submit a review on Apple Podcasts. For the latest updates on diversity, equity, and inclusion at Cornell, be sure to visit diversity.cornell.edu. My name is Toral Patel.

[00:20:56.23] ANTHONY SIS: My name is Anthony Sis. Thank you for listening to another episode of the Inclusive Excellence Podcast.

[00:21:02.17] [MUSIC PLAYING]