

Appendix 14C

Perspectives on the Historical Treatment of People with Disabilities

Years	Societal perspective	Treatment
1CE - 1700s	Possessed by the Devil, A Sinner	Tortured, Burned at the Stake, Left to Die
1800 - 1920s	Genetically Defective, Inferior	Hidden Away, Displayed as Freaks, Beggars
1930-1940s	Genetically Defective, Polluting the Race	Institutionalized, Sterilized, Exterminated
1940-1970	Unfortunate, Object of Charity, Pity	Institutionalized, Rehabilitated
1970-2000s	Independent, Self-Determined	Independent Living, Civil Rights, Mainstreaming

1200–1700: Accepted belief that mentally ill people (lunacy and idiocy) were possessed by the devil or evil spirits. As a result, they were routinely whipped, tortured, and burned at the stake. Disease or ill fortune was taken as a sign of having fallen from spiritual favor. Between 1400 and 1700 more than 100,000 women executed as witches. Many of these women had some form of mental illness or other age-related disability.

1501–1576: Girolamo Cardano was the first physician to recognize the ability of the deaf to reason.

1598–1601: English Elizabethan Poor Laws. People with disabilities ejected from hospitals and monastery shelters for the poor. People with disabilities were forced to beg and given a cap in which to collect alms. This was the origin of the term “handicap,” which many contemporary people with disabilities find offensive

because of its origin. Many people with disabilities provided entertainment and endured humiliation in return for food and shelter.

1616: G. Bonifacio published a treatise discussing sign language, "Of the Art of Signs."

1692: Salem witchcraft trials begin in U.S.

1696: Pieter Andriannszoon Verduyn (verduuin), a Dutch surgeon, introduces the first non-locking, below knee prosthesis. It bears a striking similarity to today's joint and corset prosthesis.

1700: Beginning of special schools for treatment of children with disabilities. First attempts to educate deaf children.

1749: French Academy of Sciences appoints a commission to determine whether deaf people are capable of reasoning.

1755: Samuel Heinicke establishes first oral school for the deaf in the world. This school was established in Germany.

Charles Michel Abbe del' Epee establishes first free school for the deaf in the world. These schools were established in France.

1760: Academy for the Deaf and Dumb established in Scotland.

Thomas Braidwood opened first school for the deaf in England.

1776: "Stephen Hopkins referred to his cerebral palsy when he signed the Declaration of Independence, saying 'My hand trembles but my heart does not'" (Shapiro, 1993, p. 39).

1780: "Gouverneur Morris, who helped draft the Constitution and was later a U.S. Senator from New York, wore a 'rough stick' to replace the left leg he lost in a 1780 carriage accident" (Shapiro, 1993, p. 39).

1787: "At the time that Benjamin Franklin was chosen to represent Pennsylvania in the Constitutional Convention of 1787, he was almost immobilized by gouty arthritis, and Philadelphia's officials arranged to have him carried into sessions in a sedan chair. His physically defective body thus did not impede his ability to function as a statesman; although the impairment that prevented his walking remained, he was not disabled" (Liachowitz, 1988, p. xi).

1800: Science begins to replace religion as the main authority guiding leaders in the West. Biology and science are used to explain the world. Instead of being seen as having a spiritual deficit, people with disabilities are seen as having a genetic deficit. People with disabilities placed under the care of medical professions, professional educators, and social workers. Almshouses, workhouses, institutions, asylums proliferate in U.S.

State mental hospitals were the first formal system of public care for the mentally ill in the United States. Such institutions were created in response to criticism of the inhumanity of "outdoor relief" and the practice of incarcerating the insane in local almshouses and jails. In contrast to the pattern of physical abuse, neglect, and ridicule that characterized these settings, the early mental hospitals were championed as repositories of hope and humane care for the mentally ill (Morrissey, Goldman, & Kierman, 1980).

While state mental hospitals were started with lofty goals of being more humane, they rapidly became transformed into something quite different. Massive waves of European immigration and the growing belief in the incurability of insanity further accelerated the transformation of state hospitals from small, intimate, therapeutically oriented "asylums" to large, impersonal, custodialy oriented "human warehouses" (Morrissey, Goldman, & Kierman, 1980, p. 2).

Racial Hygiene Movement favored government controlled policies to control reproduction so that only desirable genes passed on. It was believed that action should be taken to eradicate diseases and characteristics that “weakened the human race.” (This belief was used to justify isolation and extermination of Jews, homosexuals, and disabled people in Nazi Germany.) War was also influential in determining attitudes towards disabled people in many Western countries. Segregated schools for the blind, deaf, and mentally retarded proliferate. No work or support for graduates. Most work in sheltered workshops, such as broom factories with subsistence wages with room and board deducted. Testing and classification of the “feeble-minded” by the medical profession. Treatment: segregation and sterilization.

- 1809:** Louis Braille is born (January 4, 1809) at Coupvray, near Paris. At three years of age an accident deprived him of his sight, and in 1819 he was sent to the Paris Blind School — which was originated by Valentin Haüy.
- 1815:** Thomas H. Gallaudet departed America for Europe to seek methods to teach the deaf.
- 1817:** First school for the deaf in the U.S.: American Asylum for the Deaf and Dumb, Hartford, CT.
 Louis Braille invents the raised point alphabet that has come to be known as Braille.
- 1832:** The Perkins School for the Blind in Boston admits its first two students, the sisters Sophia and Abby Carter.
- 1840:** “Human curiosities” joined burgeoning amusement organizations, such as P. T. Barnum’s American Museum in New York City.
- 1848:** The first residential institution for people with mental retardation is founded by Samuel Gridley Howe at the Perkins Institution in Boston.
- 1849:** Massachusetts legislature appropriated funds to create the Massachusetts School for Idiotic Children and Youth in Boston.
- 1850:** Beginning of the Eugenics Movement. Goal to improve the quality of the human gene pool. People with disabilities were segregated and hidden (institutions, asylums, hospitals, segregated schools, sheltered workshops, attics) or placed on display as entertainment (freak shows, circuses).
- 1854:** The New England Gallaudet Association of the Deaf is founded in Montpelier, Vermont.
- 1857:** Thomas Gallaudet appointed head of Columbia Institute for the Deaf, Dumb and Blind, later named Gallaudet College.
- 1859:** Darwin’s *Origin of Species* published. The principle of natural selection applied to humans and society by scientists and politicians in the U.S. and Europe (Social Darwinism).
- 1860:** The Braille system was introduced to America and was taught with some success at the St. Louis School for the Blind.
- 1861:** The American Civil War (1861–1865) — 30,000 amputations in the Union Army alone.
- 1864:** The enabling act giving the Columbia Institution for the Deaf and Dumb and Blind the authority to confer college degrees is signed by President Abraham Lincoln, making it the first college in the world expressly established for people with disabilities. A year later, the institution’s blind students are transferred to the Maryland Institution at Baltimore, leaving the Columbia Institution with a student body made up entirely of deaf students. The institution would eventually be renamed Gallaudet College, and then Gallaudet University.

- 1872:** Alexander G. Bell opened speech school for teachers of the deaf in Boston.
- 1878:** Joel W. Smith presents his Modified Braille to the American Association of Instructors of the Blind. The association rejects his system, continuing to endorse instead New York Point, which blind readers complain is more difficult to read and write. What follows is a “War of the Dots” in which blind advocates for the most part prefer Modified Braille, while sighted teachers and administrators, who control funds for transcribing, prefer New York Point.
- 1880:** Congress of Milan: An international meeting of educators voted to banish sign language from deaf education and introduced Oralism (belief in the superiority of speech over signing). In 1867 every American school for the deaf taught sign language. By 1907, none did.
- 1883:** Sir Francis Galton, in England, coins the term *eugenics* to describe his pseudoscience of “improving the stock” of humanity. The eugenics movement, taken up by Americans, leads to passage in the United States of laws to prevent people with disabilities from moving to this country, marrying, or having children. In many instances, it leads to the institutionalization and forced sterilization of disabled people, including children. Eugenics campaigns against people of color and immigrants lead to passage of “Jim Crow” laws in the South and legislation restricting immigration by southern and eastern Europeans, Asians, Africans, and Jews.
- 1890:** Progressive activists push for the creation of state Worker’s Compensation programs. By 1913, some 21 states have established some form of Worker’s Compensation; the figure rises to 43 by 1919.
- 1902:** Helen Keller, the first deaf-blind person to matriculate at college, publishes her autobiography, *The Story of My Life*, in a serial form in *Ladies’ Home Journal* in the latter part of 1902, as a book in 1903.
- 1907:** Indiana became the first of 29 states to pass compulsory sterilization laws directed at people with genetic illnesses or conditions.
- 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.
- 1916:** British Braille became the English language standard (although New York Point and American Braille were both being used in the U.S.) because of the wealth of code already available in the British empire.
- 1918:** The Smith-Sears Veterans Rehabilitation Act provided for the promotion of vocational rehabilitation and return to civil employment of disabled persons discharged from U.S. military.
- 1920:** German Social Darwinists feared that the degeneration of the race was due to 1) medical care of the “weak” that had begun to destroy the natural struggle for existence and 2) the poor and misfits of the world were multiplying faster than the talented and fit. Countries with compulsory sterilization laws: Denmark (1929), Norway (1934), Sweden (1935), Finland (1935), Estonia (1936); Czechoslovakia, Yugoslavia, Lithuania, Latvia, Hungary, and Turkey (late 1930s).
Institutionalization of people with disabilities is seen as best for them and for society. People with disabilities seen as a “drag on civilization.”
Vocational Rehabilitation Act of 1920—similar to Soldiers Rehabilitation Act of 1918, but for civilians; only for people with physical disabilities.
States established workers’ compensation programs.
- 1922:** Harry Laughlin (part of the eugenics movement) drew up a model sterilization law, which served as an example for numerous state legislatures. “It required

the sterilization of the following “defective” classes: 1) feeble-minded; 2) insane (including the psychopathic); 3) criminalistic (including the delinquent and wayward); 4) epileptic; 5) inebriate (including drug habitues); 6) diseased (including the tubercular, the syphilitic, the leprosy, and others with chronic, infectious, and legally segregable diseases); 7) blind (including those with seriously impaired vision); 8) deaf (including those with seriously impaired hearing); 9) deformed (including the crippled); and 10) dependent (including orphans, ne’er-do-wells, the homeless, tramps, and paupers)” (Pfeiffer, 1993, 726).

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.

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 disabled people 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, 27 states began wholesale sterilization of “undesirables.”

Franklin Roosevelt co-founds the Warm Springs Foundation at Warm Springs, Georgia. The Warm Spring facility for polio survivors becomes a model rehabilitation and peer-counseling program.

1929: Seeing Eye establishes the first dog guide school for blind people in the United States.

1930: President Franklin Delano Roosevelt’s physical disability hidden from the American public for fear that it would detract from his power and status.

1933: German Law for the Prevention of Genetically Diseased Offspring passed.

Nazi Sterilization Program begins. Doctors required to register anyone known to have any “genetic illness” such as “feeble-mindedness,” schizophrenia, manic-depression, insanity, genetic epilepsy, Huntington’s chorea, genetic blindness or deafness, severe alcoholism. 400,000 people sterilized. Protestant and Catholic churches cooperated and helped to register people in their institutions. Sterilization was never classified as a war crime because so many other Western countries, including the U.S., had similar laws.

Franklin Delano Roosevelt, the first person with a serious physical disability ever to be elected as a head of government, is sworn into office as president of the United States. He continues his “splendid deception,” choosing to minimize his disability in response to the ableism of the electorate

1935: Congress passes and President Roosevelt signs the Social Security Act, establishing federal old-age benefits and grants to the states for assistance to blind individuals and disabled children. The act also extends the already existing vocational rehabilitation programs established by earlier legislation.

The League of the Physically Handicapped is formed in New York City to protest discrimination against people with disabilities by federal relief programs. The group organizes sit-ins, picket lines, and demonstrations, and it travels to Washington, D.C., to protest and meet with officials of the Roosevelt administration.

1937: Poll in the U.S. indicates that 45% of the population favor euthanasia for “defective infants.”

1938: Germany, England, U.S.: A movement among some physicians to recognize the “privilege” of death for the “congenitally mindless and incurably sick who wish to die.”

33 states pass sterilization laws.

1939: In Germany: End of Nazi sterilization program. Beginning of Euthanasia Program. 70,000 adults and 5,000 children put to death during the official phase and over 200,000 killed in total.

Children were killed with morphine injections, gassed with cyanide or chemical warfare agents. They were also slowly administered poisons, starved to death, and exposed to cold so that the deaths would appear “natural.”

Committee for the Scientific Treatment of Severe, Genetically Determined Illnesses sets up adult euthanasia program. Developed the technology for mass killings that was later used on the Jews. Hospitals and institutions filled out questionnaires about their patients’ schizophrenia, epilepsy, senile maladies, paralysis, imbecility, encephalitis, chronic nervous system diseases. Justification: Get rid of people who “polluted” the Aryan race. Doctors registered all such children up to 3 years old. They were paid for each registration. The committee processed all registrations and decided on the basis of the paperwork who would be killed (no consultation with doctors or parents).

1940: The National Federation of the Blind was formed in Wilkes-Barre, PA 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: In Nazi Germany a Catholic bishop, Clemens von Galen, delivers a sermon in Munster Cathedral attacking the Nazi euthanasia program calling it “plain murder.”

1942: An article in the professional journal of the American Psychiatric Association calls for killing all “retarded children under the age of five”: F. Kennedy, “The Problem of Social Control of the Congenital Defective: Education, Sterilization, Euthanasia.” *American Journal of Psychiatry*, 99(1), 13-16.

1943: Nazi Euthanasia Program expanded to include children of “unwanted” races (non-disabled and disabled).

Congress passes the Vocational Rehabilitation Amendments, known as the LaFollette-Barden Act, adding physical rehabilitation to the goals of federally funded vocational rehabilitation programs, providing funding for certain health care services, and expanding vocational rehabilitation programs to include mentally ill and mentally retarded people in vocational rehabilitation programs.

1945: President Harry Truman signed a proclamation creating National Employ the Physically Handicapped Week.

1946: Congress enacts the Hospital Survey and Construction Act, also known as the Hill-Burton Act, authorizing federal grants to the 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.

1948: The disabled students' program at the University of Illinois at Galesburg is officially established. Founded and directed by Timothy Nugent, the program moves to the campus at Urbana-Champaign, where it becomes a prototype for disabled student programs and then independent living centers across the country.

1950: Laws still on the books in some states prohibiting persons "diseased, maimed, mutilated, or in anyway deformed so as to be an unsightly or disgusting object" from appearing in public.

The Social Security Amendments of 1950 establish a federal-state program to aid the permanently and totally disabled (APTD). This is a limited prototype for later federal disability assistance programs such as Social Security Disability Insurance.

1954: *Brown v. Board of Education*. Education for all on equal terms. Case used to argue for desegregating education for children with disabilities in later years.

Congress passes the Vocational Rehabilitation Amendments, authorizing federal grants to expand programs available to people with physical disabilities.

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.

1956: Congress passes the Social Security Amendments of 1956, which creates a Social Security Disability Insurance (SSDI) program for disabled workers aged 50 to 64.

1958: Congress passes the Social Security Amendments of 1958, extending Social Security Disability Insurance benefits to the dependents of disabled workers.

1959: HR361—A bill to extend independent living services to people incapable of employment was twice defeated in the U.S. Congress.

1960: The first Paralympic Games, under the auspices of the International Paralympic Committee (IPC) are held in Rome, Italy.

Congress passes the Social Security Amendments of 1960, eliminating the restriction that disabled workers receiving Social Security Disability Insurance benefits be aged 50 or older.

Substandard conditions at institutions for the mentally retarded exposed in media. Educators begin questioning the desirability of special classes vs. mainstreamed classes.

1961: President Kennedy appoints a special President's Panel on Mental Retardation, to investigate the status of people with mental retardation and develop programs and reforms for its improvement.

Starting in the mid-1950s, there has been a major reform in public mental health services—a movement toward "community mental health."

Deinstitutionalization is "an effort to dismantle and close state mental hospitals and to supplant them by a network of community-based mental health services... . Between 1955 and 1975, for example, the resident population of state mental hospitals was reduced by more than 365,000 persons.... 'Deinstitutionalized' people have faced hostility and rejection from communities, have been 'dumped' in rooming houses and inner city hotels, have been 'reinstitutionalized' in nursing homes and chronic care facilities, have suffered

and died in remaining state hospitals because of money being shifted to community care" (Morrissey, 1980, p. 2-3).

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.

- 1962:** Disabled students' program at the University of Illinois. First to facilitate community living for people with severe physical disabilities.

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.

- 1963:** Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 passed.

President Kennedy, in an address to Congress, calls for a reduction, "over a number of years and by hundreds of thousands, (in the number) of persons confined" to residential institutions, and he asks that methods be found "to retain in and return to the community the mentally ill and mentally retarded, and there to restore and revitalize their lives through better health programs and strengthened educational and rehabilitation services." Though not labeled such at the time, this is a call for deinstitutionalization and increased community services.

- 1964:** Urban Mass Transportation Act of 1964, as amended (49 USC 1612) requires that systems accepting federal monies authorized under the Act must make those systems accessible to elderly and handicapped persons.

The Civil Rights Act is passed, outlawing discrimination on the basis of race in public accommodations and employment, as well as in federally assisted programs. It will become a model for subsequent disability rights legislation.

Robert H. Weitbrecht invents the "acoustic coupler," forerunner of the telephone modem, enabling teletypewriter messages to be sent via standard telephone lines. This invention makes possible the widespread use of teletypewriters for the deaf (TDDs now called TTYs), offering deaf and hard-of-hearing people access to the telephone system.

- 1965:** Medicare and Medicaid are established through passage of the Social Security Amendments of 1965. These programs provide federally subsidized health care to disabled and elderly Americans covered by the Social Security program. The amendments also change the definition of disability under the Social Security Disability Insurance program from "of long continued and indefinite duration" to "expected to last for not less than 12 months."

Vocational Rehabilitation Amendments of 1965 are passed, authorizing federal government funds for the construction of rehabilitation centers, expanding existing vocational rehabilitation programs, and creating the National Commission on Architectural Barriers to Rehabilitation of the Handicapped.

William C. Stokoe, Carl Croneberg, and Dorothy Casterline publish *A Dictionary of American Sign Language on Linguistic Principles*, establishing the legitimacy of American Sign Language and beginning the move away from oralism.

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

Elementary and Secondary Education Act (ESEA) (P.L. 89-10) federal funding was used to assist in the education of students in order to address the war on poverty.

1966: Amendments to the ESEA were put in place to assist states in their expansion of programs for children with disabilities.

1968: Virginia law that was upheld in *Buck v. Bell* (1927) was repealed, but sterilizations under it continued until 1972. By the 1960s sterilization was used in fewer and fewer cases, but 26 states still had a sterilization law for persons labeled mentally retarded and in 23 states it was compulsory (Pfeiffer, 1993, p. 726).

Architectural Barriers Act of 1968 (42 USC 4151) requires that all buildings built or leased with federal funds must be accessible.

1970: Independent Living movement begins, grass roots effort by disabled people to acquire new rights and entitlements, control over their lives. Begins to reshape relationship of disabled people with physicians and other rehab professionals. Disability Rights Movement locates problem not in the individual but in the environment (attitudes and barriers, lack of services). Judy Heumann, woman with a disability, starts the first political action group for people with disabilities (Disabled in Action).

The Urban Mass Transit Act required all new mass transit vehicles be equipped with wheelchair lifts. APTA delayed implementation for 20 years. Regulations were issued in 1990.

Developmental Disabilities Services and Facilities Construction Amendments were passed that 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.

Education of the Handicapped Act (P.L. 91-203). State grant programs were expanded for children with disabilities. In addition, higher educational institutions were given money to train special education teachers.

1971: The Caption Center is founded at WGBH Public Television in Boston, and it begins providing captioned programming for deaf viewers.

The Fair Labor Standards Act of 1938 is amended to bring people with disabilities other than blindness into the sheltered workshop system. This measure leads to the establishment, in coming years, of an enormous sheltered workshop system for people with cognitive and developmental disabilities.

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." Disabled people were no longer to be locked away in custodial institutions without treatment or education.

1972: First Center for Independent Living, Berkeley, CA. Service agency run by and for people with disabilities. Ed Roberts, a disabled man, instrumental in developing it.

American Sign Language (ASL) accepted as a way to fill the language requirement at New York University.

The U.S. District Court for the District of Columbia, in *Mills v. Board of Education*, rules that the District of Columbia cannot exclude disabled children from the public schools.

Similarly, the U.S. District Court for the Eastern District of Pennsylvania, in *PARC v. Pennsylvania*, strikes down various state laws used to exclude disabled children from the public schools. These decisions will be cited by advocates during the public hearings leading to passage of the Education for All Handicapped Children Act of 1975. PARC in particular sparks numerous other right-to-education lawsuits and inspires advocates to look to the courts for the expansion of disability rights.

Passage of the Social Security Amendments of 1972 creates the Supplemental Security Income (SSI) program. The law relieves families of the financial responsibility of caring for their adult disabled children. It consolidates existing federal programs for people who are disabled but not eligible for Social Security Disability Insurance.

1973: Disabled in Action demonstrated in New York City, protesting Nixon's veto of the Rehabilitation Act. Led by Judy Heumann, 80 activists staged a sit-in on Madison Avenue, stopping traffic. A flood of letters and protest calls were made. Demonstrations were held by disabled activists in Washington, DC to protest Nixon's veto of the Rehabilitation Act. Among the demonstrators are Disabled in Action, Paralyzed Veterans of America, the National Paraplegia Foundation and others.

Rehabilitation Act (Section 504) prohibited discrimination against "otherwise qualified handicapped" individuals in any program or activity receiving federal assistance. Considered the Civil Rights Act of the handicapped. Broadened power of people with disabilities to jointly draw up rehabilitation plans with professionals and addressed architectural and transportation issues.

In *New York ARC v. Rockefeller*, parents of residents at the Willow Brook State School in Staten Island, NY 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.

Rehabilitation Act of 1973 omitted the word "vocational" from rehabilitation legislation for the first time in the 53-year history of such legislation.

Set of amendments to the Vocational Rehabilitation Act of 1920—three sections—501, 503, 504 mandate nondiscrimination and affirmative action by federal contractors and the federal government.

"Curb cuts in sidewalks, specially designated handicapped parking spaces, accessible public transportation, ramps into public buildings, universities with special services for disabled students, equal employment practices, and many other changes that one can see throughout this society are either partially or wholly a result of section 504" (DeLoach, 1983, p. 21).

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

The Consortium for Citizens with Disabilities is organized to advocate for passage of what will become the Developmentally Disabled Assistance and Bill of Rights Act of 1975 and the Education for All Handicapped Children Act of 1975.

1974: North Carolina passes a statewide building code with stringent access requirements drafted by access advocate Ronald Mace. This code becomes a model for

effective architectural access legislation in other states. Mace founds Barrier Free Environments to advocate for accessibility in buildings and products.

The rights established in the *PARC* and *Mills* cases were incorporated in the law, Educational Amendments (P.L. 93-12).

Boston Center for Independent Living opens.

- 1975:** Education for All Handicapped Children Act passes. Provided states with funding to establish school programs for students with disabilities. Established the right for a free and appropriate education.

Developmental Disabilities Assistance and Bill of Rights Act of 1975 created state developmental disabilities councils for planning and advocacy.

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

- 1976:** People with disabilities protest at a meeting of Rehabilitation International (mostly non-disabled professionals). A motion that at least 50% of representatives should be people with disabilities was defeated.

In his election campaign, candidate Jimmy Carter promised that his administration would sign regulations that had received extensive input from affected agencies and the disability community nationwide, and which had taken years to finalize.

Federal Communications Commission authorized reserving Line 21 on television sets for closed captions.

Passage of an amendment to Higher Education Act of 1972 provides services to physically disabled students 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 were represented by the Public Interest Law Center of Philadelphia. They filed suit to require that all buses purchased by public transit authorities receiving federal funds meet Transbus specifications (making them wheelchair accessible).

- 1977:** Department of Health, Education & Welfare (HEW) issued supporting regulations to implement Sections 501, 503, 504 after unprecedented public demonstrations by people with disabilities. People with disabilities occupied the HEW office in San Francisco for 25 days: over 120 demonstrators, supported by Butterfly Brigade (a group of gay men), Black Panthers, unions, civil rights groups, McDonald's, Goodwill Industries, priests, rabbis, the mayor of San Francisco (Moscone), and other lawmakers. The action became the longest sit-in of a federal building to date. The historic demonstrations were successful and Joseph Califano, Secretary of HEW, signed the regulations supporting 504 on April 28, 1977.

When Carter's administration took office, the Health, Education, and Welfare Department immediately began revising and watering down the regulations, with no input from the disability community.

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

- 1978:** Rehabilitation, Comprehensive Services and Developmental Disabilities Legislation (P.L. 95-602) referred to as Rehabilitation Amendments of 1978.

Title VII of the above is the Comprehensive Services for Independent Living. Part B, Centers for Independent Living, funded by Congress, enabled every state to begin offering some type of IL services.

P.L. 95-602 authorized Independent Living services and advocacy for severely disabled people. Title VII of the Rehabilitation Act Amendments of 1978 establishes the first federal funding for independent living and creates the National Council of the Handicapped under the U.S. Department of Education.

1979: The U.S. Supreme Court, in *Southeastern Community College v. Davis*, rules 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 is the Court’s first ruling on Section 504, and it establishes reasonable modification as an important principle in disability rights law.

1980: Congress passes the Civil Rights of Institutionalized Persons Act, authorizing the U.S. Justice Department to file civil suits on behalf of residents of institutions whose rights are being violated.

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.

Genetic screening and testing to prevent the birth of “genetically defective” children becomes increasingly possible due to technological advances.

1981: First Congress of Disabled Peoples International: International disability rights organization formed after Rehabilitation International protest in 1976.

The newly elected Reagan Administration threatens 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, led by Patrisha Wright at the Disability Rights Education and Defense Fund (DREDF) and Evan Kemp, Jr. at the Disability Rights Center, respond with an intensive lobbying effort and a grassroots campaign that generates more than 40,000 cards and letters. After 3 years, the Reagan Administration abandons its attempts to revoke or amend the regulations.

The Reagan Administration terminates the Social Security benefits of hundreds of thousands of disabled recipients. Advocates charge that these terminations are an effort to reduce the federal budget and often do not reflect any improvement in the condition of those being terminated. A variety of groups, including the Alliance of Social Security Disability Recipients and the Ad Hoc Committee on Social Security Disability, spring up to fight these terminations. Several disabled people, in despair over the loss of their benefits, commit suicide.

The Telecommunications for the Disabled Act mandates telephone access for deaf and hard-of-hearing people at important public places, such as hospitals and police stations, and that all coin-operated phones be hearing aid-compatible by January 1985. It also calls for state subsidies for production and distribution of TDDs (telecommunications devices for the deaf), more commonly referred to as TTYs.

1983: 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.

1984: Congress passes the Social Security Disability Reform Act in response to the complaints of hundreds of thousands of people whose Social Security disability benefits have been terminated. The law requires that payment of benefits and health insurance coverage continue for terminated recipients until they have exhausted their appeals and that decisions by the Social Security Administration to terminate benefits are made only on the basis of “the weight of the evidence” in a particular recipient’s case.

Voting Accessibility for the Elderly and Handicapped Act (P.L. 98-435) requires that all polling places in federal elections be accessible for elderly and handicapped.

1985: All states have workers’ compensation programs, although they are not always compulsory.

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

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

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 are disabled.

1986: Air Carrier Access Act of 1986 (P.L. 99-435) prohibits discrimination “against any otherwise qualified handicapped individual, by reason of such handicap, in the provision of air transportation.”

The Protection and Advocacy for Mentally Ill Individuals Act is passed, setting up protection and advocacy agencies for people who are in-patients or residents of mental health facilities.

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 Handicapped Children’s Protection Act (P.L. 99-372), allowed parents to recover attorney’s fees if they were successful in a court case of due process hearing.

The Education of the Handicapped Amendments (P.L. 99-457), created early intervention alternatives for those children between birth and two years of age.

1988: Fair Housing Amendments of 1988 brought protections to disabled people in housing.

Students at Gallaudet College for the Deaf protest when a hearing president is selected by the Board of Trustees.

The Technology-Related Assistance Act for Individuals with Disabilities (the “Tech Act”) is passed, authorizing federal funding to state projects designed to facilitate access to assistive technology.

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.

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 disabled children from the setting agreed upon in the child's Individualized Education Program (IEP) without a due process hearing.

- 1989:** (September) Opening of a memorial museum for the victims of "euthanasia" and "Special Treatment 14 f 13" at a psychiatric hospital in Bernburg, Germany.

The Center for Universal Design (originally the Center for Accessible Housing) is founded by Ronald Mace in Raleigh, NC.

- 1990:** Americans with Disabilities Act becomes federal law. Extends protection of the 1973 Rehabilitation Act to private sector. Requires access and prohibits discrimination in public accommodations, state and local government, and employment, requires reasonable accommodation, access to transportation and telecommunications. Is specific where 1973 act was vague.

IDEA—Individuals with Disabilities Education Act.

Reauthorization with amendments of the Education for All Handicapped Children Act.

Technological advances also result in greater freedom, access, and independence for people with disabilities.

Deinstitutionalization of state-supported institutions for mentally retarded and mentally ill allow them to live and work in the community.

While positive in many ways, deinstitutionalization in combination with inadequate funding for services to support people who have been deinstitutionalized, also has meant an increase in homelessness among people who have mental disabilities.

Rise of Deaf Culture and belief among some deaf people that Deafness is not a disability but a different culture that is discriminated against (audism).

The Secretary of Transportation, Sam Skinner, finally issues regulations mandating lifts on buses.

The Ryan White Comprehensive AIDS Resource Emergency Act is passed to help localities cope with the burgeoning HIV/AIDS epidemic.

- 1993:** Final federal appeals court ruling in *Holland v. Sacramento City Unified School District* affirms the right of disabled children to attend public school classes with non-disabled children. The ruling is a major victory in the ongoing effort to ensure enforcement of the Individuals with Disabilities Education Act.

- 1995:** Sandra Jensen, a member of People First, is denied a heart-lung transplant by the Stanford University School of Medicine because she has Down Syndrome. After pressure from disability rights activists, administrators there reverse their decision, and in January 1996, Jensen becomes the first person with Down Syndrome to receive a heart-lung transplant.

- 1996:** Not Dead Yet is formed by disabled advocates to oppose Jack Kevorkian and the proponents of assisted suicide for people with disabilities. The Supreme Court agrees to hear several right-to-die cases, and disability rights advocates redouble their efforts to prevent a resurgence of "euthanasia" and "mercy killing" as practiced by the Nazis against disabled people during World War II. Of

particular concern are calls for the “rationing” of health care to people with severe disabilities and the imposition of “Do Not Resuscitate” (DNR) orders for disabled people in hospitals, schools, and nursing homes.

Sen. Robert Dole becomes the first person with a visible disability since Franklin Roosevelt to run for president of the United States. Unlike Roosevelt, he publicly acknowledges the extent of his disability. He is defeated by incumbent Bill Clinton.

Georgia voters elect disabled candidate Max Cleland to the U.S. Senate.

1997: Individuals with Disabilities Education Act Amendments (P.L. 105-17).

1998: 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.

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

1999: 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 decides 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) becomes law, allowing those who require health care benefits to work.

2001: The Commonwealth of Virginia House of Delegates approved a resolution expressing regret for its eugenics practices between 1924 and 1979.

2002: No Child Left Behind, producing measurable gains and outcomes in order to increase achievement.

2004: Individuals with Disabilities Education Improvement Act (P.L. 108-446).

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History Timeline Discussion Questions

1. What were the predominant cultural perspectives on people with disabilities prior to 1700 CE?
2. How did the rise of science in general and the study of genetics, in particular, affect perceptions of people with disabilities and how they were treated?
3. What does the German holocaust have to do with the history of people with disabilities?
4. What parallels do you see in the treatment of people with disabilities and People of Color from the mid-1800s to the mid 1900s?
5. How did World War II veterans' experiences affect perspectives on people with disabilities?
6. How did the black civil rights movement of the 1960s affect the development of a disability rights movement?
7. What federal laws enacted after 1960 affected the education and civil rights of people with disabilities?