

The Independent School Mindset on Physical Disabilities Is Still Behind the Times, Experts Say

By
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Independent K-12 schools have been required by law to open their doors to people with physical disabilities, including those who use wheelchairs, for nearly 30 years.

[Above: Harper Oates participates in Field Day activities at Dexter Southfield.]

Though they provide physical accommodations for students with disabilities, some schools struggle to overcome a “mindset” that prevents them from even considering enrolling such students, says Tom Glassberg, a Jackson Hole, Wyoming, philanthropist whose foundation helps cover tuition at independent schools for applicants with physical challenges. From 2001 through mid-2019, Antonio’s foundation has issued 219 grants for students at 68 schools in 28 states.

“In all the schools we’ve worked with, we’ve never had a case where there was anything physically lacking with the school that meant our grantee couldn’t thrive there, like not having wheelchair ramps,” Glassberg says.

Still, he says some schools initially question whether a physically challenged student could succeed. “I tell them, for example, ‘Hey, the student we’re describing here participates in Paralympic competitions and is a potential International Paralympic competitor. Of course, you can accommodate him.’”

Park School, an independent pre-K-12 school in Brookline, Massachusetts, found itself facing a federal lawsuit in 2016 after rejecting a prospective 4-year-old quadriplegic pupil, despite having a physically accessible campus. Because school officials quickly denied the child’s application without investigating whether they could accommodate her, the U.S. Attorney’s Office found the school violated the Americans With Disabilities Act.

Dawn Oates was stunned when the school turned down her daughter, Harper. Because the child’s twin siblings were already enrolled at Park and Oates’ husband is an alumnus, the family was familiar with the school’s academic standards and programming. Harper had tested above age level intellectually, and her parents had hired an aide to assist the child at school.

“I had brought Harper to the school many times,” Oates says. “I knew she could get to class and that they had accessible bathrooms, et cetera.”

Oates says the school raised seemingly minor objections, such as, “How will she participate in the song, ‘Heads, Shoulders, Knees and Toes?’”

In a statement to the *Boston Globe* at the time, Park School said, “Harper required additional accommodations that would have fundamentally altered our educational model.”



Harper Oates

Harper, now 7, successfully completed pre-K through first grade at Dexter Southfield, a different independent K-12 school in Brookline. Julie Powers, Dexter Southfield’s director of communications, says Harper is thriving and that feedback from teachers and other families has been positive.

Dexter Southfield made some physical accommodations. “We widened some pathways in a wooded outdoor play area, added a device to help Harper use the swimming pool and installed a wheelchair lift on the auditorium stage,” Powers says. “Public speaking is a really big part of our program here and we want Harper to be able to experience it exactly as other students do, so that means center stage. We made sure she could access it.”

Athletics are also important at Dexter Southfield. Harper joins in field races, powering her wheelchair by herself. The chair has an attachable “soccer grille.” Harper joins her classmates on the school’s skating rink by using an adapted “sit ski.”

“Next year, when she plays hockey, she’ll use her elbow to operate a hockey stick that’s attached to her sled.” Oates says. “She can participate.”

Independent schools can be a good option for students with physical disabilities if the faculty already embraces innovative teaching methods, says Emma Northey, deputy head of British International School in Boston.

“A curriculum, at the end of the day, is only a toolkit to facilitate learning,” Northey says. “The teachers are only the vehicles. Our teachers are trained to teach to the student ... and take away barriers and put support where it’s needed. That’s part and parcel of teaching.”

Glassberg says many families see another advantage to independent schools: an escape from the bullying experienced by physically challenged students in public schools.

Dorothy Swicord, special assistant to the head of John Burroughs School in St. Louis, says independent schools are the winners for accepting students with physical needs. Burroughs has a visually impaired sophomore, a junior who is deaf, a ninth-grader with partial paralysis and an incoming seventh-grader with cerebral palsy. “Our student body is so enriched by them,” Swicord says. “To be around people who are differently abled helps all of us grow and become better people.”

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Independent schools seeking to improve physical accessibility can receive both tax credits and tax deductions.

IRS code Section 44 allows a yearly tax credit for 50 percent of expenses, up to \$5,000, for "eligible access expenditures." This credit can help pay for changes to architectural, communication, and transportation barriers, as well as fund readers, taped texts, and other methods to make services more accessible to people with visual impairments, along with interpreters and devices to make services accessible for the hearing impaired.

IRS code Section 190 allows a tax deduction of up to \$15,000 per year for "qualified architectural and transportation barrier removal expenses."

Kristi Avalos, who founded Dallas-based consulting firm Accessology Inc. in 1990, says schools are sometimes not informed about the accommodations they need to provide.

"One of the biggest myths out there is that independent schools don't have to comply with the Americans With Disabilities Act. That's absolutely not true," Avalos says. "Every private school is a Title III entity [under the ADA], just the same as Walmart. Anything built since January 26, 1992 should be fully accessible. Everything built prior to that must be brought into compliance in five main areas."

Avalos warns that accessibility issues are becoming more litigious.

"In 2018, for the very first time, the number of national ADA lawsuits, just for Title III entities, which private schools fall under, went over 10,000," she says. "If you look at the

statistics for ADA lawsuits, every landmark year you see a huge increase in access-related litigation. Next year is the 30th anniversary of ADA, so that will happen in 2020.”

Tips for Enhancing Accessibility at Your School

Michael King, an architect in Fort Worth, Texas, with extensive experience in universal design, advises that school administrators “put some money in the budget every year for upgrading and coming into compliance,” even if there are no current students with physical challenges.

“It’s not just thinking about ... a student in a wheelchair,” says King. “It’s for maybe if you hire a teacher that has a disability or anybody who could be temporarily injured – just had a car wreck or broke a leg or whatever – and it’s hard to get around.”

In fact, King points out, a school building, public or private, is a public site that is visited by parents, grandparents, and other members of the public who attend events there.

“It makes it better for the people who are coming to and using your building when it’s accessible for everybody,” King says.

Every building can make continuous, simple improvements, for example, replacing round door knobs with handles, King says. “Handles make it a lot easier, really, for anybody to grasp and turn a door knob.”

When it comes to overall compliance with the Americans With Disabilities Act (ADA), there are five major components that architects, state inspectors and courts immediately look for when judging a building’s accessibility:

- Accessible parking space(s) near the main entry. “That’s always, always a major thing,” King says. The spaces must comply with proper width, along with an access aisle that is not impeded. There must be a proper curb cut and slopes.
- Accessible route from parking to the main entry. The route needs to be the proper slope.
- Access to goods and services. Once inside the building, make sure the routes to learning environments are not impeded, the doors are wide enough for wheelchair access, and the doors have handles, instead of round knobs.
- Drinking fountains. They should be mounted at the proper height, with one spout high and one spout low.
- Restrooms. Provide stalls that are accessible with proper dimensions and the following amenities at the proper height: water closets, grab bars, lavatories with handles (not knobs), and mirrors.

According to the National Association of the Deaf, ADA-required aids and services may include: interpreters, notetakers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening devices and systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunication devices for deaf persons [TTYs], videotext displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments.

Deaf or hard of hearing individuals who use sign language may use the services of a qualified sign language interpreter. Deaf or hard of hearing individuals who do not use sign language may use the services of an oral interpreter or real-time computer transcription (also called CART).

According to [FamilyConnect](#), an organization for parents of visually impaired students, and The University of Washington’s Disabilities, Opportunities, Internetworking and Technology (DO-IT) project, some accommodations for visually impaired students might include:

- Audiotaped, Braille, or electronically formatted lecture notes, handouts, and texts
- Verbal descriptions of visual aids
- Raised-line drawings and tactile models of graphic materials
- Braille lab signs and equipment labels; auditory lab warning signals
- Talking thermometers, dictionaries, and calculators, light probes, and tactile timers
- Computer with optical character reader, voice output, Braille screen display and printer
- Highlighting
- Models
- Note takers
- Dictation to a sighted person

The Texas School for the Blind and Visually Impaired suggests using audible goals and/or balls or using a radio as a goal locator (as in basketball).

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Tips for Enhancing

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