



National Multiple Sclerosis Society

Self Advocacy Worksheet (Sample – Community Accommodations)

Prepare & take action

*This worksheet is designed for you to organize your thoughts and actions for effective self advocacy in various life settings. Review the entire worksheet before you begin but **respond only to what is relevant to your circumstances.***

Organize

1. Describe your issue or concern, and your preferred solution.

I would like access to Smith Hall to join my family and friends for a Friday night fish fry.

Cause: Describe the cause of your unique situation.

I use a power wheelchair because multiple sclerosis has impaired my ability to walk. It is impossible for me to climb the stairs at Smith Hall.

Effect: Summarize what you aim to change. Describe your key intent.

In order to dine at Smith Hall, I would like a ramp installed for access to it, or access via another door.

Issue: Create a summary statement.

I would like access to Smith Hall to join my family and friends for a Friday night fish fry. Because multiple sclerosis has impaired my ability to walk, I use a power wheelchair and cannot climb the stairs to the restaurant.

Because I use a power wheelchair, I need or I want a ramp or another means of access to join my family and friends at Smith Hall.

Practice saying it.

2. List the pros and cons of taking steps toward self advocacy. **This includes identifying positive and negative aspects of your current situation, along with the potential risks and rewards associated with self advocacy.** Identify what you believe must be addressed to meet your unique needs or special concerns. Circle the aspects most important to you.

Pros	Cons
The food at Smith Hall is excellent.	I cannot access the restaurant any longer.
If I approach management, I may gain	I may be perceived as a difficult customer.

access to the restaurant.	

3. Research. Identify questions relevant to your situation or circumstances. Cite references, resources or trusted advisers for answers.

Question	Reference, Resource or Contact Information	Outcome
Am I protected by the ADA?	Department of Commerce 1-608-266-8731	To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered. <i>http://www.ada.gov/cguide.htm</i>
What are the requirements for business compliance with the ADA?	ADA Wisconsin Partnership 1-608-246-3444 or ada@eri.wi.org	Any facility opening for first occupancy after Jan. 26, 1993, must meet a fairly strict accessibility standard — being "readily accessible" to people with disabilities. That standard applies to everything from parking spaces to entranceways to restrooms. • Facilities that opened prior to the 1993 cutoff are not required to provide full accessibility. However, any major renovations that take place after Jan. 26,

		<p>1992 must make the altered areas readily accessible to individuals with disabilities, to the extent feasible.</p> <ul style="list-style-type: none"> • The ADA also requires facilities that opened prior to the 1993 cutoff to remove architectural and communication barriers when such changes are "readily achievable." Readily achievable changes are those that are easy to carry out without much difficulty or expense. <p><i>http://www.restaurant.org/legal/law_ada.cfm#overview</i></p>
<p>What are the requirements for business compliance with the ADA? (cont.)</p>	<p>ADA Accessibility Guideline for Buildings http://www.access-board.gov/adaag/html/adaag.htm#rest or 1-800-872-2253 (v)</p>	<p>ADA Title III: Public Accommodations</p> <p>Title III covers businesses and nonprofit service providers that are public accommodations; privately operated entities offering certain types of courses and examinations; privately operated transportation; and commercial facilities. Public accommodations are private entities who own, lease, lease to, or operate facilities such as restaurants, retail stores, hotels, movie theaters, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, zoos, funeral homes, day care centers, and recreation facilities including sports stadiums and fitness clubs.</p> <p>Public accommodations must comply with basic</p>

		<p>nondiscrimination requirements that prohibit exclusion, segregation and unequal treatment. They also must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements. Additionally, public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense, given the public accommodation's resources.</p>
<p>What if a restaurant fails to comply with the ADA?</p>	<p>Disability Rights Wisconsin 1-608-267-0214 http://www.disabilityrightswi.org/priority-issues/barriers-to-accessibility/</p>	<p>Complaints of Title III violations may be filed with the Department of Justice. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department is authorized to bring a lawsuit where there is a pattern or practice of discrimination in violation of Title III, or where an act of discrimination raises an issue of general public importance. Title III may also be enforced through private lawsuits. It is not necessary to file a complaint with the Department of Justice (or any Federal agency), or to receive a "right-to-sue" letter, before going to court. For more information, contact:</p> <p>U.S. Department of Justice Civil Rights Division</p>

		<p>950 Pennsylvania Avenue, NW Disability Rights Section - NYAV Washington, DC 20530 www.ada.gov 1-800-514-0301 (voice) 1-800-514-0383 (TTY)</p> <p><i>http://www.cqcapd.state.ny.us/DisabilityRightsADA/ADA.htm</i></p>
Other sites	<p>U.S. Department of Justice Civil Rights Division www.ada.gov 1-800-514-0301 (voice)</p>	
	<p>ADA Accessibility Guideline for Buildings http://www.access-board.gov/adaag/html/adaag.htm#rest or 1-800-872-2253 (v)</p>	

4. Summarize key research findings and communications. What did you learn about are your rights? What about your responsibilities?

My Rights	My Responsibilities
I am protected by the ADA due to my disability.	Complaints of Title III violations may be filed with the Department of Justice. In certain situations, cases may be referred to a mediation program sponsored by the Department.
Public accommodations, including restaurants that have opened after Jan. 26, 1993, must comply with basic nondiscrimination requirements. This includes prohibiting exclusion, segregation, and unequal treatment for people with disabilities.	The Department is authorized to bring a lawsuit where there is a pattern or practice of discrimination in violation of Title III, or where an act of discrimination raises an issue of general public importance. Title III may also be enforced through private lawsuits. It is not necessary to file a complaint with the Department of Justice (or any Federal agency), or to receive a "right-to-sue" letter, before going to court. For more information,

	<p>contact:</p> <p>U.S. Department of Justice Civil Rights Division 950 Pennsylvania Avenue, NW Disability Rights Section - NYAV Washington, DC 20530 www.ada.gov 1-800-514-0301 (voice) 1-800-514-0383 (TTY)</p>
<p>Properties on or eligible for listing on the National Register of Historic Places, or properties designated as historic under state or local law, are subject to less stringent requirements if full compliance with ADA would threaten their historical significance.</p>	
<p>Smith Hall is a historic 1883 landmark and may be subject to less stringent requirements.</p>	

5. Identify who has authority regarding your situation. Begin by determining the front line for customer service, but also be alert for names and contact information of those at higher levels. Put a star next to the name of your first point of contact.

Smith Hall

General Manager: Name
Manager: Name

Phone: 1-555-555-5555
Address: North Street

6. Brainstorm possible solutions to address your concern.
 - Install ramp or lift at front stair entrance.
 - Offer other means of entrance toward rear of restaurant, using lift for ramp.
 - My preferred solution is to gain access to the restaurant, whether via the front or a side door.
7. Review your rights and responsibilities (see 4 above). Revisit question 6. Put a star next to your preferred solution(s), given your rights and responsibilities.
 - Restaurants built after January 1992 must comply with the ADA.
 - Because construction of Smith Hall predates the ADA, it is required to meet less stringent requirements.

- *My preferred solution is to gain access to the restaurant, whether via the front or a side door.
8. Anticipate objections or resistance to your preferred solution(s). Summarize your responses to the likely arguments in response to your request. Reference information you can use to support your argument.

Objection	Response	Reference or Resource <i>in support of your response</i>
Smith Hall Restaurant is designated as historic and is exempt from ADA accessibility standards	It is true that properties on or eligible for listing on the National Register of Historic Places, or properties designated as historic under state or local law, are subject to less stringent requirements if full compliance with ADA would threaten their historical significance.	
	This request, though, is really a request for better customer service.	
	I would very much like to continue the tradition of enjoying your Friday night fish fry.	

9. Establish a fall-back position or “bottom line” if your preferred solution is not adopted. What are you are willing to settle for?

I would settle for access from the back door, not the front door.

What options do you have if your bottom line is not met? Is there a formal review or appeal process? Conduct initial research and determine next steps for an appeal process.

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Department of Justice (or any Federal agency), or to receive a "right-to-sue" letter, before going to court. For more information, contact:

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10. Revisit the positive aspects of your situation (see 2 above). Recall these during the course of your self advocacy journey.

The food at Smith Hall is excellent and the atmosphere is festive.
We have enjoyed eating there for years.
I'd like to keep the tradition alive by continuing to eat there.

Prepare – Determine your method & timing

Prepare

Determine your method and timing. In general, more personal and less formal communication will be perceived as less threatening. Consider the benefits and drawbacks of initially discussing your situation in person, via phone, or in writing. Identify your preferred option.

If you intend to call or visit in person, remember to consider the most convenient time for your point of contact.

Practice

Draft a letter about your issue and the outcome you hope to see. Revisit it a day or two later. Make any necessary revisions. Be concise, clear and cordial. Rephrase any aggressive or disrespectful statements. Include complimentary or positive remarks. Show your revised letter to someone whose judgment you respect. Ask for their feedback.

Role play. Practice how you will state your points. Ask a friend to role play with you. Take a turn advocating your point of view. Switch roles. Listen to your partner advocate your point of view. Pretend you are on the phone, too. Discuss what you observed during the exercise.

Rehearse on your own. Deliver your main points in front of a mirror. Listen to your voice: maintain an easy pace and moderate volume. Watch your facial expressions; try to remain relaxed and open.

Take Action

- Review your work above.
- Schedule an appointment by placing a call or writing a letter to the front line of customer service who can address your circumstances.
- Take detailed notes during your discussion, including names, dates and contact information. Save them along with notes from future conversations, and file them in chronological order. Include any correspondence related to your issue, with the results of any research or other documentation.
- Establish next steps and mutual accountability. Agree upon a timeframe for next steps or issue resolution.
- Follow up. Provide any promised information or resources within the agreed upon timeframe. Renegotiate if you will be delayed, or if your point of contact fails

to respond. Offer to provide additional information or resources to resolve any questions. Restate your issue and the outcome you hope to see. Commit to a timeframe for issue resolution.

Write a thank you note if you achieve your desired outcome. This is not only polite, but documents your agreement.

Remember, you may need to follow up to ensure your desired outcome.

If you receive no response or an unsatisfactory response, consider how much additional effort you are prepared to invest. Often, an appeal to a higher level is possible. Research the options relevant to your particular situation. Consider what is at stake to determine whether or not to proceed.

If the situation involves family, broadening the discussion to include a trusted counselor or clergy member may be useful.