

A Survey of the Americans With Disabilities Act (ADA) Accommodation Request Experience of Persons Who are Blind or Who Have a Severe Visual Impairment

**Part II of a Three Part Series on
The Impact of the ADA on the Employment of
People Who are Blind or Who Have a Severe
Visual Impairment**

John Jay Frank



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John Jay Frank, Ph.D., CRC, LPC

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Mississippi State University
Rehabilitation Research and Training Center
on Blindness and Low Vision
P. O. Box 6189, Mississippi State, MS 39762
(662) 325-2001, TTY: (662) 325-8693

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Introduction

A three-part project was developed to help vocational rehabilitation (VR) professionals, people with severe visual impairment, and employers better understand the Americans With Disabilities Act (ADA) request for accommodation process. Phase 1, completed in 2003, was an interview study of 9 individuals from those three groups. The purpose was to investigate the following question:

1. (a) What do individuals who are blind, VR counselors, and other stakeholders identify as the salient information needed for individuals who are blind or severely visually impaired to request a job accommodation; and (b) What are the major factors (e.g., workplace culture, cost and magnitude of accommodation) influencing the likelihood of individuals with severe visual impairments requesting and receiving a job accommodation?

The results from that first study indicated that people who are blind received limited or no help from employers with the accommodations they requested. The major factor influencing the likelihood of receiving a job accommodation was the involvement of specialists from state VR services or state Centers for the Blind. Employers relied on the expertise and the finances of state VR agencies for accommodations that were simple and, at face value, the responsibility of the covered entity under the ADA. Some rehabilitation counselors felt that just being allowed on the employer's property to evaluate the situation and provide everything needed was an accommodation under the ADA. Counselors did not seek anything beyond that due to their belief that entities covered by the law would not provide them and would not hire a person with a severe visual impairment if they were required to pay for accommodations beyond very inexpensive items such as an inexpensive lighting change. Employers who had a history of hiring people with disabilities continued to do so, but among those, people with some functional vision fared better than those who were totally blind.

Phase 2, a survey based on the findings of Phase 1, examined the experiences of people who are blind or have a severe visual impairment with the ADA employment-related accommodation request process.

This project follows the recommendations of the International Conference on World Wide Disability Employment Policy, a project of the Independent Living Research Utilization Center (ILRU), as well as the recommendations of the National Institute on Disability and Rehabilitation Research (NIDRR), Long Range Plan (LRP), which suggest soliciting the comments of people with disabilities (ILRU, 2002; NIDRR, 1999). This project also follows the recommendations for evidence-based research from Campbell and Schutz's (2004) Technical Assistance Guide which calls for examining the outcomes experienced by the people affected by an intervention, rather than just the outputs or tasks of a project or policy.

In this monograph, "impairment" or "severe impairment" are the terms usually used for those who face barriers created by disabling environments per the New Paradigm of Nagi (1969) and Hahn (1984). This follows the World Health Organization's International Classification of Functioning Disability and Health (ICFDH-2) (2001) that evaluates the disabling impact of the social and physical environment on a person with a severe impairment. The project also uses the ADA's definitions of disability discrimination. In Section 102, (5)(A), "the term 'discriminate' includes not making reasonable accommodations . . ." (ADA, 1990). Section 3 of the ADA, states further, "As used in this Act: (1) The term 'auxiliary aids and services' includes . . . (B) qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; (C) acquisition or modification of equipment or devices." Also according to the ADA's definition, failure to accommodate that is later justified because it would be an undue hardship is still disability discrimination because the ADA's regulations, unlike Section 504 of the Rehabilitation Act of 1973 as amended, do not make the undue hardship defense part of the definition of reasonable accommodation (National Council on Disability [NCD], 1996).

Overview

This report presents the findings from a survey of the work-related ADA accommodation request experiences of people who are blind or have a severe visual impairment over the 5 years 2000 to 2004. Respondents described the accommodation(s) they requested, the entities to whom requests were made, the responses to requests, and the effectiveness of anything received, and any redress process used and its effectiveness. Those who made few or no requests or did not file complaints were asked why they had not requested accommodations or sought redress.

Of 151 respondents, 113 (74.8%) described 311 request situations (mean = 2.75, mode = 2, range 1 - 8). The remaining 38 (25.2%) reported making no requests in that time period. Requesters estimated their request frequency for the entire 5 years was $\bar{x} = 5.7$, or 1.14 per year. Requesters experienced a failure to effectively accommodate rate of: (a) 38.3% during job applications and interviews, (b) 35.3% on-the-job, (c) 33.3% by schools or training programs, (d) 60% for the services of government entities, and (e) 52.1% for the services of private entities. The combined weighted mean of the failure to effectively accommodate rate was 42.9%.

The report begins with a literature review on the evaluation of the ADA's impact that focuses on the following five contexts in the literature:

- The debate over the meaning of the ADA and how to research it
- The misuse of indirect measures such as national data sets
- The omission of the perspective of people with severe impairments
- The omission of the mention of the ADA in relevant, related areas
- The ADA's functional use as a tool for acquiring access.

The continuing debate and lack of relevant research reveal a failure to monitor the ADA and a failure to develop useful applications for this law. This impedes implementation of the ADA. The literature suggests there is a prevalence of systemic disability discrimination in research and academia.

Literature Review

The Americans with Disabilities Act (ADA) of 1990 is titled "An Act to Establish a Clear and Comprehensive Prohibition of Discrimination on the Basis of Disability." (ADA, 1990). This is defined further in the ADA in SEC. 102. DISCRIMINATION, (5)(A), "The term 'discriminate' includes not making reasonable accommodations." The Long-Range Plan for Fiscal Years 2005-09 of the National Institute on Disability and Rehabilitation Research (NIDRR) reiterates this; "Entitlement to accommodations is a cornerstone of the ADA. Accommodations are particularly important in supporting work and education." (NIDRR, 2006, p. 8171).

Therefore, an obvious focus for evaluating the impact of the ADA on the employment-related goals of people who are blind or have a severe visual impairment is the ADA accommodation request process. The perspective of the review of the literature and of this study, as suggested by Burris and Moss (2000) is that the impact of the ADA can be measured by noting whether people rely on it and whether covered entities comply with it. This follows Nadler's (1991) suggestion that understanding the help-seeking process would lead to designing more effective helping programs, better use of resources, and improved personal coping. This project also builds on Tuttle and Tuttle's (2004) clinical observations of the ways people who are visually impaired relate to requesting assistance and the ways people who are in a position to provide assistance relate to giving assistance.

This study can help locate useful applications of the law for obtaining, retaining, and advancing in employment. It is an evidence-based, relevant, intermediate outcomes measure of the implementation and impact of the ADA. The few previous efforts to examine the receipt of accommodation are presented last in this review. The prevailing literature on the ADA's impact is described first in order to present this study within the context of the ongoing controversy over the law and the epistemological controversy

over how to research the law's impact.

The Contexts of Evaluating the Implementation of the ADA

Silverstein, Julnes, and Nolan (2005, p. 429) note that "Objective evaluation of evidence to assess public policy requires an understanding of the context in which the policy is implemented." A necessary point to add to their concern is that evaluating research on a policy requires knowing the context of that research. The salient characteristic of the contexts of the professional literature on the ADA, be it a legal, economic, or research report is the continuing debate over first, its value; is it a good or a bad law according to some measure, second, its meaning and the meaning of its various parts, and lastly, its locus of responsibility; that is, who should do what to make it work. These three contexts are sometimes interchanged which makes discussion of the impact of the ADA confusing at best.

Restricting Research on the ADA By Changing Definitions

Several writers insist the ADA is an employment policy (Bagenstos, 2004; Burkhauser & Stapleton, 2004; DeLeire, 2000; Silverstein, Julnes, & Nolan, 2005). If the ADA is defined as an employment policy, its value and measure could be whether it improved employment levels for people with severe impairments. However, the ADA does not mandate employment. That re-definition diverts attention from its real purpose which is to prohibit disability discrimination. Bagenstos (2004) further requires that all disability types be included in research because, "it (is) . . . impossible to muster statistical proof of discrimination on a disability-by-disability basis." (p. 538). In his opinion, this is because of the large variety of disabilities, and the small number of people with any particular disability who would apply to a specific employer, which would make it harder to prove discrimination due to disability as compared to race or gender discrimination.

Although the ADA may be harder to measure, a recent example of gender discrimination illustrates the significance of this technique of control over or changing of definitions. Systemic gender discrimination in medical

research began with the view that the male is representative of the normal human condition (Simon, Hai, Williams, Adams, Ricchetti, & Marts, 2005). As a result of that definition, only 3% of the National Institutes of Health's (NIH) funding resources went to research into women's medical issues which had a negative impact on women's health (Simon, et al. 2005). Research may ignore the concerns of a population by changing and controlling definitions. The NIH example reflects a successful effort to expose and correct that practice. The examples cited in this review of the literature on the ADA reveal an ongoing conflict over control of definitions in research and discussions related to the ADA. This issue will be noted in regard to claims that the ADA is an employment policy, in claims of what research must do or include to examine the ADA, and in works that change the definitions of its concepts, processes, or the tools used to measure it.

Another claim of what science cannot do comes from the online ADA training program of the NIDRR funded Southeast Disability and Business Technical Assistance Center (SEDBTAC). It declares "There is no way to objectively measure the ADA except in the context of a specific individual in a particular situation" (SEDBTAC, 2003). A basic tenet of science is that what can be measured can be changed. The SEDBTAC training assures disability discrimination will not change or only change slowly by claiming the ADA cannot be objectively measured. A case-by-case approach assures sensitivity to individual differences. However, there are obvious and common types of accommodation that require minimal discussion that are mentioned in the ADA as examples of accommodation needs. An example from the present study is a one-time reader for a job application. A case-by-case approach to evaluating the impact of the law inhibits measurement of the ADA's impact by minimizing or ignoring the existence of the observable, pervasive, common, and redundant, functional cause and effect processes of disability discrimination defined by the law.

The SEDBTAC shares technical information on accommodations. It follows its information sharing activities with a survey to find out if what they distributed was helpful in general. They do not ask how it was used to

offset disability discrimination. They contact large numbers of people, but claim it is impossible to use empirical approaches to measure the impact of the ADA. That claim disavows social science research techniques and the use of their own customer feedback survey to measure the ADA's impact.

Despite the SEDBTAC's training, studies have collected the general impressions of people with disabilities. Studies have examined whether people felt their lives are better due to the ADA, if access is better now, and opinions on the latest advocacy issues (Hinton, 2003; National Organization On Disability [NOD]/Harris, 2004; O'Day & Goldstein, 2005). These studies gathered opinions rather than operationally defined data. Such general impressions do not indicate how the ADA functions, only that people were not seeing much positive results from the ADA in areas where they need access. They affirm a concern exists for access in many areas.

Gould (2004), Director of Research and Technology for (NCD) directs the science concerning the ADA by defining who to research. He claims evaluation of the ADA requires input from many stakeholders in order to balance conflicting interests. According to Gould, entities affected by the law, not just people who are disabled by those entities must be included. Gould's desire to hear from both the perpetrators and victims of what is now a crime might be impossible to accomplish. Entities covered by the ADA are defined and easy to find, but people who file ADA complaints lose in an overwhelming majority of the complaints with the Equal Employment Opportunity Commission (EEOC), the Department of Justice (DOJ), or in private lawsuits (Allbright, 2002; Moss, Burris, Ullman, Johnsen, & Swanson, 2001). Contrary to Congressional findings (ADA, 1990), but according to the redress process, people who have experienced disability discrimination who had legal standing may be hard to locate to include in Gould's balanced research. Covered entities would have to describe their own criminal behavior to researchers. Gould's balance and the ADA redress process thus, leaves the entities covered by the law with the only voice. Hernandez, Keys, and Balcazar (2000) noted that employers express positive attitudes concerning the employment rights of workers

with disabilities, but their behaviors might not match their attitudes.

Colker (2005) called enactment of the ADA a fragile compromise, but compromise in the redress of discrimination rarely occurs. One reason for this, noted by O'Brien (2001), is that people with impairments have little access to the legal system. Research restricted to Gould's (2004) inclusion of all stakeholders and Bagenstos' (2004) inclusion of all disability types cannot describe the disability discrimination prohibited by the ADA.

Another restrictive research approach is to examine the law by Title. While this may be suitable for a judicial evaluation of the law, it impedes understanding the whole functionality of the law. Schall (1998) wrote that all of the ADA's Titles have a tangential impact on employment (Title I, Employment, Title II Public Services, Title III, Public Accommodations, Title IV, Telecommunications, and Title V, Miscellaneous). In the same vein, I wrote that the ADA functions as an integrated whole (Frank, 2003a). In my opinion, research that examines only one Title of the law at a time distorts the experience of having a severe impairment and needing access. The impact of the ADA on employment is obscured by a piecemeal approach to the confluence of events which may all be required for employment. When one part is inaccessible, or the struggle in one area is overwhelming, the whole is affected. That is a functional Gestalt which effects employment, but is absent in research on separate Titles of the ADA.

Redefinition of the ADA's Essential Concepts

The underlying concept of the ADA is the New Paradigm formulated by Nagi (1969) and Hahn (1984). They described the Old Paradigm, or medical model as viewing disability as being the result of, and equal to an impairment residing within the person with the impairment. From the Old Paradigm focus, the problem and area to fix are the limitations within a person. The New Paradigm sees disability as the result of the interaction of a person with a severe impairment and the social or physical environment. According to the New Paradigm, environment, not just impairment creates disability. Change is needed in the environment, not just in the person.

That change is resisted and that resistance seeks to undermine the ADA.

In their list of the things that policymakers should demand from researchers who examine the ADA, Silverstein et al. (2005) redefine the underlying concept of the ADA by claiming the New Paradigm means, “Disability is a normal aspect of the human experience that in no way diminishes a person’s right to fully participate in all aspects of society, including work.” Silverstein et al. are promoting a *human variations* model of disability in place of the *minority group civil rights* model that is the basis of the ADA. Their new definition is not new. I heard this model used in regard to variations in skin color to oppose legislation against racism. Now it reappears regarding people with severe impairments. Variation in human functioning is normal, but discrimination will not go away by normalizing differences. The Nagi/Hahn New Paradigm counters the person-blaming medical model by focusing on how disability is created by the environment. The environment creates disability and can be changed, but change is resisted. Disability substantially diminishes a person’s right to participate in all aspects of society, including employment. To counter this, measures such as the ADA are needed. Disability can be ameliorated, not just by healing, equipping, or training the person with a severe impairment, but by changing the environment. The ADA’s underlying concept requires the affirmative action of changing the environment, not just changing attitudes.

In addition to redefining the law’s essential concept and asserting that the ADA is an Employment Act, Silverstein et al. (2005) try to limit its scope by claiming Congress intended it would only have limited effect. In contrast, the findings and purposes mentioned in the law (ADA, 1990) describe the vastness of its scope and intended impact. The employment sphere is covered by the ADA, but the ADA is a civil rights law, not an Employment Act. Hiring is not required. A person with a severe impairment must be qualified and able to perform the essential functions of a job. Batavia and Schriener (2001) noted that people with disabilities might not be the most qualified applicants for a job, with or without accommodation. The ADA may indirectly affect employment by requiring accommodations and reasonable changes to the environment. However, the issues remain as to

whether those changes occur and whether they are effective.

The ADA request process has also been redefined by researchers. Crudden, McBroom, Skinner, and Moore (1998) highlighted barriers to employment faced by people with severe visual impairment. The opinions of what barriers existed were reported by 166 survey participants and included employer attitudes about blindness (69%) and discrimination in hiring (57%). How those attitudes or discrimination manifested were not described. The authors repeated the partial description of the ADA request process found in Rumril and Scheff (1997), that "In fact, employees are not eligible for accommodations under Title I if employers are not notified of their disability." However, these authors failed to give the fuller description, that if an impairment is obvious, such as a person having a white cane or dog guide, or wheelchair, those visual indicators constitute notification. Further, some accommodations should be in place prior to any requests. Researchers redefined the ADA request process by omitting that context.

Rumril and Scheff (1997) seem to reverse roles and responsibility for the ADA process. They write, "it is up to the employee to help implement solutions with the cooperation of the employer." This appears to substitute the successful vocational rehabilitation (VR) perspective in place of the ADA's new approach. In the VR process, knowledgeable counselors implement accommodation with the cooperation of the employer. The ADA has not transferred that expertise onto individuals with severe impairments. Employees cannot know the resources of an employer, or all a job may require, or all possible accommodations. The ADA does not prohibit the ignorance of a person with an impairment. In contrast, the ADA puts the burden on employers to not discriminate on the basis of disability. They must learn how to accommodate or hire experts to implement them while the employees cooperate. It seems that Rumril and Scheff's description of the request process changes the locus of responsibility for implementation.

Concepts essential for measuring the impact of the ADA are also being redefined. Schneider (1982) recommended measuring a policy's implementation by observing if, and how well tasks of the policy were

performed. In contrast, Campbell and Schutz (2004) recommended examining not just the output or results of tasks but their outcome on targeted groups, that is, people with disabilities. They label the completion of tasks as “outputs,” or “short-term outcomes.” They label the impact on the people a policy or intervention intended to benefit “intermediate outcomes.” An example they used is that if an intervention was created with a goal of making a playground accessible, then the number of children with impairments who use that facility after the intervention is complete is the measure of success, not just the completion of tasks used to transform or publicize the playground. Campbell and Schutz suggest determining the impact of a policy by evaluating its affect on people with disabilities.

An outcomes approach is required in evaluation of federally funded projects. However, the SEDBTAC redefined the meaning of “outcomes” with its new “outcomes” evaluation approach for training and information dissemination projects (SEDBTAC, 2006). Activities were reported that resulted in several entities making changes to become more accessible. In addition, people were trained in civil-rights self-advocacy who then trained others. However, these all appear to be the results of tasks. They reported outputs, or short-term outcomes, but labeled them outcomes. These were valuable tasks and results, but none of the measures actually reported on the impact the interventions or training had on the targeted group, that is, people with disabilities who should benefit from the access or training.

An intermediate outcomes question on businesses that became more accessible, (per the example of a playground) could be, “Does anyone with a disability frequent that establishment and what is their access experience there?” Frency, Patrick, and May (2000) is an example of such research. An outcome question on civil-rights self-advocacy training might be, “Did the graduates of the training make requests for access or were they successful gaining access?” Out of four studies of programs to teach people with disabilities to be better able to seek accommodations, only one (Rumrill, 1999) showed an increase in requests. One did not report on request activity (Palmer & Roessler, 2000). Two (Aune, 1991 and Durlak, Rose, &

Bursack, 1994) showed a decrease in requests - their effect was opposite of what was intended. In an environment of de facto voluntary compliance, an ADA intervention is not successful just because it occurred and people learned or taught others. Ramps may be built and training may occur, but their outcome on the targeted population remains unknown. Reports of the successful completion of various necessary and worthwhile activities do not reveal if they reduced disability discrimination. Outputs are not outcomes and short-term outcomes are not intermediate outcomes.

These re-definitions change the meaning of the ADA, and the ADA's processes, and the means of evaluating the ADA. Whether by intention or by mistake, they change the context of research on the ADA. Their affect is to ignore disability discrimination and people with severe impairments who suffer it. Changing definitions of what science can do hinders or blocks researchers from examining the ADA's impact on disability discrimination.

The Impact of the ADA Inferred from Data on Employment

Collignon (1997) suggested using inexpensive and easily available data to investigate the ADA's impact. Parsimony is an important element of science if it produces good, rather than merely cheap results. Kirchner (1996) noted that using national data sets to evaluate the ADA simply because the data are available is misleading. The data may be unreliable, inconsistent, highly individualistic, or irrelevant. Further, the ADA may be having a significant impact, but still not affect aggregate statistics. Even so, national data sets are used by some researchers to infer the impact of the ADA (e.g., The Current Population Survey [CPS], The Survey of Income and Program Participation [SIPP], and The National Health Interview Survey Supplement on Disability [NHIS-D, 1994- 95]). These sources were used to evaluate the assumption of the ADA; that decreased discrimination and increased access will result in increasing the rate of employment for people with severe impairments. However, there is no evidence that disability discrimination has decreased or access increased despite the ADA. The assumption of successful implementation of the law is another

misleading, and often unstated context in the literature on the ADA.

The ADA access regulations are still being developed 16 years after the law was enacted. Alternate formats to provide access to print are crucial to people who are blind and all copyrighted material must comply with the ADA. However, the National Instructional Materials Accessibility Standards (NIMAS) were only recently established for K - 12 educational material and are expected to begin to function in 2006 (NIMAS, 2005). Publishers of other materials may eventually comply with the ADA too, if their assumptions of the potential for copyright infringement do not derail the process. Even if standards exist, they may still not be implemented. Pedestrian safety is crucial to people who are blind. The Federal Highway Administration approved accessible pedestrian signals for intersections, but it still took mass demonstrations to get a state agency to comply with the ADA and agree to install them by 2015 (Pietrolungo & Sheehan, 2006). Thus, the ADA is not yet implemented. People who are disabled by their environment must still wait for technical or political action for it to function.

Stapleton, Burkhauser, and Houtensville (2004) examined national data sets and concluded that the labor force participation of people with severe impairments was lower during the 1990s. Burkhauser and Stapleton (2004), Stapleton and Burkhauser (2003), and DeLeire, (2000; 2003) concluded that this was due to the ADA and/or to an increase in access to Social Security Disability Insurance (SSDI). Burkhauser and Stapleton (2004) offered three reasons for the decline in employment. The first is that people have more impairments or more severe impairments than at times when employment rates were higher. That is, a severe impairment as it has historically affected working is not a sufficient reason for a decline in rates of employment. They found however, that there are not more, or more severe impairments. Secondly, they opine that the potential cost of ADA litigation and the cost of accommodations are a disincentive to employers' hiring of someone with a severe impairment. Thirdly, they claim the easing of eligibility standards for SSDI encourages people not to work. Burkhauser and Stapleton point to SSDI and the ADA and state; "The unprecedented fall in the employment rate of working age people with disabilities was a

direct effect of the unintended consequences of public policies.”

Burkhauser and Stapleton (2004) assert that labor force participation rates should have increased during the decade of the 1990s as a result of higher government expenditures for rehabilitation services, but that this was offset by the passage of the ADA and the expanded access to SSDI. They make no mention of the limited implementation of the ADA and other factors such as, the increased outsourcing to foreign countries of the kinds of work that may be performed by people with disabilities, the migration of business to suburban locations that lack accessible public transportation, or the increased use of inaccessible technologies, such as the Graphic User Interface (GUI) and computer touch screens.

More importantly, all three, DeLeire, Stapleton, and Burkhauser seem to ignore disability discrimination, which is what the ADA prohibits. Failure to implement or enforce the ADA, not the ADA itself, is not one of the options they discuss. Bagenstos (2004) acknowledges this contextual omission, but does not connect that to a misinterpretation of the data. The data are debated while the possibility that the ADA may not be operational or implemented is ignored, and thus, is not causing any affect on the data other than to leave people with little choice besides accepting SSDI.

Bagenstos (2004) called the above studies “reactionary perverse-results research” because they oppose the ADA by suggesting it harms the people it intended to help. Although Bagenstos disagrees with Stapleton, Burkhauser, and DeLeire’s conclusions that the ADA should be repealed, he thinks the data deserve attention because the ADA's backers argued forcibly that the law would improve the employment levels of people with disabilities. He thus redefines the law’s purpose based on the intensity of the political battle that helped get the law enacted.

Another contextual aspect of the work of Stapleton and Burkhauser (2003) is that each theory they propose to explain lower employment rates finds that people who have a severe impairment, not employers, are responsible for diminishing the intended beneficent affects of the ADA.

Their theories to explain their finding of a correlation between employment levels and the passage of the ADA are that those who are unemployed are too disabled, too costly, or too well off to want to work. A person-blaming approach finds causes and solutions to problems created by disability within people with impairments rather than within the environment (Gross, Wallston, & Pilliavin 1980; Kagle & Cowger, 1984; Nelson, 1980; Rubin & Roessler, 2001). That approach discredits people with impairments and protects the entities that discriminate against them (Barnes, 1996).

However, if those person-blaming choices were accurate, they would indicate that the ADA has had no impact on rates of employment because if no accommodation would help, due to the severity of an impairment, or if none would be required, because its expense made it an undue hardship to an employer, or if none were requested by people who did not seek employment because they were satisfied with the lifestyle afforded by their SSDI benefits, then the ADA would not apply and the law would have had no effect on the data. The logic they apply to other researchers' analysis of national employment data is thus, inappropriate and is a person-blaming approach. They claim to find perverse-results from the law, and they blame the beneficiaries of the ADA for their own unemployment without mention of disability discrimination or the limited implementation of the law.

DeLeire (2000) defines the ADA as a law designed to increase the demand for the labor services of people with disabilities by requiring that employers provide accommodations. DeLeire calls it a common sense notion that an employer would voluntarily provide an accommodation if it improved the productivity of an employee with a disability enough to cover the cost of that accommodation. He asserts that the law was designed to require that employers do what logically would financially benefit them. He is thus, debating Congress' determination that employers historically failed to accommodate or hire people with disabilities out of prejudice and thus a legal mandate that prohibited discrimination was required (ADA, 1990).

DeLeire (2003) claims that unlike the successful Civil Rights Act,

employers fear the burden the cost of accommodation places on them. They therefore, hire fewer people with disabilities, that is, they discriminate more. Instead of saying employers violate the law, he concludes the ADA harms the people it intended to help. However, I remember the civil rights era. Employers then were concerned about the costs to hire, train, and retain people who were poorly trained by unequal educational systems and who lacked competitive work habits. At that time, the worst riots occurred after the Act was signed. After that, the federal government aggressively enforced hiring quotas. If fear is a factor, as DeLeire (2003) claims, then it seems the fear of riots and fires destroying cities, and the fear of effective government intervention are the fears that make a civil rights act succeed. DeLeire acknowledges that the analysis of SIPP data cannot identify the effects of the ADA from the effects of any other programs, but he contends that lower employment and lower wages for people with disabilities are the result of the ADA, because the law's passage incidentally coincided with supposedly lower labor rates.

Stapleton and Burkhauser (2003), and DeLeire (2003) base their conclusions in part on the data manipulation of Acemoglu and Angrist (2001) that found a lower rate of employment during the first decade the law was in effect. However, Dickerson, Smith, and Moore (1997) reported that the rate of employment of people with disabilities has declined since 1970, when the rate for all people with disabilities was 41%. That is before the ADA of 1990 or the Rehabilitation Act of 1973 were enacted. Further, Moon, Chung, and Yang's (2003) statistical manipulation of the same databases and time frame used by Acemoglu and Angrist came to the opposite conclusions. Moon et al. found an increase, not a decrease in employment levels of people with severe impairments during the decade of the 1990s. However, either way, arguments to connect the coincidental passage of the ADA to data on employment levels are inappropriate. Findings that use inexpensive database manipulation are not relevant because they miss the ADA's prohibition of disability discrimination.

Gould (2004) and Silverstein et. al. (2005) questioned whether it is

possible to determine if failures of a policy were due to the quality of the policy or due to a lack of implementation of the policy. This concern leaves open the debate over the value of the ADA. Gould (2004) undermines the need for research on disability discrimination by asserting that if the source of failure were determined, the issue would become the extent a policy is complied with which requires baseline data that does not exist. However, requiring pre- and post-ADA data seems to presuppose that the data would reveal incremental changes, If the failure to comply is a large, ongoing problem, before and after data is not needed. Research is needed simply to begin to describe the disability discrimination prohibited by the ADA.

An unproven assumption of implementation may negatively affect existing programs. Despite presenting no evidence of implementation of the ADA, Schriener, Rumrill and Parlin (1995) suggested the ADA makes specialized services based on disability inappropriate. They propose instead the use of mainstream service delivery for education and training, health care, and enforcement of civil rights. Thus, without measuring its implementation or impact, the law designed to liberate people with severe impairments is used to justify dismantling proven and effective systems that aid people with severe impairments. Inferring impact without regard to implementation were flaws with the evaluation of earlier federal policies (Pressman & Wildavsky, 1973; Ryan, 1971). Ryan believed those flaws were deliberately used to deflect investigation of discrimination.

The ADA Complaint Data

Studies on the ADA's redress processes relate to both the question of its implementation and its locus of responsibility, that is, whether and to what degree it is being implemented and who is responsible for advancing or impeding its processes. This draws attention to the complaint process of such agencies as the EEOC, the DOJ, or the courts. This again diverts attention from disability discrimination and redirects it to a process which may not function or may be irrelevant to the law's outcomes. This approach is misleading when it only describes the results of the process, which are

outputs and ignores the real outcomes on people with severe impairments.

Information on the ADA redress process in agencies and courts has been collected, analyzed, and reported for Title I (Allbright, 2002, and Moss, Burris, Ullman, Johnsen, & Swanson, 2001), for Title II (Switzer 2001), and for Title III (Mezey, 2004). The results indicate an overwhelming failure on the part of the law's enforcement processes to aid people with a severe impairment. DeLeire (2000) argued that employers fear litigation costs because the EEOC will investigate reported charges of discrimination and will seek settlement or sue the entity. However, Colker (2000) felt the threat DeLeire imagines does not exist; that employers know the complaint process is ineffectual, and that they act accordingly. Moss et al. (2001) noted that the only investigation for the vast majority of charges of discrimination is a letter sent to the entity charged. Furthermore, an EEOC "win" resulting in a "Right to Sue" letter likely leads nowhere and gains nothing for the complainant.

As part of the national EEOC ADA research project, Unger, Rumrill, Roessler, and Stacklin (2004) reported that between 1993 and 2002, people with multiple sclerosis (MS) compared to all other disability categories were more likely to file Title I (employment) complaints with the EEOC because of inequitable benefits, benefits related specifically to insurance, failure to provide reasonable accommodation, and because of terms of employment. (Visual impairment is one possible symptom of MS.) Rumrill, Roessler, Unger, and Vierstra (2004) found that while most ADA cases were dismissed by the EEOC as not having cause, 39% of the cases of the people with MS in the EEOC database were found to have cause, a figure significantly higher than all other groups combined. The authors felt their findings indicated the reality of disability discrimination in employment and the need for rehabilitation professionals to undertake an early intervention effort before filing a complaint becomes necessary. They added that their data indicated a need for education programs to teach people what their rights are under ADA in order to lower the number of "no cause" findings. The suggestion to educate people with impairments to file better complaints seems to imply that a reason or part of the blame for no

cause findings lies with the people who file ADA complaints, rather than with the limits of the agency complaint process. True or not, this is by definition a person-blaming approach. In contrast, Moss et al. (2001) found that most claimants will not benefit from filing a claim, but that is due to the EEOC's complaint handling process, rather than because of the merits of a case. Claimants may erroneously assume a government agency is actively seeking evidence to corroborate their claim. In my opinion, the solution offered by the national EEOC ADA research project seems to encourage those unfounded assumptions, blame people with impairments, and ignore real outcomes and limitations, that is, the context of the redress process

Rumrill et al. (2004) noted that the EEOC dismisses most complaints, but failed to mention that dismissals are the result of the EEOC's budget-driven triage process. A "no cause" finding according to Moss et al. (2001), reflects the EEOC's determination that it does not have funds to investigate charges adequately, not even the few it minimally handles. Rumrill et al. also failed to note that few people choose to use the confrontational and ineffectual complaint process and that according to Moss et al. (2001), the majority of people who succeed with a complaint, that is they "win" and have the right to sue do not receive the accommodation they requested. Complainants who sue, lose by an overwhelming majority. In 2001, there were 314 losses to 14 wins, a consistent rate since the ADA became law (Allbright, 2002). Further, if it appears a plaintiff will be allowed to take their case to court, the defendant can settle and the complainant may be left with the legal fees accrued for just trying to get the case to court.

Rumril et al. (2004) failed to address in their analysis of EEOC's charge data whether it made any difference to the 39% whose cases had merit. Without mention of that relevant context, interpretation of the data seems incomplete. Silverstein et al. (2005) believe that research which omits context does a disservice to people with disabilities. In my opinion, so does data mining of national data without mention of relevant contexts.

Unger, Rumrill, and Hennessey (2005) omitted the same relevant

contexts in their report on ADA Title I complaints which found that people with visual impairments are more likely to be awarded settlement benefits compared to all other impairment types combined. Their comparison of percentages from a single group with a combined percentage of all groups, which left out the largest group, (complainants who were HIV positive) may not be justifiable. Further, outliers from the early years of the ADA may have had a statistical affect. However, that more serious problem is the omission of the information reported by Moss et al., that most EEOC complaints are rejected due to the EEOC's procedures and priorities not the merits of the case, and that only 5.2% of complaints win, and further, that most of those that win still do not receive anything except a notice of winning. The benefit of winning is being told, "you won." Whether more people in a certain group won is irrelevant in a context where both winners and losers gain no accommodation. Unger et. al. (2005) suggested that people who file complaints have to learn to file better. Thus, they suggest that people with impairments are a source of failure to "win" complaints and Congress' responsibility to create a viable mechanism for equal protection under the law is not mentioned. As Barnes (1996) noted, the institution is assumed to be sufficient and the individual is labeled insufficient.

As previously mentioned Campbell and Schutz's (2004) Technical Assistance Guide provides a way to overcome some of these contextual problems. Instead of only reporting on what an agency is doing and how well it is doing it, outcomes should be included. The effect the activities are having on the targeted systems or sub-groups which the intervention was designed to impact should be measured and reported. The EEOC (like the DBTACs) only reports on its own processes and does not indicate whether its activities have effected the targeted groups' access needs.

Another example of the problem of a lack of outcome data on the ADA's redress process is the EEOC's (2004) evaluation of its mediation program. They evaluated it based on its popularity and found that people liked it. They did not look for or indicate any relevant outcomes such as promoting effective accommodation for people with severe impairments.

The EEOC reported that a majority of those who used its mediation service liked it, but that does not reveal if it just works to ease conflict, or soothe frustrations over a lack of access, or if it leads to effective accommodation, greater access, and integration. The ADA is not a popularity contest.

Another example of reporting outputs and ignoring outcomes is the reports by the EEOC and the DOJ of their ADA settlements reached with giant retailers such as Sears, Wal-Mart, Radio Shack, and K-Mart. These reports make no mention of the problems people have getting to, or into the malls where those stores are typically located. Many malls were built only for automobile access, not pedestrian traffic. A focus on successful settlements when employment or access is blocked by the larger physical context obscures the outcomes on people with disabilities. Further, a huge fine against an entity (K-Mart) that is already bankrupt may never be paid.

The following contexts taken from various sources (e. g., Allbright, 2002; Moss et. al. 2001; O'Brien, 2001; Sullivan, 2001) help interpret data on the ADA redress processes.

The Contexts of the ADA's Redress Processes

- The government created a tiny funnel for discrimination charges that can only handle very few of the charges received.
- The EEOC only describes its own processes. It does not collect data on immediate, intermediate, or long-term outcomes of its processes.
- Cases are considered according to the agency's own internal criteria, which is based on funding restraints, and not simply on whether a complaint is a probable occurrence of disability discrimination.
- An EEOC finding of "reasonable cause" that discrimination took place, followed by a complainant receiving an EEOC "right to sue" letter does not indicate that any action has or will take place or that any further litigious action would be at all effective if it did take place.
- People with severe impairments have very limited access to legal assistance or the courts so the "right to sue" cannot be exercised.
- People with severe impairments lost in the ADA litigation process by

- a huge margin (314 to 14 in 2001 or 96% lost is typical).
- The complainant is often put on trial instead of the covered entity; the person is called abusive by the employer and loses the case.
 - Few complainants will benefit by a specific charge no matter how astutely the charge is presented, or if it is won by an agency or court.
 - The EEOC and the DOJ complaint process may create standards to follow, but they may all be subject to lengthy and costly appeals.
 - Reports of monetary damages or accommodations won are not an indication of actual money or accommodation received.
 - The entire history of EEOC's handling of ADA charges cannot be evaluated as a consistent whole because there were significant changes in the EEOC during the years it has been responsible for handling ADA complaints. For example:
 - The ADA created a huge increase in the EEOC caseload at a time when it was already under funded.
 - Initially, investigators lacked sufficient training in rehabilitation issues, such as the legal definition of blindness, an ignorance that likely contributed to findings of "no reasonable cause."
 - Failure to communicate in an accessible medium, such as Braille, likely contributed to case closure for the "administrative reason" that the complainant could not be reached.

Another example of moving the locus of responsibility by omitting the context of the enforcement processes is the NCD's (2004) report on the Supreme Court's ADA rulings. The NCD found the Supreme Court ignored the intent of Congress and offered an ADA Restoration Act to correct the problems created by the Court. That solution ignored people protected by the law now. Schall (1998) felt the ADA's limited impact on employment was not due to any weakness in the law, but was due to a failure to address disability discrimination on a wide scale. Placing the locus of responsibility on failed adjudication of the law ignores the failure of the law where it does apply and ignores the entities that discriminate on the basis of disability. This is reflected in a literature that finds fault with people with severe impairments, the ADA, or Supreme Court decisions, while ignoring

discrimination that occurs on a massive scale according to Congress.

Finally, the failure of a complaint process, despite the complainant's skill is not unusual. This was documented by Antilla (2002) for gender and Ryan (1971) for race discrimination. For disability discrimination, plaintiffs in a class action lawsuit against the Social Security Administration (SSA) for its failure to provide basic accommodations to its blind applicants and beneficiaries, noted that the SSA administrative complaint process is futile and will not provide relief (The Disability Rights Education and Defense Fund, 2005). Likewise, the ADA complaint process may simply be futile. A relevant macro-context is that our entire legal system is less than perfect for all laws, not simply anti-discrimination laws. The enforcement of the ADA may only be unusual in regard to the magnitude of its ineffectiveness.

The Omission of the Voices of People With Severe Impairments

The imperative to include the perspective of people with severe impairments in rehabilitation research and in the investigation of the impact of the ADA has existed for years (NIDRR, 1999). Further, the authorizing statement of the National Council on Disability (NCD) requires the NCD to “. . . gather information about the implementation, effectiveness, and impact of the Americans with Disabilities Act of 1990” (NCD, 1998). Gould (2004) affirms that, “People with disabilities should be a part of designing and refining data collection instruments, determining questions that will guide analysis, and developing dissemination strategies.” Every 4 years the National Organization on Disability (NOD) surveys people with disabilities (NOD/Harris, 2004). We still do not know how the ADA functions or its impact.

Concern over the exclusion of the voice of people with impairments was expressed in a literature review of the ADA and other employment laws (Bruyère, Erickson, VanLooy, Sitaras, Cook, Burke, Farah, & Morris, 2002). Researchers have examined the attitudes of employers and private and public sector representatives toward the civil rights of people with disabilities and the ADA (Hernandez, Keys, & Balcazar, 2000; 2004).

However, the experiences with the law of the people who are supposedly protected by the law are rarely included. The NCD 1995 report *Voices of Freedom* consists of thousands of testimonies from people with severe impairments attesting to the value of accommodations and to the belief that the ADA was a beneficial law, but it is not clear from those testimonies whether the accommodations mentioned were obtained as a result of the ADA or acquired as a result of other laws, or purchased by the individuals.

Goffman (1963) described how society chooses to stigmatize and ignore devalued people. Society does not want to hear about those it discriminates against. Forty years later, Johnson (2003) reported an overwhelmingly anti-ADA voice in the public media despite several polls showing huge public support for the law. Violators of the law are portrayed as victims of a bad law and people with disabilities and their requests for accommodation are ridiculed (Johnson, 2003). NCD (2004) characterized the media's role as "harmful," in that it added derision, misunderstanding, and confusion to the ADA. However, I found in this review of the literature that the professional media, not just the public media plays a harmful role as well. Person blaming and fabricating perverse-results are just two harmful approaches. As mentioned earlier, the NCD and the NIDRR sponsored SEDBTAC, re-define science and claim that implementation of the ADA cannot be measured or cannot be measured by disability type.

Rohrer (2005) charged academia with complicity in disability discrimination by ignoring disabled people's subjectivity. She noted the absence of disability as a topic in Feminist studies in sensitive issues, such as the right to choose abortion versus a eugenics' program of killing people with disabilities. However, there are broader and more obvious examples of the omission of the ADA and of people facing disabling environments in research and in academic texts and reports. Ignorance of the ADA on the part of university faculty was reported by Thompson and Bethea (1997). Depending on how widespread that is, one result is the perpetuation of an exclusive outlook by those academicians who conduct research, write, review, and edit manuscripts and texts, evaluate programs, and train the

next generation of professionals to create or evaluate environments.

The following examples of the omission of people with severe impairments create an argument from silence that is not as strong a case as direct evidence. Noting the absence of the ADA in research or texts is likewise limited evidence. Furthermore, the following examples may not represent the full work or intentions of the authors cited. However, these relevant research reports and texts which fail to mention the ADA, or that misconstrue it, or that omit people facing disabling environments epitomize systemic disability discrimination in the professional literature.

The Omission of People With Severe Impairments

Instead of examining the experience of people with disabilities, some researchers examine hypothetical ADA request situations, or measure the impact of the ADA using non-disabled people to simulate the presence of a disability. Hartman-Hall and Haaga (2002) asked students with learning disabilities to evaluate hypothetical request situations. Hartman-Hall and Haaga found that people exposed to a negative reaction in a request situation would not make requests in the future. The authors suggested that future research should investigate real request situations.

Kaufman-Scarborough (2001) located real barriers uncorrected by the ADA by having able-bodied students simulate mobility impairments. Multiple barriers in violation of the ADA were found and later confirmed in discussions with a person with a real impairment. Kaufman-Scarborough endorsed the value of simulation of a disability as a way for individuals who did not have a disability to begin to understand the perspective of those who did. Brostrand (2006) described a program using simulation along with other training that was designed to increase the workplace sensitivity of people without severe impairments to people with severe impairments. The comments from participants in that training highlight the absence of training in their earlier K - 12, college, or graduate professional education.

Olson (2004) noted that some authors, while acknowledging the

limitations and distortions of disability simulation, use simulation to get people to think about the impact of having a disability. On the other hand, Brew-Parrish (2004) labeled the practice an atrocity. She felt simulation to acquaint able-bodied people to life with a disability, instead of talking to and learning from people with disabilities, hides or leads to misconstruing of their world view. Brew-Parrish feels simulations engender pity, despair, and despondency instead of understanding. Simulation used as research on the ADA is not gathering real voices of the disabled and research using hypothetical situations is not examining real environments that disable.

The Omission of the ADA

Another example of systemic disability discrimination is the failure to mention the ADA where it is relevant. Assistive technology (AT) is a type of accommodation. The definition of AT used by the American Academy of Physical Medicine and Rehabilitation (AAPM&R) (2003) includes anything from a paper clip to a computer assisted prostheses and more. The AAPM&R includes in its definition of AT the products and the services needed to repair, train to use, *or obtain AT* (italics added). The AAPM&R mentioned laws that aid in obtaining AT such as, Medicare, the Assistive Technology Act, the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA). The ADA was not included or mentioned as a law or aid in obtaining AT. The ADA permits requests or requires accommodation, yet the ADA as a source of AT accommodation is omitted by this definition.

Carlson, Ehrlich, Berland, and Bailey (2001) reported that 62.6% of a random selection of people with disabilities did not receive information on how to obtain AT, but 57% who got information found what they received helped them be more aware of their rights. Whether that information was about their rights as a VR client, or about civil rights under the ADA, or about some other rights was not indicated. The ADA was not mentioned in the report on how few people received information on obtaining AT.

Frank (2003b) suggested VR counselors could expand resources for

their clients' accommodation needs by seeking comparable benefits from other sources, such as entities covered by the ADA. This is required by law unless it would interfere with job placement. However, counselors face an ethical dilemma. Some believe that if they were to request accommodation from an employer, instead of offering a fully trained client with all necessary AT equipment paid for as a free gift, it would mean their client or the next client would not be hired. In an earlier study, a VR counselor stated, *"I would be surprised if any employer provided accommodation. I wouldn't even ask. Why wreck a job for this client or for the ones to follow? It's my job to place clients. If employers find out they have to be the ones to accommodate, then blind people just won't get jobs."* (Frank, 2003a). A VR counselor who ignores the ADA, may feel he or she is doing so for good reason. One respondent in that study, after an employer refused her request for accommodation for an interview said, *"If the VR won't help us, our hands are tied."*

The ADA accommodation request process is not integrated into related rehabilitation constructs, such as the definition of AT, notably obtaining AT, or applying for comparable benefits. Some rehabilitation professionals do not consider the ADA an effective tool for obtaining accommodation. That opinion, if widespread, would be an objective, forensically useful evaluation of the impact and implementation of the ADA.

The ADA request process for obtaining access was also ignored in studies by Crudden (2002) and Crudden, Williams, McBroom, and Moore (2002). These studies discussed employment barriers faced by people who are blind and offered best practices to retain or obtain employment such as providing accommodation for access, but they did not include the ADA as a means to obtain that access. A study by Butler, Crudden, Sansing, and LeJeune (2002) described the ADA's function as that of making federal agencies aware of accessibility issues, such as access to technology. They did not mention the right to request access and the requirement to provide reasonable access. These authors may believe that people with disabilities have the same civil right to access as everyone else, but they omitted

those relevant aspects of the ADA in their research and reports.

The computer and the Internet are important tools for employment so these are included in this review. The National Federation of the Blind (NFB) is currently collecting stories to support an ADA lawsuit for access to the Internet against Target stores' Internet commerce site (personal e-mail communication to the author 5/15/06). Limited time prohibited investigating the ADA's absence in the journals and texts of other related fields such as business or education. Bruyère, Erickson, and VanLooy (2006) noted that business schools may not be educating their students on ADA issues and they also repeated a finding that many post-ADA business school texts omit relevant disability topics. See also Goggin and Newell's (2003) study for greater detail on the omission of people with disabilities in the development of policies on information technology (IT), communication, and the media.

Gerber (2003) ran four focus groups with a total of 41 participants to examine the benefits and barriers to computer AT for people who have a severe visual impairment. This was part of a larger study to determine what information concerning computer AT this population needed and sought on the Web and what sources of information they found useful. Several group members mentioned barriers and problems with access. The ADA could play a role in obtaining access to instruction manuals, AT, computers or Internet sites, but the informants' use of the ADA accommodation request process was not reported as part of this research. The author may value the civil rights of people who are blind, but it seems fair to conclude that both she and her informants did not consider ADA requests for access to computers and the Internet a behavior worth exploring or reporting. Access is an ADA issue. It is not merely a blindness rehabilitation issue. The society-wide scope of the ADA means it can impact almost all research involving the behavior of people with severe impairments.

For this project on the impact of the ADA, current textbooks were consulted on the World Wide Web and Internet research design. These also leave out the ADA and Sections 504 and 508 of the Rehabilitation Act

of 1973, as amended, and any mention of people with severe impairments (e.g., Dillman, 2000; Dochartaigh, 2002; Mann, & Stewart, 2002). This is not an exhaustive list of relevant texts. However, their omission of disability information insures that the next generation of professionals trained from those texts will continue to create inaccessible products and debilitating barriers for people with severe impairments. Researchers using Dillman's text on Internet and telephone surveys will find no mention of those laws or of accessibility for people with a limited range of functioning.

Dillman (2000) noted display resolution configurations and mentioned that various pixel settings had different effects on the size of the material presented (p. 385). His concern is that the creator of an online survey be aware that differences in resolutions will create a different presentation and may affect the user's interpretation of survey questions and the resulting response set. However, he does not mention that these different settings would be used by a person with a visual impairment to increase the size of material displayed on a computer monitor. Dillman's valid concerns could result in researchers creating inflexible settings and thus, excluding those users who change the computer screen.

Schmetzke (2005a) noted that textbooks on creating a digital library omitted or only barely mention accessibility issues. The inaccessibility of the Web sites of universities, university libraries, and the databases created by or for those libraries is a growing concern. People cannot be trained for employment without access to the tools of education. Frank (1999) noted the need for rehabilitation educators to examine Internet sites with a software-based accessibility checker (at the time, "Bobby" was the most popular), along with a personal, hands-on evaluation. Cooper (2001) reported that Bobby's fully automatic checking of accessibility covers only 27% of points relevant to accessibility, whereas the remaining 73% must be verified manually. Thompson, Burgstahler, and Comden (2003) created a manual guide for evaluating Web sites in conjunction with Bobby. Using both Bobby and a manual check, Thompson et al. found that few of the 102 major research universities' Web sites they evaluated were totally

inaccessible, but few were totally accessible. Most could be improved by the addition of tags on images or one or two other simple changes.

Edmonds (2004) noted that students with disabilities who enroll in online courses continue to experience barriers to participation. Distance education is increasing in many fields, but a wall of separation still exists. Schmetzke (2005b) found that improvement in university Web access has either slowed down (for the campus and departmental pages) or stagnated (in the case of library Web pages). Barriers exist in top level (entranceway) campus pages, in departmental Web pages, in the university library Web pages, in library databases as well as in distance education Web pages. In evaluating Web sites of 49 graduate schools of library and information science (SLIS) in the United States, and those of the main libraries on the respective campuses, Schmetzke (2003) found that only 31% of the SLIS home pages, and 51% of the library home pages, were Bobby-approved. As Cooper (2001) noted, that may only represent 27% of relevant access issues. An even more troubling finding by Schmetzke (2003) was that those library Web sites which had undergone a major re-design during the previous two years (2000-2002), had a decrease in the percentage of Bobby-approved data from 47% to 24%. The re-design of Web sites was not used as an opportunity to build accessibility into the new site. Web page creators, researchers, or instructors have the means to evaluate Web sites such as the free online source "Watchfire," but may still not use them.

Additional Impediments to Evaluating the Impact of the ADA

Various reasons are proposed for the difficulty and delay in evaluating the impact of the ADA. Hotchkiss (2002) suggested the ADA was redundant because all 50 states had anti-disability discrimination laws prior to the passage of the ADA. This raises the question of whether state or federal law had the greater impact on people with severe impairments. However, that is a moot point since the ADA supercedes other state laws except where state law provides more protection than the ADA. The Government Accounting Office (GAO, 2002) suggested that entities that were inclined to accommodate and hire were already doing so prior to

passage of the ADA, suggesting the law was both redundant and ineffectual against entities that were already inclined to discriminate against people with severe impairments. Gould (2004) noted that none of the GAO studies included a focus on the impact of the ADA on its protected class of citizens, that is, Americans with disabilities.

Both Gould (2004) and Silverstein, et. al. (2005) question whether implementation of the ADA can be researched. One issue may be the cost of such research, but the cost is undetermined. Gould (2004) asks whether the ADA is even relevant to civil rights protection. He suggests determining what works and what does not work with implementation and enforcement, and what ADA activities are most useful. The approach of this present study which focuses on the functionality of the ADA and a protected class of citizens is simply labeled “impossible” by Bagenstos (2004), the NCD (Gould, 2004) and the SEDBTAC (SEDBTAC, 2003).

Evaluation of the Functionality of the ADA

Burris and Moss (2000) suggested measuring the impact of the ADA based on people’s reliance on it and the compliance of covered entities. Joffe (1999) speculated on potential uses of the ADA. Accommodations are helpful, but little is known on how the ADA translates into a functional tool for acquiring effective access. Frank (2002) framed the ADA in terms of function by referring to it as a literacy tool for people who are blind because access to reading material is the most important tool of literacy training. The essential issue is whether the ADA access tool is used and found to be effective and is used as needed. Two caveats to note are that the ADA requires that accommodations be provided in a timely manner. Koenig (1992) noted that a person waiting for someone to provide a document in an alternate format is not demonstrating functional literacy. A print accommodation must be timely for it to be efficient and the person to be functionally literate. Further, accommodation is not required if it places an undue hardship on entities covered by the law. An entity that cannot afford to accommodate can use other sources. However, Frank (2003a)

reported that some large covered entities which could afford to pay, were using VR resources instead of their own to pay for accommodation.

Avoidance of the ADA Request and Redress Process

Before mentioning the research on the receipt of accommodation, avoidance of the ADA must be considered because the data on the receipt of accommodation noted below leaves out those who could or need to, but do not request accommodation. Requesting accommodation or using the redress process can be avoided. The impact of the ADA will be limited if people who could benefit from it avoid using it because of being frustrated, discouraged, or intimidated in regard to its use.

Avoiding conflict was a primary goal affecting the decision making of people with severe disabilities (Albrecht & Devlieger, 1999). The processes of the ADA can be blocked by the message that accommodation requests or complaints will result in conflict. Blackwell and Patterson (2003) noted that the revised Code of Professional Ethics for Rehabilitation Counselors of the Commission on Rehabilitation Counselor Certification (CRCC) requires that counselors share with clients the potential risks of a proposed course of services, not just the limitations. This may mean discussing the risks and limitations of the ADA request and complaint processes.

Harlan and Robert (1998) interviewed 50 state employees who described the resistance they encountered when attempting to request accommodation. Two strategies, among several techniques used to resist requests were to label requesters "trouble makers," and to tell them that if they did get any accommodation, it would be of such poor quality that it would not be effective. Some of the informants in McNeal, Somerville, and Wilson's, (1999) study did not make requests out of fear of being fired. Frank (2000), in an interview study with 14 people who used large print, described how not being accommodated via lies and refusal discouraged requests. In contrast, Johnson and Frank (2004a; 2004b) received over 100 responses to a survey on accommodation requests from people with a variety of impairments, many of whom had made hundreds of requests and

continued to make requests despite opposition. Those individuals might be considered “advocates,” rather than typical requesters.

Frank and Bellini (2005) reported barriers that led to the avoidance of requesting accommodation discovered via interviews with 20 people who were blind who had requested access to print. People were discouraged from making requests by frustrating, abusive responses to their requests. The incentives to avoid the ADA request process were especially hurtful coming from entities that were expected to be knowledgeable and the most willing to accommodate, such as, state VR agencies, Independent Living Centers, university disability counselors, and consumer organizations. The informants knew making alternate formats was not difficult, but they were led to forego the request process by multiple, unnecessary complications. In addition, Frank and Bellini noted that the time and effort required, as well as the abusiveness and ineffectiveness of the complaint process taught people to avoid the ADA enforcement process. Informants knew they had no protection against subtle or overt forms of retaliation. They learned that requests and complaints were frowned upon so they avoided making waves for their own protection. Not making waves meant not requesting reasonable accommodation and not filing complaints. Their reasons for avoidance expose entrenched disability discrimination.

Research On the Receipt of Accommodation

The research on the receipt of accommodation is difficult to combine because the studies focus on different types of impairments, various contexts, and different measurements. One early study (Berkeley, 1982), prior to the ADA, investigated Section 503 of the Rehabilitation Act of 1973, as amended. It indicated 30% of those surveyed had not been accommodated at all and 21% said they needed more accommodation than they received for a total of 51% who were not accommodated or who were under-accommodated (Berkeley). In an unpublished study of the NHIS-D data for 1994 - 1995 for people with severe visual impairment, Dr. H. Stephen Kaye, research director of the Disability Statistics Center found 39% had not been accommodated (personal communication, February 3, 2000). Bruyère et al. (2006) found that both small and large businesses felt

making information accessible for people with visual or learning disabilities was one of the most difficult ADA changes to make.

Allaire, Li, and LaValley (2003) examined work barriers and job accommodations for people with arthritis and other rheumatic diseases. They found that 119 (98%) of the 121 participants reported they faced at least one barrier (range = 1 - 44) related to their rheumatic disease. Of these, 68% reported 10 or more barriers ($\bar{x} = 15.11$, $SD = 8.96$). In light of those barriers, 39 (of the 43 who were not self-employed) requested accommodation from their current employer. Of the 39, 87% reported they were satisfied with their employer's response and 13% were dissatisfied. It is not clear if "satisfied" meant they received effective accommodation or just that they were satisfied with the employer's response.

Allaire et al. (2003) reported that 80 of the 119 people in their study who faced work barriers related to their impairment did not request or use accommodation, suggesting that, for whatever reason, 67% were not affected by the ADA request for accommodation process. This may have been due to their interpreting the question as only referring to requests to employers and most participants were self-employed. The researchers did not ask about requests to overcome employment-related barriers from anyone other than a current employer.

The National Institute on Aging's (NIA) (2005) Health and Retirement Study (HRS) addressed the receipt of accommodation by asking retirees if their last employer had done something to help them continue working. Daly and Bound (1996) found "about a third" of workers with a health impairment received accommodation prior to the 1990 enactment of the ADA. Charles (2004) compared employers' provision of accommodation before the ADA and after it was passed by analyzing responses from the HRS. Based on a sample of 1,604 people out of a survey population of 22,000, he found a 5% increase (from 28% to 33%) in the number who said they had received accommodation from their employer pre- and post-ADA. Accommodations received were largely variations in the number of hours worked, flex-time, more rest time, and assignment to a different type of

work. He also found a reduction in the hourly wages of those who received accommodation, which he surmised was a violation of the law.

The HRS survey did not specifically ask (using the language of the survey) “Did you request something special to help you work?” It only asked if something was received. It also did not inquire into the source of the “employer provided” accommodation. The variations on time and work flow likely came from the employer, but special equipment may have come from other sources even when the employer is responsible for it. Questions on accommodation for the HRS are several variations of Does (Did) your (last) employer do anything special so you could continue working? Or, Did the employer get you special equipment for the job because of your work impairment? Less than 2% (.013) received special equipment. Charles (2004) concludes that there was a slight (5%) increase in the provision of accommodations, but he suggests that employers passed the cost of this on in the form of reduced hourly wages, in violation of the ADA. He noted that the vast majority of employees between the ages of 51 and 62 (67%) who reported they had an impairment that limited their ability to work on the HRS did not receive accommodation. Some may not have needed any, or not known of anything that would help.

A sixth study looked at consumer satisfaction with rehabilitation services (Capella & Turner, 2004). One unpublished finding was that of 478 respondents, 59.91% agreed or strongly agreed with the statement, “Department of Vocational Rehabilitation staff made accommodation for me when necessary,” while 7% either disagreed or strongly disagreed with that statement. Non-respondents may not have needed or known about accommodation (Capella, personal communication, March 15, 2004).

The study by Allaire, Li, and LaValley (2003) reported many barriers but few requests for accommodation. They found that 13% of those who requested accommodation were not satisfied with the response of their employer. The pre-ADA Berkeley study, the two HRS studies, and the two unpublished studies, one of the NHIS-D surveys, and the other of a portion of the Capella and Turner study, found 51%, 67%, 67%, 39%, and 7% of different populations were not accommodated or not satisfied. None of

those five studies reported whether accommodations were requested, or if they helped, or who paid for anything that was provided.

Summary of the Literature

The salient feature of the professional literature on the ADA is the framing of research, data, and information so as to ignore or obscure disability discrimination. If the literature were varied and extensive, this could be viewed as a subset of reactionary anti-ADA thought or simply the nascent efforts of a new topic in science. However, the techniques used in the literature are similar to ones used to discredit earlier civil rights acts for race and gender. The professional literature largely consists of works that challenge the value of the law, redefine its meaning and the meaning of crucial concepts, or processes of the law, and deny the scientific means to measure the law's impact. There is confusion created between outputs and outcomes of the law. Researching the law by disability group is deemed impossible, but inclusion of everyone, i.e., all entities that discriminate and people with all types of impairments, is required. Confusion is created over the law's locus of responsibility. ADA research is asked by the professional literature to solve all problems for all people with all types of impairments (e. g., employment, poverty, the definition of disabled), and to satisfy the financial concerns of those who discriminate on the basis of disability as well as those discriminated against. Even the literature supposedly supporting the ADA is responding to this confusion and ignoring what the ADA defines and prohibits - disability discrimination. Instead of researching the ADA's implementation, the professional literature is creating confusion about disability discrimination, its perpetrators, its victims and its remedy.

Barns (1996) noted that researchers and the professional media habitually discriminate against people with severe impairments because they have a financial incentive to maintain the status quo by reporting that individuals should change rather than the institutions that discriminate against them. Person-blaming protects institutions. Another explanation for the bias in the professional literature is the charge by Joanne Wilson, former commissioner of the Rehabilitation Services Administration (RSA), who noted that the approach of some government policy makers is based

on a dislike of people with disabilities and a dislike of federal assistance to people with disabilities (Leahy, 2005).

Another reason for the professional media to focus on irrelevant and inappropriately used data while ignoring relevant behaviors and contexts is that some people with impairments may be insulted by anti-discrimination laws. They may think the ADA makes them appear less competent or, they may fear a backlash against people with severe impairments as a result of the ADA. Another explanation could be that pre- and post-ADA training and texts that exclude the ADA or related laws or mention of people with severe impairments have created a group of professionals who are accustomed to focusing on changing the person with a severe impairment while ignoring the disabling environment or, they may simply view that as being more practical. Whatever the motive, there is a predominance in the literature on the ADA of ignoring the contexts and the behaviors of the entities that discriminate and blaming the ADA or the people with severe impairments for discrimination they encounter or are unable to correct, while at the same time ignoring what the ADA prohibits - disability discrimination.

In science, what can be measured can be changed. Efforts to control the scope and direction of scientific inquiry into the ADA's implementation and impact impede change. The prevalence of this type of content in the literature suggests a deliberate anti-ADA agenda, not scientific method. The discriminatory approaches in the professional literature are identifiable regardless of the motives of the researchers and the media that contribute to that type of rhetoric. Systemic disability discrimination in research on the ADA's impact is perpetrated and perpetuated in the following nine ways:

- **Changing definitions of the meaning and purpose of the law -** framing disability discrimination as a legal, technical, or advocacy issue or claiming the ADA is an employment policy rather than a civil rights act thereby blocking its exploration by the social sciences and limiting research on discrimination;
- **Creating new definitions of salient concepts and processes –** changing the meaning of the New Paradigm, AT, the law's scope

and reversing responsibility for accommodation and redress;

Redefining the science of investigating implementation –

- omitting relevant contexts, labeling outputs as outcomes and ignoring outcomes, claiming that research on implementation of the ADA, or disability discrimination cannot be done, or cannot be done by disability type, asserting that in order to do any research on the ADA all disability types must be included as well as all stakeholders and not just people with disabilities;
- **Ignoring people with severe impairments** - ignoring real people with severe impairments, their concerns, and the laws that protect them, using simulations and hypothetical interactions, or vague questions, or asking for opinions while real people and specific situations, and operational processes are ignored;
 - **Person-blaming** - blaming people with severe impairments for the failures of the ADA or its redress systems, while ignoring discrimination and behaviors of entities covered by the law;
 - **Focus on changing individuals while ignoring the context** - minimizing the scope and amount of change needed in entities while not mentioning or examining the roles of the institutions that discriminate on the basis of disability;
 - **Ignoring the ADA in relevant areas** - treating the ADA as a separate topic, even though it covers most areas of society and is a pervasive part of the environment, it is omitted in texts, in related definitions, and in relevant research;
 - **Perverse-results research** - the illogic and misuse of data used in this approach shows the purpose is to allow those who use it to appear to support the goals of popular legislation they oppose by seeming to only question the policy on a technical level;
 - **Conducting research and drawing conclusions based on the assumption that the law is implemented** - this includes telling people they have a right to something without mentioning huge areas where standards, enacting legislation, processes, or

enforcement do not exist, and suggesting that proven supports for people with severe impairments be dismantled without any evidence that the ADA alternate solution is functional.

Problems with the law or with people with severe impairments may exist and be worth noting, but the prevailing slant of academia and the professional literature seems to control the discussion and exclude the impact of the social and physical environment on disability discrimination and the employment of people with severe impairments. Those are the environments the ADA was precisely created to affect. There is an absence of research on the disability discrimination defined by the ADA.

Colker (2005) characterizes the current state of discussion on the status of people with disabilities as the swing of a pendulum. I tend to side more with Barnes (1996) and feel it reflects a deep-rooted institutional bias, or systemic disability discrimination in academia. Writing texts, conducting research, or editing journals are part of a long-term institutional effort. This bias is tantamount to a collusion of silence which allows and perpetuates the social injustice of disability discrimination. The silence on disability discrimination distorts understanding the ADA's impact and thwarts its progress in the following five ways:

- **It leaves out an holistic understanding of access across multiple disciplines covered by more than one title of the law;**
- **It impedes finding effective use of the law and instead only provides speculation;**
- **It deprives the next generation of the tools, the teachers, and the researchers from multiple disciplines that are needed to create and evaluate an accessible environment;**
- **It infers that only one or a few possibly ineffective processes are sufficient when multiple approaches may be required concurrently and/or consecutively;**
- **It conceals special interests that perpetuate disability discrimination, such as public and professional media, researchers and their funding sources, those who profit from selling separate professional, specialized "disability" goods**

and/or services, and government policy makers.

Two new guidelines on the ADA's request process are: *Questions and Answers About Blindness and Vision Impairments in the Workplace and the Americans with Disabilities Act* (EEOC, 2005), and *The ADA Pipeline: Reasonable Accommodation, the Interactive Process and the ADA* (SEDBTAC, 2005). The relevance of that information is questionable because of incomplete access standards. Without those standards, the ADA in some areas only reflects the hope that technology will eventually solve the problems of disability. In addition, the functional outcomes of providing that type of information is unknown, but its success is doubtful because of the larger context of a de facto voluntary compliance or non-enforcement of the ADA. However, having to wait for those standards until some future date should not mean that correctable disability discrimination is allowed to continue. There are techniques on the best accommodation methods available and ignorance of the accommodation process is not a valid excuse for failure to accommodate where it is possible now.

People may know that they have the right to request accommodation and how to go about doing that, but little or no information is available on whether that process is fruitful, or if that right will be upheld, or whether people will suffer even greater loss and adverse consequences as a result of pursuing their civil right to equality of access under the ADA. Previous studies on receipt of accommodation revealed a 7% to 67% range of failure to accommodate. Thus, not being accommodated occurs and is researchable. However, that data could be improved by the use of standardized operational terms to describe the various forms of disability discrimination in similar or varied settings. Operational terms to measure disability discrimination are needed to help standardize data collection instead of just collecting opinions about the law, or using phrases such as "helpful," or "satisfaction with an entity's response," or "when necessary." Further, the term "barriers" may no longer be appropriate when referring to instances of disability discrimination which may now more accurately be referred to as criminal activity. Finally, the literature on racial and gender

discrimination can help illustrate systemic disability discrimination and suggest ways to ameliorate it.

Purpose of the Study

Entitlement to accommodations is a cornerstone of the ADA, but the frequency of the use and effectiveness of the ADA accommodation request process remains unknown. This study examined whether the ADA request process helped people with a severe visual impairment obtain effective accommodation that allowed them to accomplish their employment-related goals. The essential questions were, “Did you request accommodation?” “Did you receive anything?” and, “Was what you received effective?” This approach is based on the definitions and examples of disability discrimination and readily achievable reasonable accommodations found in the text of the ADA and the EEOC/DOJ guidelines. This approach will lead to a better understanding of the impact of the ADA and to better ways of investigating its implementation.

Method

Survey Instrument

A survey was created from the Phase I interview study of three groups: people with a severe visual impairment, rehabilitation counselors who work with people with a severe visual impairment, and employers who do provide accommodations and hire people who have a severe visual impairment (Frank, 2003a). The final survey (see Appendix) was reviewed by the members of the Participatory Action Research (PAR) team who contributed to the Phase I study. The PAR team consisted of experts in the rehabilitation of people with visual impairment and consumers.

The survey used approximately the same 20 questions, modified for each of five areas, (A) job interviews, (B) on-the-job, (C) school or training, and (D) government, or (E) private service providers. Section C, D, and E were requests for accommodations to use a service; not for job interviews or on-the-job requests to those entities. Volunteers were asked to describe up to 5 request situations in each area, for a total of 25 situations that they believed were covered by the ADA that in some way related to preparation or searching for work, or continuing in employment. Answering 20 questions for 25 request situations would take over an hour.

A computer programmer converted the paper instrument into an accessible online form in Hyper Text Mark-up Language (html), with the results being submitted via a Common Gateway Interface (CGI) that converted the response variables for each section into a Text (.txt) file. Completed surveys received a date, time, and random number so each section could be connected. A Uniform Resource Locator (URL) led to a consent statement linked to the survey posted on the RRTC-BLV Internet server. Two identical online forms were used. One was accessed via the Internet by respondents with no staff contact. The other was used by staff

conducting the survey by voice phone. The results from each form were stored in separate files for quality control and combined later for analysis.

The Internet mode was chosen for convenience. Presumably the long survey would be easier to self-administer and the data would be easier to handle if it existed in digital form. Mixed mode was needed because all potential respondents do not have access to the Internet and some do not have a current enough computer or computer skills to complete the survey online. Gerber and Kirchner (2001), using data from the SIPP, estimated that 13% (102,000) of those with a severe visual limitation use a computer on a regular basis, compared to 51% of the non-disabled public. Of the people reporting a severe limitation in seeing, 21% (196,000) had access to the Internet, compared to 57% of those who did not report any limitation. These numbers suggest there is a smaller sampling frame for research using the Internet aimed at people who have a severe visual impairment than for those who do not have a visual impairment. In addition, several writers have suggested the initial “honeymoon” enthusiasm and excitement over participating in Internet research may have waned, thus reducing the potential response size (Dillman, 2000; Pittenger, 2003; Reips, 2002; Shields, 2003; Sills & Song, 2002).

All phases of this research were reviewed and approved initially by the Institutional Review Board for the Protection of Human Subjects in Research (IRB) of the Office of Regulatory Compliance at Mississippi State University. IRB approval was updated yearly. The online survey was pilot tested for accessibility, comprehension, clarity, and for the survey response functions, first by the Training Director of the RRTC-BLV, who is an expert user of a computer screen reader, and then by five members of the Blind College Students lltserv, an Internet listserv sponsored by the American Council of the Blind (ACB), who are blind and use either of two screen readers (JAWS or WindowEyes). After modifications, a staff assisted, pilot study was run with five volunteers from the RRTC-BLV’s National Consumer Feedback Network (NCFN), a list of over 1,000 individuals with a severe visual impairment who volunteered to participate in the center’s research. After final modifications, and with IRB approval, the study

announcement and survey URL were released to the sources listed below.

Sample Population

This population is ideal for examining the ADA because visual impairment is mentioned in the ADA and has been defined by law since 1935. The needs and accommodations for this group are fairly straight forward and suggested in the ADA. The respondents were clearly covered by the law and the face-value reasonableness of their requests was fairly easy to evaluate. Advertisements soliciting volunteers with a severe visual impairment between the ages of 18 and 64 were placed in the following sources that are distributed online, in large print, on cassette or in Braille:

- *eSight*, a listserv operated by The Associated Blind Inc. (TAB Inc.)
- *The Braille Monitor*, a publication of the National Federation of the Blind (NFB);
- A listserv, *BLINDJOB*, sponsored by the NFB;
- *The Braille Forum*, a publication of the American Council of the Blind (ACB);
- A listserv, *missouri-l*, sponsored by the ACB;
- The Matilda Ziegler Magazine;
- *Newsreel*, a cassette magazine (Irwin Hott, editor);
- VICUG NYC, The Visually Impaired Computer Users Group Listserv;
- *The Ragged Edge* online newsletter.

In addition, calls were made to all the individuals between the ages of 18 and 64 on the RRTC-BLV's NCFN. These were people with a visual impairment who volunteered to participate in the RRTC-BLV's research in general, not for ADA research specifically. The survey and URL were announced in the RRTC-BLV's newsletter *WorkSight*, which is distributed to about 7,000 professionals and consumers in the field of blindness rehabilitation. Finally, the author was interviewed on two half-hour radio broadcasts for audiences who are visually impaired. *Eye on Vision!* on WYPL-FM 89.3, Memphis, TN and *The Don McShane Program*, on WLRN-

FM in Miami, FL, a National Public Radio affiliate for South Florida. Those interviews permitted the author to describe the study and solicit volunteers. Neither station had estimations of the size of their audience. Responses from any of these sources were collected between 9/08/04 and 10/08/05.

No incentives were offered to respondents beyond the opportunity to help in a study that will potentially aid people who have a severe visual impairment. The online form netted 35 surveys. Staff telephoned those who responded to the advertisements, but could not or chose not to use the online survey. The author surveyed 50 volunteers, a senior undergraduate assistant surveyed 34, and a graduate student in Rehabilitation Counseling surveyed 32 volunteers for a total number of respondents (NR) of 151.

Respondents were instructed to answer the survey beginning with what they considered their most recent, important, employment-related accommodation requests. They could repeat each of the first five sections up to five times, for a total of 25 request situations, or skip a section and go to the next section. The total number of responses varies for each question or section because respondents could skip any question or section or repeat sections. The project was designed to collect a maximum of five accommodation request situations in five areas ($5 \times 5 = 25$) from 200 respondents for a total of 5,000 request situations. The total number of request situations (NS) described was 336, 25 of those were excluded because they were not ADA requests, or still in progress. Out of 151 respondents, 113 described 311 requests made during 2000 to 2004. They described between 1 - 8 request situations ($\bar{x} = 2.75$, mode = 2.00).

Some respondents said they appreciated the survey was being done, but a few commented that it was too long. Because the survey length could affect response rate, the respondents were first asked to estimate the total number of requests made in the past 5 years and were again asked to estimate the number of requests in each of the five areas. They were informed that requesting once a month would equal 54 - 60 requests in 4½ to 5 years, and once a week would be 234 - 260 requests. The average

total request rate of those who gave an estimate was 5.7 requests, or 1.14 per year. This number excluded 12 who could be labeled “advocates” due to their very large estimation of requests (see the section below on estimation outliers). Respondents actually described less than three request situations ($\bar{x} = 2.75$, mode = 2.0), or slightly more than a half a request (.55) per year for the entire 5 year period. Requesters estimated they made few requests and chose not to describe all their requests. Thus, both by estimation and response rate, the respondents did not make as many requests for accommodation during the 5 year period as anticipated.

Estimation Outliers

The common rule for selecting outliers ($z = 3$) (Osborne & Overbay, 2004) allowed for exclusion of the few estimations over 20. These higher estimates were removed based on experience from an earlier study. In a brief cross-disability study on requests for accommodation (Johnson & Frank, 2004a), responses arrived via e-mail. Some of those who reported they made a large number of requests, (50, 100, 500, or more) were known personally by Johnson, the first author, to be advocates who did indeed make many requests for accommodation. However, the typical numbers of requests made in that study were clustered in the low single digits. For the present study, 12 of the 103 estimations of the total number of requests made in the past 5 years (520, 230, 150, 130, 100, [3]60, 54, [2]50, and 48) were labeled outliers and excluded from the estimation data.

The excluded outlier estimations, from 12% of the respondents who estimated their request behavior, are likely valid, but may best be labeled as the behavior of “advocates,” or “frequent requesters”. The descriptions of the few request situations those individuals described on the survey were retained. The estimate (0) of the 38 respondents who made no ADA requests for accommodation were also removed from the estimation data. Outliers and non-requesters were excluded to arrive at a self-estimation rate of typical request behavior of $\bar{x} = 5.7$ ADA accommodation requests for the total 5 year period 2000 through 2004, or an average estimation of

1.14 requests per year.

Respondent Demographics

Table 1 gives employment history and VR client status of respondents.

Table 1. Employment History and VR Client Status	
Currently employed at the time of the survey (missing data [MD] = 4)	Employed = 76 50.3% Unemployed = 71 47.0%
Years employed since vision loss interfered with activities (MD = 36)	Mean = 18.24 Mode = 25 Range = 0 to 49
VR Client at Time of Request(s) (MD = 56)	No = 49 25.2% Yes = 38 32.5% Some of the time = 8 5.3%

Unlike the often cited rate of 30% employed and 70% unemployed, this sample was almost evenly split between those who were employed (76, 50.3%) and those who were unemployed (71, 47.0%). Slightly more than half (40) of those who said they were employed indicated how many years ($\bar{x} = 18.4$) they worked since their visual impairment interfered with their daily activities. Slightly less than half (56) of the 113 who made requests indicated whether they were a VR client when they made a request. Most of those 49 (25.2%) were not, while 38 (32.5%) were, but 8, (5.3%) were clients during some of the time when they requested accommodation from entities in the five areas during the 5 year period.

Table 2 describes the location of the respondents.

Table 2. Location of Respondents									
Place of residence: City = 96, Suburb = 27, Rural = 25 (Missing Data [MD] = 3)									
41 states and the Island of Guam (Missing Data = 2)									
State	#	State	#	State	#	State	#	State	#
AL	6	ID	2	MN	1	OH	7	VT	2
AR	4	IO	1	MO	2	OR	1	WA	5
CA	10	KS	3	MT	1	PA	4	WV	2
CO	4	KY	1	NE	2	SC	1	WI	4
CT	6	LA	2	NV	4	SD	5	Guam	1
DE	1	ME	2	NH	3	TN	3	Total	149
FL	7	MD	5	NY	7	TX	5	Missing	2
GA	6	MI	4	NC	1	UT	2		

Table 2 lists the number of respondents from each of 41 states and the U.S. territory of Guam. Most respondents lived in a city (N= 96); fairly equal proportions lived in a suburb (27) or rural (25) environment.

Table 3 lists the respondents' demographic features.

Table 3. Demographic Information		
Gender	Female = 81 Male = 70	53.6% 46.4%
Age (140 responses, Missing Data [MD] = 11)	Mean = 48.7 Mode = 51 Range = (20 - 64)	
Visual Status	Totally blind or light perception only = 75 Legally blind, but not totally blind = 67 Low vision = 9	49.6% 44.4% 6.0%
Age of onset of visual impairment (MD = 7) (Does not add to 100% due to rounding error)	From 0 = 77 From 1 to 10 = 21 From 11 to 20 = 15 From 21 to 29 = 9 From 30 to 39 = 9 From 40 to 50 = 7 From 51 to 60 = 5 From 60 to 64 = 1	53.5% 14.7% 10.5% 6.3% 6.3% 4.9% 3.5% .7%
Race/Ethnicity (MD = 4)	White (non-Hispanic) = 131 Black = 11 Hispanic or Latino = 2 Mexican American = 1 Amer. Indian or Alaskan Native = 1 Other = 1	86.8% 7.3% 1.3% .7% .7% .7%

Table 3. Demographic Information		
Highest education level completed	High school or GED = 18	11.9%
	Some coll. or trade sch. = 25	16.6%
	2 year coll. or trade sch. = 21	13.9%
	Bachelors = 31	20.5%
	Some graduate school = 11	7.3%
	Masters degree or higher = 45	29.8%

More than half (80, or 53.6%) of the sample were female and 71 (46.4%) were male. The \bar{x} age of respondents was 48.7. The mode age was 51, and the age range was (20 - 64). Almost half (75 or 49.6%) were totally blind or only had light perception, while 67 (44.4%) were legally blind and 9 (6%) had low vision. Over half of the respondents (77 or 53.5%) reported having a visual impairment since birth. The rest reported having a visual impairment age of onset from age 1 to 61 with the following rates per decade: 21 (14.7%) reported 1 to 9 years of age, 15 (10.5%) reported 11 to 18 years of age, 9 (6.3%) reported 21 to 29, 9 (6.3%) reported 30 to 38, while 7 (4.9%) reported 40 to 47, and 5 (3.5%) indicated 51 to 58. One (1.7%) reported age of onset as 64 (missing data = 7).

The race/ethnicity of the sample included 131 or 86.8% White (non-Hispanic), 11 or 7.3% Black, 2 or 1.3% Hispanic or Latino, 1 or 0.7% Mexican American, 1 or 0.7% American Indian or Alaskan Native, and 1 or 0.7% Other. A request for accommodation is actually a legal command to stop discriminating. However, it resembles a request for help. Demographic indicators such as socioeconomic status (SES), culture and ethnicity are fairly consistent predictors of the avoidance of help-seeking (Gourash, 1978; Nadler & Fisher, 1986). Moreover, the avoidance of help-seeking differs between minority groups (Bee-Gates, Howard-Pitney, LaFromboise, & Rowe, 1996; Cohen, Guttman, & Lazar, 1998; Nadler, 1998, 2002; Teboul, 1999). Thus, the rates of asking for the help of an ADA accommodation likely differ between Whites, and members of minority groups, and between different minority groups. The rates of success with

requests also likely differ between Whites and minority group members and between minority groups. Minority group members are disadvantaged in employment and as consumers of the state-federal VR system (Giesen, McBroom, Cavanaugh, Gooding, & Hicks, 2000). However, the sample for this survey did not include sufficient numbers of minority group members to allow statistical evaluation of the impact of race/ethnicity on ADA accommodation requests.

The education data reveals that 18 (11.9%) of the sample had graduated from high school or had a GED, 25 (16.6%) had attended some college or trade school, 21 (13.9%) graduated from a 2 year college or trade school, 31 (20.5%) obtained a bachelors degree, 11 (7.3%) attended some graduate school, and 45 (29.8%) had a Master's degree or higher. In this sample, 57.6% had a bachelors degree or higher.

Data Analysis

The primary level of analysis was the request situation (NS), not individual respondents (NR). This is based on the ADA's underlying concept that disability does not reside within a person with a severe impairment, but rather exists in the interaction of the individual with a severe impairment and the disabling environment. The essential questions were, "Was accommodation requested? Was any received?" and "Was what was received effective?" The definition of "effective" given for all sections was that an accommodation is effective if it was received in a timely manner, it functioned, it was helpful, and the respondent was able and willing to continue to use it as needed. Other questions in each section sought to determine from the respondents' perspective, if the entities were covered by the ADA (e.g., was it a religious organization, or did it have over 15 employees); whether the entity usually accommodated people with disabilities; and who paid for anything provided. The request process was further evaluated for the respondents' sense of the willingness of the entity or coworkers to accommodate, their sense of the ease of the process, and

of the speed of compliance, and their satisfaction with the process.

A request has four components, 1) the requester, 2) the entity, and any 3) relevant others, such as co-workers or a support network, and lastly 4) what was requested. Some respondents are counted more than once but it is not known if an entity was included more than once. Respondents were instructed to describe up to 5 request situations in each of 5 sections and to mention up to 5 of the most important things they requested at one time, and count that as one situation, and to only count or describe each request situation once, even if they had to repeat that request to the same entity again. For example, in section E, private services, a weekly trip to a grocery store where a sighted guide and four other accommodations were requested is counted as 1 request situation, not 52 for weeks or 260 for 5 years and not 1300 for the 5 things requested times 52 weeks times 5 years. The combination of requester, entity, and what was requested are thus unique and different for each of the 311 request situations. All the accommodations requested were categorized by type and whether they were received or not, and evaluated as to apparent reasonableness.

The “receipt of effective accommodation rate” for each section was determined by multiplying the percentage of “all accommodations were received” by the combined percentages of “all” and “most” of what was received was effective. If only the “all were effective” response was used to evaluate effectiveness, that side of the effective accommodation equation would be reduced and lower the final rates of effective accommodation accordingly. Even a partial failure to accommodate effectively can render the entire situation inaccessible or may substantially reduce productivity. However, the survey’s many open-ended questions added short responses that allowed evaluation of what was requested, what was received, and its effectiveness. Respondents indicated if a serious problem ensued as a result of only receiving “most” of what was requested. That qualitative data helped determine the validity of using “Were all received,” - “yes” “no” and for the effectiveness questions combining “all” with “most” and “few” with “none.” For example, a request was made to add to a computer, screen-

reading software, a Braille display, and a scanner, which together allows the employee to independently read printed material. The employer provided the software and Braille display, but not the \$100 scanner. All three were needed together. The respondent did not view that partial fulfillment as being an effective accommodation.

Some of the data on 25 request situations were not usable. Respondents were asked to describe requests for accommodations to access a government service, not for the service itself. Nonetheless, some described as an ADA request, requests for equipment or training from their VR counselor. Fifteen request situations from 12 respondents were excluded from section B, government services, because they were requests for the service of a VR agency where the counselor had the discretion to provide something or not, and so these were not ADA requests for accommodation for the VR service or for access to the service or equipment. Ten other situations were excluded in other sections because the process was still ongoing or because of missing data.

All 151 respondents completed section F, general questions on the ADA accommodation request process which included a question on reasons for not requesting any or many accommodations and section G, demographics. The largest number of usable request situations described by any one individual for the entire survey was 8 ($\bar{x} = 2.75$, mode = 2.00). The number of usable descriptions per individual respondent per section were between 0 and 4; none described 5. The maximum number described per section were as follows: 7 respondents described 2 request situations in section A, 3 respondents described 4 situations in section B, 7 described 2 in section C, 2 described 3 in section D, and 1 described 4 request situations in section E.

Only the first two areas (A - interviews and applications and B - on-the-job requests) asked about requests to employers. Requests in the last 3 areas (C - schools and training programs, D government services, E private services) were requests for the services of those entities, not for

employment or as an employee of those service providers.

Because reading tables can be difficult for a person who is blind who uses a screen reader, the data in the tables is re-stated below the tables.

The PAR team members were asked to review and comment on this report prior to final edit and publication. A summary of the research was sent to all the sources that helped solicit volunteers for the project.

Results

There were 151 respondents (NR = 151) who described a total of 336 request situations (NS = 336). Out of 151 respondents, 113 (74.8%) described between 1 and 8 request situations for the 5 areas A through E for the period January 1, 2000 through December 31, 2004 (mean = 2.75, mode = 2 per person). Thirty-eight (25.2%) made no ADA requests in any of the 5 years. Out of 336 request situations, 25 were subtracted from the NS in the displays of the request domains A - E, for a total NS = 311 because 12 respondents described 15 requests that were clearly not ADA requests and 9 described 10 unfinished request situations and could not tell if they had received accommodation, or any effective accommodation. Each respondent could describe more than one request situation in a given area and each could describe situations in any or all of the 5 areas.

Table 4 gives the number of respondents (NR) by section and the number of request situations (NS) by section. Total NR = 151, Total NS = 311.

Table 4. Number of Respondents (NR) and Number of Request Situations (NS) by Section		
Survey Section	Respondents	Request Situations
A = Interviews or applications	A = 40	A = 48
B = On-the-job	B = 63	B = 85
C = School or training	C = 53	C = 60

Table 4. Number of Respondents (NR) and Number of Request Situations (NS) by Section		
D = Government service	D = 39	D = 45
E = Private service	E = 57	E = 73
F = General questions	F = 151	
G = Demographics	G = 151	

Responses to the questions on receipt of effective accommodation for each domain, A - E, are displayed in Tables 5 through 9.

Section A Requests During Job Applications and Interviews

Table 5 displays results for section A job applications and interviews.

Table 5. Section A - Job Applications and Interviews Number of Respondents (NR) = 40, Number of Situations (NS) = 48			
Did you receive all you requested? (NS = 48)	Yes =	31	64.6%
	No =	17	35.4%
Was what you received effective? (NS = 30)	All were effective =	24	80.0%
	Most were effective =	5	16.7%
	Few were effective =	1	3.3%
Were you offered a job in this situation? (NS =46)	Yes =	16	34.8%
	No =	30	65.2%

The 40 respondents described 49 accommodation request situations. One situation was still in process. Of the remaining 48, 31 (64.6%) received all they requested, and 17 (35.4%) did not. Of the 31 who received all they requested, 1 (.32%) could not yet judge the effectiveness of the accommodation received. Of 47 situations where effectiveness was judged using the definition in the survey, 63.8% were completely fulfilled and 36.2% were not. Of the 30 where effectiveness was judged, 24 out of 30, or 80% reported “all,” and 5 out of 30, or 16.7% reported “most” were effective. This yields a receipt of effective accommodation rate of 61.7%

(received all times “all” plus “most” were effective = 63.8.% X 96.7%) for requests for accommodation for a job interview or application. This is derived from 17 not receiving all they requested and 1 out of 30 reporting that few of the accommodations received were effective.

There were still 3 (6.1%) of the 49 request situations where the job-seeking process was not concluded. Of the 46 that had concluded, 16 (34.8%) resulted in a job offer and 30 (65.2%) did not. Of the 16 job offers, 3 (18.75%) of the respondents who did not receive all they requested were offered jobs. The other 13 offers (81.25%) went to those who received all they requested.

Requesters listed up to 5 of the most important things requested in each situation. Therefore, the number of accommodations requested will be greater than the number of situations. In section A, three categories serve to classify most of the accommodations requested: (1) equipment, such as, a computer, special software and training to use it, or a closed circuit television (CCTV); (2) alternate formats or processes, such as Braille, large print, other inexpensive reformatted material, or more time, or changing location; and (3) help with transportation or orientation and mobility (O & M).

Of the 31 request situations in section A that were completely fulfilled, 3 or 10% were for equipment; 24 or 77% were for alternate formats or processes; and 4 or 13% were for help with transportation or O & M. Of the 17 that were not completely fulfilled, 4 or 24% were for equipment, 10 or 59% were requests for alternate formats or processes, and 3 or 17% were requests for help with transportation or O & M.

Section B - On-the-Job Requests to an Employer

Table 6 displays section B on-the-job requests to employer.

Table 6. Section B - On-the-job Requests to an Employer (NR = 63) (NS = 85)			
Did you receive all you requested?	Yes =	55	64.7%

Table 6. Section B - On-the-job Requests to an Employer (NR = 63) (NS = 85)		
(NS = 85)	No =	30 35.3%
Was what you received effective? (NS = 55)	All were effective =	47 85.5%
	Most were effective =	8 14.5%

There were 55 (64.7%) situations where all that was requested was received, and 30 (35.3%) not completely fulfilled. Of those completely fulfilled, 47 (85.5% of 55) were judged to all be effective and 8 (14.5%) were judged as most were effective. Out of 85 on-the-job request situations reported by 63 respondents, 64.7% (64.7% X 100%) resulted in effective accommodation.

Out of 85 on-the-job requests for accommodation, 32 were made to for-profit entities and 50 were made to not-for-profit entities (3 MD). Out of 50 requests to government agencies, 12 were made to federal, 24 were made to state, and 6 were made to local government entities (8 MD).

Among 55 on-the-job request situations where all that was requested was received, 55 requests were for equipment, 24 were for alternate formats or processes, and 9 were for help with transportation or O & M issues. Of 30 respondents who did not receive all they requested, 31 requests were for equipment, 18 requests were for alternate formats or processes, and 6 requests were for help with transportation or O & M.

Section C - Requests to Schools or Other Training Programs (These are for their education services; not job application or on-the-job requests.) Table 7 displays section C requests to schools or other training programs.

Table 7. Section C - Requests to Schools or Other Training Programs (NR = 53) (NS = 60)		
Did you receive all you requested? (NS = 60)	Yes =	40 66.7%
	No =	20 33.3%
Was what you received effective? (NS = 40)	All were effective =	29 72.5%
	Most were effective =	11 27.5%

Table 7. Section C - Requests to Schools or Other Training Programs (NR = 53) (NS = 60)			
Type of school or training program	Public:	= 36	60%
	Private:	= 19	31.7%
	On-the-job	= 3	5%
	Other	= 2	3.3%

Of 60 situations described, 40 (66.7%) resulted in receipt of all that was requested and 20 (33.3%) did not. Of the 40 where all was received, 29 (72.5%) were rated as “all were effective” and 11 (27.5%) were rated as “most were effective.” The 53 respondents to section C reported a 66.7% (66.7% X 100%) rate of receipt of effective accommodation for 60 request situations. The 2 “other” responses for type of school were 1 public and 1 private. Requests were made to 37 (61.7%) public schools or training programs, 20 (33.3%) private, and 3 (5%) on-the-job training programs.

Respondents were asked to list (up to) the five most important things requested in one request situation. In section C, the accommodations requested were classified into three general categories: (1) equipment, such as computers, special software for speech or screen enlargement, or a CCTV; (2) reformatted material, such as Braille, large print, readers and/or scribes, digital texts, or more time to complete a process; and (3) O & M. Of 40 requests where all was received, 17 were for equipment, 48 were for alternate formats, and 4 were for O & M help. Of 20 requests where not all was received, 12 were for equipment, 25 were for reformatted material or more time to complete a process, and 3 were for O & M.

Section D - Requests to Government Entities (These are for the public services they provide; not job application or on-the-job requests)

Table 8 displays section D requests to government service entities.

Table 8. Requests to Government Entities (NR = 39) (NS = 45)			
Did you receive all you requested? (NS = 45)	Yes =	20	44.4%
	No =	25	55.6%

Table 8. Requests to Government Entities (NR = 39) (NS = 45)		
Was what you received effective? (NS = 20)	All were effective =	11 55%
	Most were effective =	7 35%
	Few were effective =	2 10%
Level of Government Entity (NS = 45)	Federal =	10 22.2%
	State =	17 37.8%
	Local =	16 35.6%
	Don't know =	2 4.4%

Of 45 requests described by 39 respondents, 20 (44.4%) were completely fulfilled and 25 (55.6%) were not. Of 20 that were completely fulfilled, 11 (55%) were rated as “all were effective;” 7 (35%) were rated as “most were effective;” and 2 (10%) were rated as “few were effective.” Requests to federal, state, and local government entities resulted in a receipt of effective accommodation of 40% (44.4% X 90% = 39.96%). This resulted from 25 out of 45 requests not being completely fulfilled and 2 that were completed being rated as “few were effective.” Of the 45 requests, 10 (22.2%) were to federal agencies, 17 (37.8%) were to state agencies, 16 (35.6%) were to local agencies, and for 2 (4.4%) request situations, the level of government was not known.

Respondents were asked to list (up to) the five most important things requested in one request situation. In section D, most accommodations requested could be classified into two categories: (1) reformatted material, such as Braille, large print, readers, or scribes; and (2) transportation help, such as audible traffic signals, changes in bus routes, sighted guide, or help with O & M. Of the 20 requests that were completely fulfilled, 15 were for alternate formats and 6 were for transportation or O & M help. Of the 25 requests that were not fulfilled, 24 accommodation requests were for alternate formats and 11 were for transportation or O & M help.

Section E - Requests to Private Entities

(These are for the services they provide, not job application or on-the-job

requests to an entity.)

Table 9 displays section E requests to private entities.

Table 9. Requests to Private Entities (NR = 57) (NS = 73)			
Did you receive all you requested? (NS = 73)	Yes =	36	49.3%
	No =	37	50.7 %
Was what you received effective? (N = 35)	All were effective =	27	77.1%
	Most were effective =	7	20.0%

Of 73 requests to private service providers, 36 (49.3%) were completely fulfilled and 37 (50.7%) were not. As reflected in Table 4, section A, the number of fulfilled request situations (36) is larger than the number (35) that was rated for effectiveness of what was received because one respondent could not yet tell if the accommodation was effective. Of 35 requests that were rated, 27 (77.1%) were rated “all were effective;” 7 (20%) situations were rated “most were effective;” and 1 (2.9%) was rated “few were effective.” The rate of effective accommodation from private service providers is 47.9% (49.3% X 97.1%).

Respondents were asked to list (up to) the five most important things requested in one request situation. Thus, the number of accommodations requested is greater than the number of request situations. In section E, most of the accommodations requested could be classified into two categories: (1) reformatted material, such as Braille, large print, readers, or scribes, and (2) transportation help, such as assistance boarding planes or trains, access for guide dogs or help from a sighted guide. Of the requests made in the 36 situations that were all fulfilled, 14 were for transportation help and 42 were for alternate formats. In the 37 request situations that were not completely fulfilled, 9 were for transportation help and 34 were for alternate formats.

Respondents mentioned more services (106) than the 73 situations they more fully described by using expressions such as, this happened in

several locations, or in several similar kinds of entities. The provision of accommodation was often intermittent. The same entity or type of entity would accommodate effectively or not. The specific company names given in describing a request situation are not disclosed here.

Private entities where accommodation to access the service was requested included the following:

Utility companies: 23 (Including 18 phone companies, 3 power companies [gas, electric], and 2 cable TV services).

Public for-profits: 23 (including 15 restaurants, 6 grocery stores, and 2 hotels / conference centers)

Transportation services: 22, (including, 2 para-transit, 2 car rental services, 1 private transportation service, 4 interstate bus company, 10 airline / airport, 2 cab company, 1 cruise line).

Banking services: 19 (including banks, ATM machines, credit card companies and investment services).

Medical services: 8 (including doctor's office, group health, hospital, hospice, group health care plans).

Educational Testing Service: (including certification tests and the law school admissions exam).

Internet commerce (including consumer products, Internet listing of houses).

Other: private gym, baseball stadium, newspaper, audio reader service, community theater, Lighthouse for the Blind, private job services for people with disabilities.

Summary of the Results of Requests

Respondents reported the following rates of receiving effective accommodation by section: a) 61.7% during job applications and interviews, b) 64.7% on-the-job, c) 66.7% by schools or training programs, d) 40% for government services, and e) 47.9% for private services. The weighted, combined rate of receiving effective accommodation is 57.1%.

In contrast, respondents reported the following rates of failure to effectively accommodate: a) 38.3% during job applications and interviews, b) 35.3% on-the-job, c) 33.3% by schools or training programs, d) 60% for government services, and e) 52.1% for private services. The weighted, combined rate of failure to receive effective accommodation is 42.9%.

Out of 151 respondents, 74.8% requested accommodations, and 57.1% received effective accommodations for a total of 42.7% (74.8% X 57.1%) of this sample who used and found effective the ADA accommodation request process between the years 2000 and 2004. In addition, some respondents reported being denied the right to apply for jobs, transfers, or promotion, thereby being denied the right to request an accommodation. Others did not need to request anything, or had requested and received effective accommodation prior to 2000 and did not need to make any more requests between 2000-2004.

Perception of the Request Process

Respondents were asked their reasons for making few or no accommodation requests. Thirty-four did not respond to that question while 117 responded by checking as many of the choices provided that applied and/or by adding an “other” reason, 34 only gave an “other” reason, 21 used “other” and at least one of the selections offered.

Reasons for Not Requesting Any or Many Accommodations

Table 10 displays reasons for not requesting accommodations.

(Percentages may not equal 100% due to rounding.)

Table 10. Reasons for Not Requesting Any or Many Accommodations	Total / Percentage	
(1) It is too much trouble to ask for accommodation.	28,	18.1%
(2) I am unemployed and/or not seeking employment	22,	14.2%

Table 10. Reasons for Not Requesting Any or Many Accommodations	Total / Percentage	
(3) I do not need any accommodations	21,	13.5%
(4) I do not need any more accommodations	19,	12.3%
(5) Accommodations are provided without my asking	14,	9.0%
(6) I do not believe I would receive a reasonable accommodation I request	12,	7.7%
(7) I do not feel comfortable requesting accommodation	12,	7.7%
(8) I am concerned about retaliation if I request accommodation	12,	7.7%
(9) I receive all the accommodations I need from a state vocational rehabilitation service or some other source without making requests to anyone else	7,	4.5%
(11) I do not know how to request accommodation	7,	4.5%
(12) I was advised not to request accommodation	1,	0.1%

Qualitative analysis of the 53 open-ended, “other” reasons for not requesting any or many accommodations found the above categories were often re-phrased or repeated exactly. For example, “It has been a constant battle. I do not care any more.” was added to “Too much trouble.” The idea that it is easier to avoid the official route and go to the individual involved, was interpreted as meaning the official route is too much trouble compared to an effective alternative. Some respondents worked for Lighthouses for the Blind or other agencies for the blind and did not need to make requests because the employer was familiar with what was needed and acted before a request was made.

The comments, “I am afraid if I ask,” or “It would slow the process,” and “I fear people would not hire me,” and “people would think I was incompetent,” were added to the “concerned about retaliation” choice.

Concerns about the social appropriateness of requests were categorized with “not feeling comfortable making requests.” “Not knowing what was needed for a new job and not knowing what was covered by the ADA were added to the “not knowing how to request accommodation” category.

Respondents could check more than one reason for not making any or many requests. The primary reason for not requesting accommodation was the trouble involved (28, 18.1%). Next, being unemployed and/or not seeking employment was checked 22 times, or 14.2%. Not needing accommodation was checked 21 times, or 13.5%. Some said they did not request during 2000-2004 because they requested accommodations prior to the year 2000 and these were still in place and functioning. Not needing more accommodation was reported 19 times or 12.3%. Not needing to ask because it was provided without a request to the entity was reported 14 times or 9%. Not believing accommodation would be provided, feeling uncomfortable requesting, and being concerned about retaliation were each checked 12 times, 7.7% each. Accommodations were provided by a VR agency was reported 7 times, or 4.5%, and being advised not to make a request was checked by 1, or .01%. A total of 53.5% of the reasons for not requesting any or many accommodations were not due to any conflict or negative motivation from the request process or entity. However, 46.5% of the reasons indicated a conflict or negative motivation for not requesting.

The “other” category yielded additional reasons for not requesting. The following “other” comments indicate the individual does need more accommodation, but he or she is providing accommodation for him or herself, or is having someone else provide what is needed rather than asking a responsible entity for an accommodation.

“I take care of things myself, I pay for a reader and other needs.”

“I just buy what I need because I'm working. Other people help me, my wife helps me.”

“I like my independence and do not like asking for help. If I can handle it on my own, I will handle it my way.”

“I am resourceful enough to cope if accommodations are not readily available.”

Retaliation

Out of 113 respondents who requested accommodation, 82 (72.6%) answered the question on retaliation. Of those 82, 59 (72%) said they had not experienced retaliation and 23 (28.%) said they had experienced retaliation as a direct result of requesting accommodation. The wording in the choice of reasons for the question on not making any or many requests was “concern about retaliation,” not retaliation itself. Only 12 said they did not make requests because of concern about retaliation. Some people who experienced retaliation may not have been concerned enough about retaliation to say it affected their request behavior.

The following situations were classified by respondents as retaliation:

“I was told to . . . either go on medical leave or be administratively disciplined.”

“I was discharged after making a request for accommodations and all (my requests) were denied.”

“I was discharged because the employer did not want to accommodate me.”

“I felt I was fired because they did not want to provide accommodation.”

“I’ve had professors who knew about me before I got in the class, and they told me they would not put up with me. People have told me in DSS, (disability support services) they would not tolerate me abusing the system; they labeled me an abuser.”

“I was terminated from the BEP, they took away my state license.”

“The Air Force illegally pulled me out due to involvement in the appeal process.”

“After I filed with the EEOC, the little help I did have was halted, so I filed again. I was refused multiple promotions.”

“My evaluation has been delayed.”

“My VR counselor retaliated by repeatedly making harassing phone calls to our office.”

“The retaliation I received was being set up to fail at my job. My co-workers did not assist me in any way with accommodations after I had been on the job for a few years.”

“The added burdens make me avoid the request process.”

“They asked me to leave.”

“I was dropped from medicare because they did not read to me the regulations requiring me to take it or lose my other insurance, or pay more.”

“I felt my manager did not help me find another job at the firm when my team was disbanded.”

“I was accused of being hostile and angry and going behind my boss' back, none of which was true. I was simply frustrated.”

Request Repetition, Speed, and Satisfaction in General

Several measures of the quality of the request process were used. Some were “in general” questions to all the respondents, and some were in regard to requests in each section. One general question asked if a request had to be repeated to the same people, for the same thing, that was always needed, such as a request that print material distributed to others be provided in an alternate format. Out of 151 respondents, 90 answered that question and 22 (24.5%) only had to ask once, 27 (30.%) had to ask a few times, 20 (22.2%) had to ask several times, 13 (14.4%) had to ask every time they needed the accommodation, and 8 (8.8%) had no ongoing accommodation needs. Of 82 respondents who had ongoing needs, 49 or 59.8% only had to ask once or a few times, while 33 or 40.2% had to ask repeatedly or every time.

Another measure of the request process in general was a question about the speed of the process. Of 91 respondents who answered that question, 45 (49.5%) said it was fast or very fast, 43 (47.3%) said it was slow or very slow, and 3 (3.2%) did not know. Respondents were also asked if they were satisfied with the ADA accommodation request process. Of 90 respondents, 61 (67.7%) were satisfied or very satisfied, and 29 (32.3%) were unsatisfied or very dissatisfied.

Respondents were asked if they were involved in discussions with the entity about their request for accommodation beyond just revealing their impairment and making a request. Most did not have discussions. Those who did not receive all they requested were asked what reasons they were given for a refusal or failure to accommodate. Most were not given any reason for a failure to accommodate. A common response from an entity to a request for a reason for the failure to accommodate was, “We don’t do that here” meaning it is not done at all, not that it gets done somewhere else in the entity’s organization.

The Entity’s Willingness to Comply With Accommodation Requests

Tables 11 through 15 describe respondents’ perception of the entity’s willingness to accommodate.

Table 11. Section A, Job Applications and Interviews

Willingness	All Received?		Total
	No	Yes	
Missing Data	0 (0%)	1 (3.2%)	1 (2.1%)
Unwilling	13 (76.5%)	1 (3.2%)	14 (29.2%)
Very Unwilling	2 (11.8%)	0 (0%)	2 (4.2%)
Very Willing	0 (0%)	19 (61.3%)	19 (39.6%)
Willing	2 (11.8%)	10 (32.3%)	12 (25%)

Willingness	All Received?		Total
	No	Yes	
TOTAL	17 (100%)	31 (100%)	48 (100%)

The respondents were asked if they thought the people they made requests to were willing to fulfill the request. For section A, job interviews and applications, of 17 requests where all that was requested was not received, in 13 situations (76.5%) the entity was considered unwilling to accommodate, and in 2 situations (11.8%), the entity was considered very unwilling. Thus, in 88.3% of the situations where all was not received, the entity was perceived to be unwilling or very unwilling to comply with requests for accommodation. In 2 unfulfilled situations (11.8%), the entity was considered willing to comply with requests.

In 19 of 31 situations (61.3%) where all that was requested was received, the entity was considered very willing and in 10 situations (32.3%), the entity was considered willing to accommodate. Thus, in 93.6% of the situations where all was received, the entity was perceived to be very willing or willing. However, in 1 fulfilled situation (3.2%) the entity was considered unwilling. One respondent (3.2%) did not know.

Table 12. Section B, On-the-Job Requests to Employer

Willingness	All Received?		Total
	No	Yes	
Missing Data	1 (3.3%)	0 (0%)	1 (1.2%)
Unwilling	14 (46.7%)	1 (1.8%)	15 (17.4%)
Very Unwilling	7 (23.3%)	1 (1.8%)	8 (9.3%)
Very Willing	4 (13.3%)	39 (69.6%)	43 (50%)
Willing	4 (13.3%)	15 (26.8%)	19 (22.1%)
TOTAL	30 (100%)	56 (100%)	86 (100%)

For section B, on-the-job requests, of 30 request situations where all that was requested was not received, in 14 (46.7%) situations the entity was considered unwilling to accommodate, and in 7 (23.3%) situations the entity was considered very unwilling. Thus, in 70% of the situations where all was not received, the entity was perceived to be unwilling or very unwilling to comply. However, in 4 (13.3%) situations that were not completely fulfilled, the entity was considered willing to comply with requests.

Of 56 situations where all that was requested was received, there were 39 (69.6%) situations where the entity was considered very willing and 15 (26.8%) situations where the entity was considered willing to accommodate. Thus, in 90.4% of successful situations, the entity was perceived to be very willing or willing to comply. However, in 1 (1.8%) fulfilled situation, the entity was considered very unwilling and in 1 (1.8%) was unwilling. Thus, in 3.6% of the situations that were completely fulfilled, the entity was perceived to be very unwilling or unwilling to comply.

Table 13. Section C, Schools or Other Training Programs

Willingness	All Received?		Total
	No	Yes	
Missing Data	0 (0%)	2 (5%)	2 (3.3%)
Unwilling	9 (45%)	1 (2.5%)	10 (16.7%)
Very Unwilling	2 (10%)	0 (0%)	2 (3.3%)
Very Willing	0 (0%)	28 (70%)	28 (46.7%)
Willing	9 (45%)	9 (22.5%)	18 (30%)
TOTAL	20 (100%)	40 (100%)	60 (100%)

For section C, schools or training programs, of 20 requests where all that was requested was not received, in 9 (45%) of the situations the entity was considered unwilling to accommodate and in 2 (10%) of the situations, was considered very unwilling. Thus, in 55% of the situations where not all was received, the entity was perceived to be unwilling or very unwilling. However, in 9 (45%) of the unfulfilled situations, the entity was considered willing to comply with requests even though not all requests were fulfilled.

In 28 of 40 situations (70%) where all that was requested was received, the entity was considered very willing and in 9 (22.5%) situations, the entity was considered willing to accommodate. Thus in 92.5% of the situations, the entity was very willing or willing to comply. However, in 1 (2.5%) fulfilled situation, the entity was considered unwilling. In 2 (5%) fulfilled situations, the data were missing.

Table 14. Section D, Government Entities

Willingness	All Received?		Total
	No	Yes	
Missing Data	1 (4%)	1 (5%)	2 (4%)
Unwilling	5 (20%)	1 (5%)	6 (13.3%)
Very Unwilling	10 (40%)	1 (5%)	11 (24.4%)
Very Willing	2 (8%)	6 (30%)	8 (17.8 %)
Willing	7 (28%)	11 (55%)	18 (40%)
TOTAL	25 (100%)	20 (100%)	45 (100%)

For section D, government services, of 25 requests where all that was requested was not received, in 5 (20%) situations the entity was considered unwilling to accommodate, and in 10 (40%) situations was considered very unwilling. Thus, in 60% of the situations where not all was received, the entity was perceived to be unwilling or very unwilling to comply with requests. However, in 7 (28%) of the situations where compliance was not complete, the entity was considered willing to comply with requests and 2 (8%) were considered very willing. Thus, in 36% of the unfulfilled situations, the entity was perceived to be willing or very willing. In 1 (4%) unfulfilled situation, there was missing datum for this question.

Of 20 situations where all that was requested was received, in 6 (30%) situations, the entity was considered very willing and in 11 (55%) situations, the entity was considered willing to accommodate. Thus, in 85% of the fulfilled situations, the entity was perceived to be very willing or willing to comply. However, in 1 (5%) fulfilled situation, the entity was considered unwilling and in 1 (5%) fulfilled situation, the entity was considered very unwilling. Thus, in 10% of the situations where everything requested was received, the entity was considered unwilling or very unwilling to comply. In 1 (5%) fulfilled situation, the datum was missing.

Table 15. Section E, Private Entities

Willingness	All Received?		Total
	No	Yes	
Missing Data	2 (5.6%)	1 (2.8%)	3 (4.2%)
Unwilling	15 (41.7%)	4 (11.1%)	19 (26.4%)
Very Unwilling	3 (8.3%)	0 (0%)	3 (4.2%)
Very Willing	5 (13.9%)	23 (63.9%)	28 (38.9%)
Willing	11 (30.6%)	8 (22.2%)	19 (26.4%)
TOTAL	36 (100%)	36 (100%)	72 (100%)

For section E, of 36 requests where all that was requested was not received, in 15 (41.7%) situations, the entity was considered unwilling to accommodate, and in 3 (8.3%) situations, the entity was considered very unwilling. Thus, in 50% of the situations where all that was requested was not received, the entity was perceived to be unwilling or very unwilling to comply. However, in 11 (30.6%) unfulfilled situations, the entity was considered willing to comply with requests and in 5 (13.9%) situations, the entity was considered very willing. In 44.5% of the unfulfilled situations, the entity was considered willing or very willing to comply. In 2 (5.6%) unfulfilled situations, the data were missing.

In 23 out of 36 situations (63.9%) where all that was requested was received, the entity was considered very willing and in 8 (22.2%) situations, the entity was considered willing to accommodate. Thus, in 86.1% of successful requests, the entity was perceived as being willing or very willing to comply. However, in 4 (11.1%) of the fulfilled situations, the entity was considered unwilling. In 1 (2.8%) fulfilled situation, the datum was missing.

The Ease or Difficulty of the Request Process

Tables 16 through 20 describe respondents' perception of the ease or difficulty of the request process.

Table 16. Section A, Job Applications and Interviews

Ease or Difficulty Getting Accommodation	All Received?		Total
	No	Yes	
Missing Data	2 (11.8%)	1 (3.2%)	3 (6.2%)
Very Difficult	11 (64.7%)	0 (0%)	11 (22.9%)
Difficult	3 (17.6%)	6 (19.4%)	9 (18.8%)
Easy	1 (5.9%)	13 (41.9%)	14 (29.2%)
Very Easy	0 (0%)	11 (35.5%)	11 (22.9%)
TOTAL	17 (100%)	31 (100%)	48 (100%)

The respondents were asked about the difficulty or ease of each of the request situations they described. For section A, Job Interviews and Applications, there were 17 requests where all that was requested was not received. In 11 (64.7%) of the unfulfilled situations, respondents rated the process very difficult, and 3 (17.6%) were rated difficult. Thus, in 82.3% of the unfulfilled situations, the process was perceived as being very difficult or difficult. In 1 (5.9%) of the unfulfilled situations, the process was rated as easy. In 2 (11.8%) unfulfilled situations, the data were missing.

Of 31 situations where all that was requested was received, 13 (41.9%) situations were rated as easy. In 11 (35.5%) situations, the process was rated as very easy. Thus, in 77.4% of the fulfilled situations, the process was perceived as easy or very easy. However, in 6 (19.4%) of the fulfilled situations, the process was rated as difficult. In 1 (3.2%) of the fulfilled situations, the datum was missing.

Table 17. Section B, On-the-Job Requests to Employer

Ease or Difficulty Getting Accommodation	All Received?		Total
	No	Yes	
Missing Data	0 (0%)	2 (3.6%)	2 (2.3%)
Very Difficult	15 (50%)	1 (1.8%)	16 (18.6%)
Difficult	14 (46.7%)	8 (14.3%)	22 (25.6%)
Easy	1 (3.3%)	29 (51.8%)	30 (34.9%)
Very Easy	0 (0%)	16 (28.6%)	16 (18.6%)
TOTAL	30 (100%)	56 (100%)	86 (100%)

For section B, On-the-Job-Requests, out of 30 requests where all that was requested was not received, 15 (50%) of the unfulfilled situations were rated by respondents as very difficult, and 14 (46.7%) were rated as difficult. In 1 (3.3%) of the unfulfilled situations, the process was rated as easy.

There were 56 on-the-job situations where all that was requested was received. In 8 (14.3%) of the fulfilled situations, the process was rated as difficult and in 1 (1.8%) fulfilled situation, the process was rated very difficult. In 29 (51.8%) fulfilled situations, the process was rated as easy. In 16 (28.6%) fulfilled situations, the process was rated as very easy and in 2 (3.6%) of the fulfilled situations, the data were missing.

Table 18. Section C, Schools or Training Programs

Ease or Difficulty Getting Accommodation	All Received?		Total
	No	Yes	
Missing data	1 (5%)	2 (5%)	3 (5%)
Very Difficult	8 (40%)	0 (0%)	8 (13.3%)
Difficult	7 (35%)	8 (20%)	15 (25%)
Easy	4 (20%)	15 (37.5%)	19 (31.7%)
Very Easy	0 (0%)	15 (37.5%)	15 (25%)
TOTAL	20 (100%)	40 (100%)	60 (100%)

For section C, Schools and Training Programs, there were 20 requests where all that was requested was not received. In 8 (40%) of those unfulfilled situations, respondents thought the process was very difficult, and in 7 (35%) unfulfilled situations they thought it was difficult. In 4 (20%) of the unfulfilled situations, the process was rated as easy. In 2 (5%) unfulfilled situations, the data were missing.

There were 40 situations where all that was requested was received. In 8 (20%) of the fulfilled situations, the process was rated as difficult and in 3 (15%) of the fulfilled situations, the respondents found the process to be very difficult. In 15 (37.5%) fulfilled situations, the process was rated as easy. In 15 (37.5%) fulfilled situations, the process was rated as very easy. In 2 (5%) fulfilled situations, the data were missing.

Table 19. Section D, Government Entities

Ease or Difficulty Getting Accommodation	All Received?		Total
	No	Yes	
Very Difficult	15 (60%)	3 (15%)	18 (40%)
Difficult	8 (32%)	6 (30%)	14 (31.1%)
Easy	2 (8.0%)	10 (50%)	12 (26.7%)
Very Easy	0 (0%)	1 (5%)	1 (2.2%)
TOTAL	25 (100%)	20 (100%)	45 (100%)

For section D, Government Entities, there were 25 requests where all the accommodations requested from a government entity for access to the services it provided were not received. (Again, these are not requests made to a government entity during job interviews and applications or on-the-job requests.) In 15 (60%) of those unfulfilled situations, respondents thought the process was very difficult, and in 8 (32%) unfulfilled situations, they thought it was difficult. Thus, 92% of situations where not all requests were fulfilled were viewed as difficult or very difficult. In 2 (8.0%) of the unfulfilled situations, the process was rated as easy.

There were 20 situations where all that was requested was received. In 10 (50%) of the fulfilled situations, the process was rated as easy. In 1 (5.0%) fulfilled situation, the process was rated as very easy. Thus in 55% of the fulfilled situations, the process was viewed as easy or very easy. However, in 6 (30%) of the fulfilled situations, the process was rated as difficult and in 3 (15%), the process was rated as very difficult. In 45% of the fulfilled situations, the process was viewed as difficult or very difficult.

Table 20. Section E, Private Entities

Ease or Difficulty Getting Accommodation	All Received?		Total
	No	Yes	
Missing Data	3 (8.4%)	0 (0%)	3 (4.1%)
Very Difficult	11 (30.6%)	1 (2.8%)	12 (16.7%)
Difficult	19 (52.8%)	6 (16.7%)	25 (34.7%)
Easy	3 (8.3%)	17 (47.2%)	20 (27.8%)
Very Easy	0 (0%)	12 (33.3%)	12 (16.7%)
TOTAL	36 (100%)	36 (100%)	72 (100%)

For section E, Private Entities, there were 36 requests where all the accommodations requested for a service provided by a private entity were not received. (Again, these are not requests made to a private entity during job interviews and applications or on-the-job requests.) In 11 (30.6%) of those unfulfilled situations, respondents thought the process was very difficult, and 19 (52.8%) unfulfilled situations were viewed as difficult. Thus, 83.4% of unfulfilled request situations were considered very difficult or difficult. In 3 (8.3%) of the unfulfilled situations, the process was rated as easy. In 3 (8.4%) unfulfilled situations, the data were missing.

There were 36 situations where all that was requested was received. In 17 (47.2%) fulfilled situations, the process was rated as easy. In 12 (33.3%) fulfilled situations, the process was rated as very easy. Thus, the request process in 80.5% of the situations where all requests were fulfilled was viewed as easy or very easy. In 6 (16.7%) of the fulfilled situations, the process was rated as difficult and 1 (2.8%) fulfilled situation was rated very difficult. Thus, 19.5% of the situations where all that was requested was received were viewed as difficult or very difficult.

Summation of Perceived Willingness of the Entity to Accommodate and the Ease or Difficulty of Requesting Accommodation

Out of 302 request situations that had answers to the question on the entity's willingness to accommodate, where 178 received all that was requested and 124 did not receive all that was requested, there were 90 (30%) situations where the entity was perceived to be unwilling or very unwilling to accommodate and 212 (70%) situations where the entity was perceived to be willing or very willing.

Respondents were free to not answer any of the questions about a request situation. Therefore, the total number of those who did receive all they requested and the total number of those who did not receive all they requested may differ in the final tally report of a particular question because of non-response. Out of 300 request situations that had answers to the question on the difficulty of the request process, where 178 received all that was requested and 122 did not receive all that was requested, there were 142 (47%) where the process was considered difficult or very difficult and 158 (53%) where the process was considered easy or very easy.

It might be assumed that entities that accommodate were willing to do so and that respondents who were successfully accommodated found the process easy. However, in 43 or 35% of unfulfilled request situations, the entity was viewed as being willing or very willing to accommodate. In 10 or 6% of fulfilled situations, the entity was viewed as unwilling or very unwilling to accommodate.

In 11 or 9% of unfulfilled situations, the process was viewed as easy or very easy. In 39 or 22% of fulfilled situations, the process was considered difficult or very difficult.

The Entities' History of Providing Accommodation

Another perception examined was whether respondents thought the entity typically provided accommodations to people with disabilities.

Table 21. Section A, Job Applications and Interviews

Did the entity usually accommodate others?	All Received?		Total
	No	Yes	
No, as far as I know	9 (52.9%)	5 (16.1%)	14 (29.2%)
Yes, as far as I know	1 (5.9%)	14 (45.2%)	15 (31.3%)
I do not know	7 (41.2%)	12 (38.7%)	19 (39.6%)
TOTAL	17 (100%)	31 (100%)	48 (100%)

The respondents were asked if they thought the entity they made requests to usually fulfilled such requests. For section A, there were 17 requests where all that was requested was not received. In 9 (52.9%) of the situations, respondents felt the entity usually did not provide accommodation, and in 1 (5.9%) of the situations, the entity was viewed as usually providing accommodation. For 7 (41.2%) of the situations, the respondents did not know the accommodation history of the entity.

There were 31 situations, where all that was requested was received. In 5 (16.1%) of the situations, respondents thought the entity usually did not provide accommodation, and in 14 (45.2%) situations, the entity was viewed as usually providing accommodation. In 12 (38.7%) situations, the respondents did not know the accommodation history of the entity.

Table 22. Section B, On-the-Job Requests to Employer

Did the entity usually accommodate others?	All Received?		Total
	No	Yes	
No, as far as I know	3 (10%)	1 (1.8%)	4 (4.7%)
Yes, as far as I know	14 (46.7%)	45 (80.4%)	59 (68.6%)
I do not know	13 (43.3%)	10 (79.9%)	23 (26.7%)
TOTAL	30 (100%)	56 (100%)	86 (100%)

For section B, there were 30 requests where all that was requested was not received. In 3 (10%) of the situations, respondents felt the entity usually did not provide accommodation, and in 14 (46.7%) of the situations, the entity was viewed as usually providing accommodation. For 13 (43.3%) situations, the respondents did not know the accommodation history of the entity.

There were 56 situations where all that was requested was received. In 1 (1.8%) of the situations, respondents thought the entity usually did not provide accommodation, and in 45 (80.4%) situations, the entity was viewed as usually providing accommodation. In 10 (79.9%) situations, the respondents did not know the accommodation history of the entity.

Table 23. Section C, Schools or Other Training Programs

Did the entity usually accommodate others?	All Received?		Total
	No	Yes	
No, as far as I know	6 (30%)	2 (5%)	8 (13.3%)
Yes, as far as I know	9 (45%)	33 (82.5%)	42 (70%)
I do not know	5 (25%)	5 (12.5%)	10 (16.7%)
TOTAL	20 (100%)	40 (100%)	60 (100%)

For section C, there were 20 requests where all that was requested was not received. In 6 (30%) of the situations, respondents felt the entity usually did not provide accommodation, and in 9 (45%) of the situations, the entity was viewed as usually providing accommodation. For 5 (25%) situations, the respondents did not know the accommodation history of the entity.

There were 40 situations where all that was requested was received. In 2 (5%) of the situations, respondents thought the entity usually did not provide accommodation, and in 33 (82.5%) situations, the entity was viewed as usually providing accommodation. In 5 (12.5%) situations, the respondents did not know the accommodation history of the entity.

Table 24. Section D, Government Entities

Did the entity usually accommodate others?	All Received?		Total
	No	Yes	
No, as far as I know	3 (12%)	0 (0%)	3 (6.7%)
Yes, as far as I know	11 (44%)	18 (90%)	29 (64.4%)
I do not know	11 (44%)	2 (10%)	12 (26.7%)
TOTAL	25 (100%)	20 (100%)	45 (100%)

For section D, there were 25 requests where all that was requested was not received. In 3 (12%) of the situations, respondents felt the entity usually did not provide accommodation, and in 11 (44%) of the situations, the entity was viewed as usually providing accommodation. For 10 (40%) situations, the respondents did not know the accommodation history of the entity.

There were 20 situations where all that was requested was received, in 18 (90%) situations, the entity was viewed as usually providing accommodation. In 2 (10%) situations, the respondents did not know the accommodation history of the entity.

Table 25. Section E, Private Entities

Did the entity usually accommodate others?	All Received?		Total
	No	Yes	
No, as far as I know	10 (27.8%)	2 (5.6%)	12 (16.7%)
Yes, as far as I know	15 (41.7%)	30 (83.3%)	45 (62.5%)
I do not know	1 (30.6%)	4 (11.1%)	15 (19.4%)
TOTAL	36 (100%)	36 (100%)	72 (100%)

For section E, there were 36 requests where all that was requested was not received. In 10 (27.8%) of the situations, respondents felt the entity usually did not provide accommodation, and in 15 (41.7%) of the situations, the entity was viewed as usually providing accommodation. For 11 (30.6%) situations, the respondents did not know the entity's history.

There were 36 situations where all that was requested was received. In 2 (5.6%) of the situations, respondents thought the entity usually did not provide accommodation, and in 30 (83.3%) situations, the entity was viewed as usually providing accommodation. In 4 (11.1%) situations, the respondents did not know the accommodation history of the entity.

Summation of Entities' History of Accommodation

Out of 311 request situations that had answers to the question on the entity's accommodation history, there were 128 unfulfilled requests. In 31 (24%) of those unfulfilled situations, the respondents thought the entity did not usually accommodate. In 50 (39%) of those situations, the respondents thought the entity usually did accommodate. In 47 (37%) of unfulfilled situations, the respondents did not know the entities' history. There were 183 fulfilled request situations. In 10 (5%) fulfilled situations, respondents thought the entity did not usually accommodate. In 140 (77%) situations, the respondents thought the entity usually did and in 33 (18%) fulfilled situations, respondents did not know the entities' accommodation history.

The Appeals Process

A question in each section A - E asked if an appeal was made in response to a failure to fulfill a request for accommodation and if the appeal resulted in obtaining accommodation. Eight choices and an "other" selection were offered for the type of appeals used. In section A, there were 17 situations where requests were not all fulfilled. Respondents in 14 of those situations did not appeal. The three where appeal was made did not indicate how they appealed. The following reasons for not appealing in section A were given: two did not want to work for an entity that would not accommodate, two gave up searching for a job entirely; and two did not know how to appeal. Others wrote that there was no time, the appeal process did not work, a reason to appeal was not known, or the right to appeal was not known. Still others wrote of being intimidated, or nervous, fearing retaliation, or just giving up, and one did not really want the job.

In section B, there were 30 situations where requests were not all fulfilled and seven appeals were made. One respondent filed suit and nothing has happened yet. Of five informal appeals to someone else in the same organization, two appeals were successful. Where the respondent did not appeal, the following reasons were given: the management would not help, the appeal system was not good, the system was a hopeless bureaucracy, not wanting the hassle, not caring anymore, just waiting, being tired of the run around, it would be too much trouble, looking for a different job, not wanting to make a stink, thinking it was hopeless, being burned out with the appeals process, no time, not wanting to become bitter as a result of fighting for accommodation, it's too much work to appeal, and not wanting to seem to only approach management with ADA appeals.

In section C, there were 20 situations where requests were not all fulfilled. Of those, there were three situations with no indication if an appeal was attempted and three where appeal was not yet made. Of the remaining 14, five appealed to someone else in the organization, one was successful, two were not, and two could not yet tell. In 9 situations, no

appeal was made for the following reasons: two not knowing how to appeal, and two not knowing what is needed in the situation, also having the ability to accomplish tasks anyway, not needing it anymore because the one time event was past, receiving assurance that the entity would do better next time, and not wanting to slow the academic (Ph.D.) process by appealing.

Section D contained 25 situations where requests were not all fulfilled. Among those, there were three situations without indication whether appeal was tried and eight where appeal was attempted. Of six who contacted someone in the same organization, two were successful, two were not, and two were still waiting. There were two appeal attempts to a state, county, or city human rights agency. Of those, one was still in progress and one was not successful. While waiting for the other appeals to progress, an additional contact was made to the governor's office which was still in progress, and an additional appeal went to a state representative which was successful. Of those who did not appeal, one respondent said it would be fruitless, and one threatened the entity and finally got accommodation, but the type of threat was not indicated. Also, two said there was not enough time, two did not know they had the right to appeal, two did not know how to appeal, one had a heart attack, one did not want to appear to be a complainer, and one wrote he or she will appeal eventually.

In section E, there were 37 situations where requests were not all fulfilled. Among those, 10 were appealed. There were six appeals to someone else in the same organization, two were successful, three were not, and one was pending. Of the two that were successful, one was also appealed to a state, county, or city human rights agency. The appeal to a human rights agency was not successful. There were three appeals to the EEOC or DOJ that were not successful. Of those situations where appeals did not occur, five were because the person did not know how to appeal, two just kept requesting, (kept "bugging them") and in one situation, the respondent did not want to "keep banging her head against walls."

Summation of the Appeals Process

In 128 situations where not all accommodations requested were provided, 33 (25.6%) were appealed. Of 33 appeals, three (9.1%) were to a federal agency and those were ineffectual. One (3%) was a lawsuit that was not yet settled. Of three appeals to a state, county, or city human rights agency, one was in progress, and two (6.1%) were unsuccessful. The largest number of appeals (22 or 66%) were to someone else in the same organization. Of those, 7 (31.8%) were successful, 10 (45.5%) were not successful and five (22.7%) were still pending. Of 17 completed appeals of failure to accommodate that went to someone else in the same organization, 41.2% succeeded. Data were missing on four appeals.

Suggestions on How to Successfully Request Accommodation

Respondents were asked to give five suggestions on how to succeed with an ADA request for accommodation. The suggestions fell into three categories: knowledge, attitude, and strategies. The first category included knowledge of the law and the appeals process, knowledge of one's own abilities and needs, and of what types of AT or accommodations exist. The attitude category included perseverance, politeness, cooperation, and pride. Opposites emerged among the suggestion such as, be demanding, and do not be demanding, reveal a disability, and do not reveal a disability. The strategy category included, record facts about requests, get a time-frame for fulfillment of a request, use adverse publicity instead of the redress process, and things to think about before requesting.

There was one striking difference between the suggestions of those who received all they requested and those who did not. Those who had received all they requested suggested asking for a minimum or not making requests at all. Instead, people should be self-reliant or provide their own accommodations so as to not need the ADA request process. Paradoxically then, the best way to successfully obtain accommodation

under the ADA request process was to provide your own accommodation.

The 700+ responses were analyzed and categorized into knowledge, attitude, and strategy domains and then collapsed into the following suggestions on how to successfully request ADA accommodation.

Knowledge

Knowledge About the ADA:

Know the provisions of the ADA - read it, know your rights

Know your right to be accommodated

Know how to ask for accommodations (but you may not want to ask)

Know who has to pay for what

Knowledge About the Appeals Process:

Know about the programs available to help you with discrimination

Know your legal options, that legal action can be sought, that you may have to appeal several times,

Know you can only appeal to the EEOC within 180 days of the incident.

Know the media and political contacts to make

Know who to call if you have a concern

Know how and where to appeal a refusal in person

Knowledge About Accommodations:

Know assistive technology

Know what you need, what it is you're asking for, and that it is reasonable

Make sure the product is what you need to do what you have to do and that it does it.

Research your request - be able to argue why you need something, be certain that your accommodation is needed.

Know available resources for obtaining accommodation, such as where an item can be purchased

Know there is more than one way to accomplish accommodation

Knowledge About the Entity:

Be aware of the entity's limitations

Know whether the employers are willing and have a history of accommodation or hiring

Be aware if the way others perceive you is prejudicial

Know if other employees have the same things to do as you

Prior relationships are vital - the people you know will help you

Know employers can get tax credits to offset the cost

Knowledge About Yourself:

Know if you are covered by the ADA

Know your own abilities and skill level

Have a thorough understanding of your actual needs

Know your own limitations

Be aware whether you can fulfill accommodations yourself

Know whether the accommodations are helping

Attitudes

Attitudes on Requesting Accommodation:

Do not be timid, make your requests known

Always ask, don't be afraid to ask, don't give up

Be persistent, be demanding if you need to be, be assertive

Know the difference between being assertive and being aggressive

Ask nice the first time, do not be demanding

Be polite, and reasonable, don't act like a bull in a china shop

Be patient, be willing to participate and cooperate

Be prepared to ask several times

Be diplomatic, not confrontational, compromise when necessary

Be willing and able to work with others

Be grateful, publicly praise and thank quick responses
Be prepared for ignorance from the employer
Stay confident, do not get upset; if rejected don't be discouraged
Do not be surprised at interruptions in the accommodation process
Don't be intimidated, stand up and do not be pushed around
Stand up to retaliation and deal with it as it comes
Remember it is your right, not a privilege
Be a partner, work it out together, rather than think they owe this to me

Attitudes On Blindness:

Be open about blindness
It's respectable to be blind and ask for what you need.
Be very positive and up front, don't hide your disability or wear a sign
Do not be afraid or ashamed to admit you have a disability
Be comfortable with yourself and accept your disability
Recognize that you have to work harder than the average person
Own your limitations, what you can and cannot do
Be self-reliant, try to do things yourself
Do not be afraid to try new things
Don't assume they know what is best for you
Be willing to educate people about your needs and the law
Know that everything in life has some problems, don't give up
Be mature, leave emotions out

Attitudes About the Affects of Requesting:

No matter what they say, there is enough to go around
Asking does not deprive anybody else of what they're entitled to
Remember that things are supposed to be made available to you
Let the entity know that you are not taking advantage of the situation by asking
Understand that reasonable does not mean you get everything you wanted, but things should work effectively

Know the ADA does not guarantee a job
Know the ease of getting accommodation doesn't necessarily mean the person is doing it willingly
Know that some people will help, but others will not
Consider the cost to yourself and to your goals

Strategies

Things to Consider Before a Request:

Think things out before requesting
Ask yourself if it is worth bringing up
Make sure you are wanted on the job in the first place
Ask if a blind person can do the job
Ask if the entity's computer system can be made accessible if it is not already
Be ready and well prepared for all questions

Strategies Related to the Accommodation:

Be a knowledgeable consumer
Be specific, be clear about what you need and why: the employers are not aware of what accommodation is available
Support your requests with information on cost, cost effectiveness, and where accommodation can be obtained
Consider an alternative if it is reasonable
Do homework and give contact information on how to get what you request
Ask for the accommodations most needed
Make sure it is something you really need, not just something you want.

Strategies for Dealing with the Entity:

Ask them if they have any experience with dealing with ADA compliance
Get the name and phone number of the person you will make a request to,

and deal with that one person directly
Notify the entity ahead of time
Ask immediately; make arrangements as soon as possible
Keep some ADA pamphlets to give away when you make a request
Follow-up, make sure people are contacted, and the process is going forward
Find out how long it will take
Be grateful if you do receive all accommodations
Tell people blindness is not contagious
Don't allow people to intimidate you
Ask people to not lay things on the floor
Consider the busy schedule of the person to whom you are making a request for accommodation, see if they have the time to spend with you
Let people in a hurry get ahead of you in line
Don't waste time, use services in a timely manner
Give the person time to resolve the request or problem

Strategies Concerning Yourself:

Start by giving your name and address and your disability - expose it. Do not hide your disability
Don't state right off the bat that you're disabled
If you are not obviously blind, you have to tell them
Let people know how you are coping
Tell the employer and others what you can do and how you function
Tell your employer and others what they can do to help you
Let it be known that a person who is blind can do a very good job if given the tools
Network with professionals and learn from their experience
Attend advocacy meetings and get information
Belong to a national organization of the blind (ACB or NFB) where people can help you with the ADA; they have skills to walk you through it.
Make yourself valuable and people are more willing to help.
Don't start crying "ADA;" don't complete a sentence with the words "ADA"

Communicate well, be articulate, they may not ask, listen to what they say.

Strategies For Unfulfilled Requests:

Request again if you need to

Advocate for yourself

Complain if you don't get what you need

Go up the chain of command, stay on people's backs

If the accommodations are not right and on time - ask again

Document what you requested and when

If it doesn't work, go to the human rights organization in your area

Learn how the system works so you know how to use it effectively

Suggestions To Not Ask, Or Not Ask For Much:

Offer to provide some of the accommodations (bring your own equipment)

Get a support system: family, friends, etc. to help

Fulfill accommodations yourself if you can - unless you can afford to sue

Make your own accommodation

Receive proper training in blindness skills

If you can do it without the ADA, do it

Find out how to get grants or loans so you do not have to ask

Assume some of the responsibility

Don't share information on an expensive item right up front: if the cost is high it will scare them off

Instead of telling them what you need, explain your situation and ask them what they think you should do

Demographic and Disability-Related Factors

Five demographic and disability-related characteristics were evaluated for their impact on the request process. However, none of the factors chosen were significant indicators of request success or failure. Again note, the level of analysis is the request situation. Out of the 311 request situations described by 113 respondents, 225 contained data on

the five demographic or disability-related characteristics evaluated.

In addition to univariate analysis, binary logistic regression was conducted to investigate if a group of variables could predict the probability of a person receiving all requested accommodations. Variables entered in the model thought to be potential correlates of receiving accommodations included vision (totally blind/light perception, legally blind/visually impaired); current employment (no, yes); education (below bachelor's, bachelor's or above); gender (female, male); and VR client at time of request (no, yes).

Logistic regression using SPSS Version 12.0 was employed to analyze the model. Logistic regression (LR) was selected for the analyses because the criterion variable was dichotomous (either received or did not receive all requested accommodations), and LR is preferred in this context (Hair, Anderson, Tatham, & Black, 1998). For example, LR provides odds ratios that may be used to determine if knowing the gender, level of visual impairment, employment, education, and being a VR client increases the odds of predicting if that person received requested accommodations. The model was not statistically significant, $\chi^2(6, N = 225) = 4.88, p = .56$, indicating that the variables were not statistically reliable predictors of whether a person received accommodations. On indices related to effect size, the percent correct classification decreased slightly from a base rate of 58.7% to 58.2% when the predictors entered the model, and the Nagelkerke pseudo- R^2 was .029, both indicating a minimal effect.

Strengths and Limitations of the Study

The sample for this study consisted of volunteers who were not randomly chosen. Therefore, the findings are not generalizable to the larger population of people with a severe visual impairment or other severe impairments. The people in the study had a higher rate of employment and a higher level of education than is typical for this population. This lends credibility to the results, but again reduces generalizability. The sample size is the largest to date for research on requesting ADA accommodation.

The unit of analysis is the request situation, not the individual. This is based on the underlying concept of the ADA that disability does not reside within a person with a severe impairment, but rather disability exists in the interaction of the individual with a severe impairment and the environment. Confounding variables may exist from the entities, from the respondents and from other sources. However, this study used pertinent, well-defined, observable, measures indicating the respondents had standing, and their disability, requests, and the entities contacted were covered by the law.

While it is revealing that only 336 requests were described instead of 5,000, 15 of those were clearly not ADA requests, and 10 others were still in progress or incompletely described. The small number when divided into multiple categories limits the usefulness of statistical manipulation of either the results or the demographic information such as race. In addition, the survey tool seemed too long. The small number of requests described may be due to time constraints, memory limitations, or survey fatigue. However, self-estimations of request behavior at the onset of the survey indicated the respondents in this sample did not make many requests.

The Internet was not as valuable a medium for increasing sample size as first hoped. However, it increased the number of data collection sources thus increasing the credibility of the study. Another context of the

study is that although not a respondent, the principal investigator of this research has a severe visual impairment and requests accommodation.

Discussion / Implications

The impact of the ADA on the employment of people who are blind or have a severe visual impairment was examined using a survey based on the findings of an interview study of employers, rehabilitation of the blind specialists, and people who are blind. The survey respondents were people with a severe visual impairment, but the focus was on the ADA's accommodation request process, not the individuals. The legal definition of blindness and the straight-forward accommodations described in the ADA allowed a face value evaluation of requests. Requesters and entities were covered by the law and the accommodations requested were reasonable.

This study, using an intermediate outcomes approach, took a functional view of the ADA. It asked whether the ADA accommodation request process was used and helped a person with a severe impairment accomplish his or her employment-related goals. This approach differs from a judicial view that asks whether the person or entity was covered by the ADA, or if what was requested was required by the ADA. It differs from an economic approach that asks whether the ADA benefits employers. It differs from person-blaming approaches that look at characteristics of the requesters or questions their competency in making requests or filing complaints. It differs from task or output evaluation and it differs from secondary analysis of databases. It also differs from opinion or attitude research in that it focused on request and accommodation behaviors.

The primary level of analysis was the accommodation request situation. Only 113 (75%) of 151 survey respondents made employment-related requests during the 5 year period, 2000 to 2004, examined by the survey. The evidence collected was the self-reports of the outcomes of 336 accommodation request situations described by those 113 respondents. Qualitative analysis of answers to open-ended questions helped evaluate the situations, the reasonableness of the accommodation requested and

the requesters' reports of the effectiveness of what was received.

Fifteen situations were clearly not ADA requests and 10 were still in progress, leaving a total of 311 accommodation request situations. Some 113 or 75% of the sample who made requests described an average of 2.75 requests for the entire 5 years. They experienced the following rates of failure to effectively accommodate in 5 areas: a) 38.3% during job applications and interviews, b) 35.3% on-the-job, c) 33.3% by schools or training programs, d) 60% by government entities, and e) 52.1% by private entities. The weighted, combined rate of failure to receive effective accommodation was 42.9%. Conversely, the weighted combined rate of success for the total sample for all areas was 57.1%. However, only 75% of 151 people requested accommodations. This gives a total "use and effectiveness rate" of 42.8% ($57.1\% \times 75\%$). That is, 42.8% of the sample used and found effective the ADA accommodation request process for the 5 year period 2000 to 2004. The low rate of success may explain the low rate of usage by people who one would expect could make many more requests for accommodation. This experience of failure likely led to less reliance on the ADA both for the respondents of this study and may also discourage others that learn of their experience.

In consideration of possible survey fatigue and to jog memories, the respondents were first asked to estimate the number of requests they made. The majority (101) of the respondents estimated they made slightly over 1 (1.14) request per year for the entire 5 year period. Twelve (8%) of the respondents' estimations were outliers and 38 made no requests so these were not included in the estimation data. The 12 outliers could be called frequent requesters, or advocates due to their large number of requests. The estimated average of those 12 was slightly more than 125 requests per year and, ranged from 48 to 520. If the overall effective accommodation rate were generalizable to the frequent requesters in the study, they would have received effective accommodation in 71 out of 125 requests per year, and would have not received effective accommodation in 54 out of 125 requests per year. In addition, some respondents were

denied the right to apply for jobs, transfers, or promotion, thereby being denied the right to make a request.

- **Overall, the ADA accommodation request tool, when used, was effectual more than half the time, but less than 60% of the time.**
- **Between 2000 and 2004, the ADA request process positively impacted the employment-related goals of 42.8% of this sample.**
- **The ADA request process did not impact, or did not further the employment related goals of 57.2% of this sample during the years 2000 to 2004.**

This does not represent failure to get a job, or an education, or utilize a government or a private service. This is the failure to obtain, via the ADA request process, the access needed to pursue those employment-related goals. An individual's tolerance for failure in other tools may vary, but reliance on the ADA is likely diminished due to this low level of reliability.

The survey was designed to gather up to 5,000 examples of requests for accommodation because people who are blind could make numerous requests. However, a quarter of the respondents made no requests during that 5 year period and the remaining 75% made fewer than 3 each. Insofar as people do not use it, the ADA request for access process has and will have limited impact on immediate needs, or expanding opportunities to new tools or environments. The law will have limited impact on beginning, continued, or changing employment if it is unused. However, if access is not forthcoming when it is used, ignoring the ADA will be inconsequential.

This point contradicts the concept of trying to involve as many people as possible in order to expand awareness of the ADA and push the envelope of its application. That concept frames making ADA requests as a duty to others with impairments even if it results in no gain for the requester now. However, only a small number of requesters in this sample (8%) can be viewed as frequent requesters or "advocates." Recruiting

people with severe impairments to fight the battle for the ADA may not be successful in light of the costs, the limited gains, and the huge opposition.

- **The request and appeals processes may help in the long run, but they are not likely to aid an individual with his or her immediate needs.**
- **The personal cost to a person making a request may diminish the number of individuals willing to fight the ADA battle.**

This sample for this study was highly educated, but their suggestions to know about the ADA, about AT, about accommodations available, and to know about themselves, and the entities approached are daunting and even overwhelming in scope. What they require is far greater than just being qualified to perform the essential functions of a job. Furthermore, the effectiveness of their suggestions is questionable. There may be a need to know more laws than the ADA itself. Agreements on access standards yet to be developed and the pace and pattern of compliance and enforcement may be crucial information. A notable distinction between the suggestions from both successful and unsuccessful requesters on how to succeed with requests was that some who made successful requests suggested not requesting much or anything via the ADA, but rather being well trained in blindness skills so as to not need to make many or any requests at all.

- **Demographic and disability related factors did not affect receipt of effective accommodation.**
- **The type of accommodation requested did not affect whether it was provided.**

The simple and obvious action of being a reader or a scribe for a person who is blind was provided or denied at about the same rate by the same types of entities. Requests for the same types of equipment were fulfilled or not by various types of entities. The cost and complexity did not appear to be a factor and neither were the characteristics of requesters.

Rationales for why a reader or an accessible computer were denied can be imagined, but for large entities, most of those can be discounted as irrelevant. If failure to accommodate were to later be justified (though such testing or adjudication rarely occurs) it would still, by definition be disability discrimination, but not a violation of the ADA because in some cases discrimination on the basis of disability is not illegal under the ADA.

A salient, but separate concern over the limited impact of the ADA are the reasons people have for not making many or any requests. A person-blaming approach might conclude that people were satisfied with where they were, or unaware of what could be accessed, or unaware of how to proceed. This personal choice or limitation may be correct in some cases. Some respondents (19, 12.3%) had sufficient accommodation, others (14, 9.0%) had it provided without requesting. Some were not seeking employment (22, 14.2%) and a few (7, 4.5%) did not know how to make a request. However, given the context of disability discrimination, the experience of conflict and opposition is a more apropos explanation. Some respondents found requesting would be ineffectual and/or interfere with their goals. People may be aware of what lies beyond their comfort zone, but also be familiar with the difficulty or impossibility of the struggle to obtain more and thus, requesting accommodation may be avoided. The goal of accommodation is not to obtain accommodation, but rather to use that access to fulfill one's immediate, daily, or longer-term goals. Insofar as the ADA process is not viable, or is not perceived as viable, or is seen as a cause of delay and obstruction, it was not used and will not be used.

Of 160 reasons given for not making many or any requests, 83 (53.5%) reasons indicated there was no need for employment-related accommodation. There were 65 (40.6%) reasons that indicated the ADA request process was a conflict or an ineffectual way to obtain access to fulfill one's goals. There were five (3.1%) "other" reasons that indicated the individual provided his or her own accommodations through their own resources, or with the help of family, or through the VR system. Where accommodation was needed, the reason most often checked for not requesting accommodation (28, 18.1%) was that it was too much trouble.

Further, some respondents (12, 7.7%) were concerned about retaliation.

Another measure of the ADA request process is the respondents' perception of its quality. Having to repeat an obvious request for the same thing from the same entity makes the process tedious and sends the message that providing accommodation is a burden. This can discourage requests and encourage people with severe impairments to settle for less effective means of accomplishing their tasks or even forgoing their goals. Of 82 respondents who had ongoing needs, 49 or 59.8% only had to ask once or a few times, while 33 or 40.2% had to ask repeatedly or every time they needed an obvious accommodation.

Of 91 respondents who answered the question, 45 (49.5%) said the request process was fast or very fast, 43 (47.3%) said it was slow or very slow and 3 (3.2%) did not know. Of 90 respondents who answered the question, 61 (67.7%) were satisfied or very satisfied, and 29 (32.3%) were unsatisfied or very dissatisfied with the request process. The percentage who were satisfied was greater than the percentage who received effective accommodation. This might be due to the 23 who did not answer that question, or it might be a vote of support for the ADA in general. For some respondents, there was no typical speed or general level of satisfaction with the request process, indicating they did not perceive a routine ADA request process existed. Thus, the ADA's implementation stage is not complete according to Pressman and Wildavsky's (1973) standard that routinization of processes marks the implementation stage's completion.

- **The impact of the ADA on the employment of people with severe impairments is limited by its unreliability as a tool for securing reasonable accommodation that would help accomplish a goal.**
- **The purpose of an accommodation request is not to get the accommodation or win an appeal, but to accomplish a goal for which access via accommodation is needed.**

- **The ADA request process will not be used, or not be used much because it can be a conflict that interferes with other goals.**

Additional questions to measure the ADA request process sought the respondent's perception of the difficulty or ease of the process and of the entity's willingness or unwillingness to accommodate. In 302 request situations, where 178 received all that was requested and 124 did not receive all that was requested, there were 90 (30%) situations where the entity was perceived to be unwilling or very unwilling to accommodate. In 300 situations, where 178 received all that was requested and 122 did not, 142 (47%) situations were considered difficult or very difficult.

Perceptions of difficulty and unwillingness did not vary precisely with the receipt of effective accommodation. In 43 (35%) of 124 unfulfilled request situations, the entity was perceived to be willing or very willing to accommodate. In 10 (6%) of 178 fulfilled situations, the entity was perceived to be unwilling or very unwilling to accommodate. In 11 (9%) of 122 unfulfilled situations, the process was viewed as easy or very easy. In 39 (22%) of 178 fulfilled situations, the process was considered difficult or very difficult. The findings suggest that these measures of perceptions, opinions, or attitudes have less descriptive value of request success than behavioral indicators, at least for this sample size and type.

Another measure of the request process was the respondents' knowledge of the entity's accommodation history. Some people worked for entities whose business was to serve people who are blind. They had no need to ask for accommodation and no problem getting what they needed. However, in 50 (39%) of 128 unfulfilled situations, the respondents thought the entity usually did accommodate. In 31 (24%) unfulfilled situations, the respondents thought the entity did not usually accommodate. In 47 (37%) unfulfilled situations, respondents did not know the entities' history. These findings indicate a limited value with predicting success using the history measure. In 10 (5%) of 183 fulfilled situations, respondents thought the entity did not usually accommodate. This might indicate the respondents were successfully pioneering new ADA territory. In 140 (77%) fulfilled

situations, the respondents thought the entity usually did accommodate, and in 33 (18%) fulfilled situations, respondents did not know the entities' accommodation history. The data are collectable, but it is not clear how useful the questions on ease, willingness, or an entity's accommodation history are for describing or predicting the outcome of the request process or for preparing new requesters to evaluate situations they may encounter.

- **Just under half (46.5%) of the reasons for not requesting any or many accommodations indicated a conflict, or negative motivation for avoiding the ADA request process.**
- **The primary reason people who had a need did not use the ADA request process was that it was too much trouble.**

Even when the ADA request process was effective, the entities in a number of situations were perceived as unwilling to comply with the law, thus sending a message “do not make requests.” In each section, some found the process difficult even when they did eventually obtain the access they requested. Again, this teaches requesters not to rely on the ADA tool if any easier alternatives exist. Alternate tools and alternate or diminished goals may be preferable to difficulty, strained relations, failure, or as one respondent said, preferable to “banging her head against walls.” Although the second largest category for not using the ADA request process was that the individual was not seeking employment, it is important to note that some people give up seeking employment because of their experience with disability discrimination.

Another factor that limits the impact of the ADA is the pre-emptive exclusion of job seekers prior to accommodating the application process. This is based on undisclosed, a-priori decisions concerning the essential functions of a position and the potential applicant's qualifications. People wanted the opportunity to apply for a position, transfer, or promotion, but were denied. This practice is the equivalent of a “No Blind Need Apply” sign. Respondents questioned the validity of such decisions, but oversight

is lacking and seeking redress may not be a viable option. The employer remains the only judge of the reasonableness of such exclusion.

Appeals only occurred in 25.6% of 128 situations where not all accommodations requested were provided. Of those 33 appeals, 3 (9.1%) were to a federal agency and were ineffectual. One (3%) involved a lawsuit that was not yet settled. Three appeals were to a state, county, or city human rights agency, 1 was still in progress, and 2 (6.1%) were unsuccessful. The largest number of appeals (22, 66%) were to someone else in the same organization. Of those appeals, 7 (31.8%) were successful, 10 (45.5%) were not successful and 5 (22.7%) were still pending. Of 17 completed appeals of failure to accommodate that went to someone else in the same organization, 41.2% were successful.

- **The appeals processes are not frequently used and are mostly ineffective.**
- **Many respondents avoided the ADA appeals process for their own protection as well as because it was seen as futile.**

The appeal most used and most successful was to contact someone else in the same organization and repeat a request. The appeals process, as with earlier gender and race civil rights complaint mechanisms slows and frustrates the process of equal access and delays obtaining the intended goal. The complaint process actually protects those who discriminate against people on the basis of disability. The vast majority of complaints are not won by people with severe impairments. The few appeals that win may not even forward progress toward the actual goal of accommodation. Complaints that win are not necessarily presented any better than those that lost or those that were not even heard. There is no evidence that anyone who wins gets anything or that any settlements that promise accommodation or other changes are ever carried out.

The measures used in this study are not identical to earlier studies; however, these results of 33.3% to 60% failure, with an average of 42.9%

failure rate, conform to earlier reports on receipt of accommodation. The Berkeley study found a 51% rate of non- or under-accommodation. Daly and Bound (1996) found a 67% rate of non-accommodation prior to the 1990 enactment of the ADA, as did Charles (2004) for the HRS study after the ADA was enacted. The two HRS studies found a 67% failure to accommodate rate, and two unpublished studies, one by Kaye, of the NHIS-D data, and the other using a portion of the Capella and Turner data found a 39%, and a 7% rate. Allaire, Li, and LaValley (2003) found 13% of accommodation requesters were not satisfied with employers' responses.

It is tempting to suggest that the combined rate of 42.9% failure to accommodate is an improvement over 67%, or some aggregate of these earlier findings, but the data come from different populations and sources and cannot be combined or used to generalize to the greater population of people who are blind or to people with other severe impairments. There is likely however, an overall range for all populations from areas of worst offenders to areas that are best at accommodating.

It must also be noted that the issue of how much impact would have occurred without the ADA is moot since the ADA exists and covers all the request areas examined in this study. Also, there is no need for baseline data to compare what took place before the ADA went into effect because both the ADA and disability discrimination continue to exist. The issue is not what the ADA did, or could do, or does incrementally. Discrimination is sufficiently obvious and prevalent to examine by itself. Current data are automatically baseline data, but standardized measures must be created in order to use the data for comparison. This is not likely to happen as long as the scientific process is rejected by significant government researchers.

Based on this study, the overall failure to accommodate rate appears near the middle double-digits with a range of 33% to 67% with a potential ideal goal of limiting this type of disability discrimination to the single digits, as was found in the VR system with those who are familiar with how to accommodate people with disabilities. These rates suggest the impact of

the ADA on the employment related goals of people with severe visual impairments, which further research can refine, confirm, and monitor.

Conclusions / Recommendations

The scientific community has rejected the cornerstone of the ADA. The professional literature has largely ignored access via accommodation requests and thus, overlooked the readily observable and measurable disability discrimination proscribed by the ADA. Instead of monitoring these relevant factors, the literature is dominated by a debate over the value and meaning of the law that directs responsibility for discrimination away from entities that discriminate and places it on their victims, or the law itself, or on the courts. Research on the request process is thereby lacking and the process is left to be a stumbling stone for people with a severe impairment.

Research that ignores the functional behaviors that constitute disability discrimination, that is, the failure to accommodate, represents systemic failure to examine relevant phenomena germane in all the social sciences. If the ADA only required slight changes, for a few people, in a few areas, the silence in the literature might be understandable. However, the ADA requires substantial changes in almost all areas and further, people with severe impairments are the largest minority group in the country.

The shameful silence of science can be broken. This study demonstrates that the implementation of the ADA and discrimination on the basis of disability can be researched. Instead of being a source of systemic disability discrimination that itself impedes employment of people with impairments, science, academia, and the professional literature can end its collusion of silence about the ADA by conducting research that does not distort information and perpetuate disability discrimination. They can instead create useful information to help overcome this social injustice.

The ADA alone may not ameliorate disability discrimination, but if something can be measured, it can be changed. Research has the power

to frame the arena where attention is directed and direct where change will be allowed to take place. Disability discrimination that is not described remains hidden, but the social sciences can make known the processes of discrimination and the functions of the ADA with greater specificity and scope. Increased enforcement of the ADA or the creation of a functional enforcement mechanism may be a political question. Implementation may at times be a technical question as new techniques or devices emerge, but this does not justify the silence of science. This study begins to focus research attention on disability discrimination and unravels the confusion in the efforts to research the impact of the ADA by demonstrating a way to measure its implementation and by reiterating the following points:

- **Disability advocates promote civil rights, but scientists observe and report social phenomena and the effect of interventions - including discrimination and interventions to eliminate it.**
- **The ADA prohibits disability discrimination. The unit of measure is that discrimination; all the social sciences can examine what the ADA prohibits - disability discrimination.**
- **It is up to policy makers to determine what to do about systemic discrimination, but it is up to science to observe, describe, hypothesize, and create and test interventions, and not wait for a technical or policy solution.**
- **Research can monitor disability discrimination regardless of whether compliance is forced, voluntary, or non-existent.**
- **The claim that disability discrimination cannot be researched in large numbers perpetuates that discrimination.**
- **The work of science is to create operational definitions and standardize terms concerning disability discrimination and the ADA, and not just gather opinions, attitudes, or perceptions.**

- **Arguing over the value of the ADA deflects attention away from disability discrimination.**
- **The ADA cannot be held up as the solution to all problems faced by all people with all types of severe impairments, and it does not, and does not need to define all people with all disabilities.**
- **Research can monitor the implementation and impact of the ADA by disability type now and add more types over time.**
- **There are no fields where this type of research is not relevant and there are as yet no fields where this research is being done.**
- **The attitudes or ignorance of entities covered by the law are not excuses for non-compliance and are not salient measurements of the impact of the ADA - behaviors must be measured.**
- **The victims of disability discrimination are not responsible for the crime of discriminating on the basis of disability. Science must stop blaming the victims by trying to change them. The entities that discriminate on the basis of disability and create disabling environments, products, or services must change.**

The science on the ADA like all science will have to be built step by step. The efforts to deflect science away from disability discrimination are similar to techniques used against previous race and gender civil rights legislation. These must again be exposed and renounced. This will be resisted and will probably take the force of public opinion to accomplish.

- **Government agencies may fund the research they choose, but the courts and government policy makers do not define science.**
- **Under the ADA, access is no longer an add-on, a rehabilitation**

issue, or an advocacy topic. The ADA requirement for access is the context for most of society; it is part of the environment.

- **The ADA alone may not be effective in ameliorating disability discrimination, but if scientists research it, change can occur. If they do not, they are responsible for perpetuating the injustice of disability discrimination by their silence.**

Speech and academic freedom notwithstanding, blindness toward disability discrimination can change. The professional and academic literature has policed itself over the use of person-first and non-derogatory language (i.e., using “person who is blind,” rather than “blind person,” or “disabled” rather than “handicapped”). However, those reforms will remain mere window dressing hiding a deeper, crippling bias if the re-emergence of the same techniques used to attack earlier civil rights laws is not halted.

The techniques in the professional literature that create epistemological and rhetorical confusion about the ADA can be identified. Some of those techniques are: finding perverse results by drawing illogical conclusions from large databases, assuming the law is implemented, redefining essential concepts, purposes, and processes, redefining the scientific process and what can be studied, ignoring real outcomes, omitting relevant contexts, person-blaming, protecting institutions, ignoring people with severe impairments, ignoring the ADA, and ignoring disability discrimination.

Those techniques hinder the employment of people with severe impairments because until now there were no warnings or guidelines on the civil right to request accommodation. Further functional evaluation of the law’s outcomes can, as this study was established to do, help develop guidelines for people who could use the ADA request process.

- **The ADA is a social experiment without an informed consent statement warning of its risks and limitations.**

- **Phase III of this project is a guidebook on requesting ADA accommodation based on the above findings.**

The accommodation request process is just one facet of the ADA that can be monitored in small closed environments or with larger, random, nationally representative samples. A focus on people with the severe impairments mentioned in the text of the ADA, (people with vision, mobility, or hearing impairments) who need the obvious accommodations that are also suggested in the law can pave the way for examining the failure to accommodate other groups of people with other types of impairments or researching other types of disability discrimination. Based on the experience of this study such research should be shortened, simplified, and where possible, incorporated into other research projects. Adding three or four questions on the ADA may be a burden to a project, but they are as relevant as any automatically included demographic questions. The follow-up surveys of regional Disability and Business Technical Assistance Centers (DBTAC), also called ADA and IT Centers or ADA and Information Technology Centers, are ideally suited to collect intermediate outcome information on whether the information they shared resulted in successful requests for effective accommodation.

Cross-disability or single group research efforts would benefit by re-wording the effectiveness side of the receipt of effective accommodation equation. The re-worded question should reflect the idea of receiving enough to accomplish the goal intended by the request. Two dichotomous questions may suffice, “Did you request accommodation?” and “Did you receive enough to accomplish the immediate goal for which you made the request?” Most requests in this study were for things that were clear and well known, such as Braille, large print, a scribe or reader, additional time, O & M or transportation help, computer AT equipment, or other AT. Those items were not a surprise for this sample and the requests made by people with the other impairments used as examples in the ADA would not be unusual or hard to evaluate for a unique ADA survey or as part of other research projects that contacted people with severe impairments.

The impact of the ADA on job applications and interviews, or on-the-job activities, or even schools or training programs are not the only areas covered by the ADA that affect employment. However, the experience of this survey suggests that specifying areas is a benefit for the researcher more than for the respondent. A survey might run smoother if a list of areas is offered, but the respondents are allowed to recollect and classify their ADA behaviors in their own order as they answer. The researcher can then categorize the data into areas as desired. Another tact in this survey that may not be needed are questions on the willingness, difficulty, or typical behavior of entities. While perhaps useful information for requesters seeking to avoid possible conflict, these data may at times be irrelevant to the success of a request.

Another type of observable, measurable disability discrimination is the a priori exclusion of people with a severe impairment, but research on this should be carried out with real people with real impairments in real situations, not by simulation. In addition, computers, scanners, and digitized texts can aid with high-speed content analysis of K - 12, college, and graduate level post-ADA textbooks that could quantify the disability discrimination of ignoring people or laws directly relevant to the areas of study of the material covered by those texts. This could create change. For example, if in the past 12 years, high school graduates only had post-ADA texts that excluded mention of people with severe impairments or the laws that protect them, then a giant retail entity that agreed to make its interior accessible and be inclusive, could not hire a workforce sensitive to the inclusion of people with impairments. Further, professionals trained using exclusive rather than inclusive texts are likely to perpetuate discrimination. State and federal departments of education play a role in what texts are purchased and thus, what is published and they can encourage needed changes if forced to by public opinion backed by responsible science.

The form of published material is also researchable. All copyrighted material must comply with the ADA according to the Copyright Act of 1976

as amended, but the laws, access techniques, expense and profit have been the focus instead of the end user. Those standards are just tools. An outcomes measure of the impact on the employment-related needs of people with severe impairments is whether, when, and to what extent people do get print material in alternate formats, rather than why it cannot be done. The functionality of the ADA is a researchable outcomes measure. The issue is accessibility to all the public media and professional journals, texts, and research reports which are still not available in alternate formats - even in the field of rehabilitation. The few exceptions and specialized services that provide some alternate media highlight the extent of this disability discrimination. The accessibility of all print, electronic, and digital media is directly researchable and this directly impacts the employment of people with severe visual impairments.

Another area that needs to be researched is the intermediate outcomes of widely publicized outputs, that is, the “wins” or “settlement agreements” of the EEOC or the DOJ. People with severe impairments may still not frequent or work at places where settlements were announced such as Sears, Radio Shack, Wall-Mart, or K-Mart. These stores are often in malls that provide access to automobiles, but have no sidewalks or limited access via public transport. Traditionally, in metropolitan areas, the poor are excluded from suburban malls, but must shop in their local, more expensive stores. Some anecdotal reports suggest that people who won against those giants feel the atmosphere has been so poisoned by those battles that they have to leave employment due to subtle, but unrestrained retaliation after a “win” or a “settlement.” Furthermore, If an entity is in bankruptcy, such as the case of K-Mart, how valid is the settlement?

Access is part of a process, not a static, one-time event. Outcomes must relate to the end-user, that is, the person with an impairment. The number of accommodations an entity makes may be more important than a written policy statement that it will abide by the law, but the number of people who use job applications in an alternate format is more important than the number of Brailled or large print forms that are made and lie

unused in a filing cabinet. Likewise, the number of people who use wheelchairs who use the curb cuts in an area is more important than the number of curb cuts. Research funding sources and government agencies should not accept output reports alone. Instead, an intervention's impact on real, end-user outcomes must be measured and reported.

Disability is not an anecdotal or ethereal event. It is concrete and widespread. Further, disability is created almost everywhere by the interaction of people with severe impairments and the environment. The ADA is part of the environment of the United States. It impacts every discipline or field of study. It is not an isolated legal, technical, or advocacy domain. The use of inference from indirect measures may be necessary when a phenomenon is not readily observable, but disability discrimination is directly observable and measurable in large quantities. The role of science is to create operational definitions and tools to measure them. Request and receipt of effective accommodation is just one example of operationally definable manifestations of disability discrimination that can be quantified. Its level of use will change over time; therefore, ongoing yearly evaluations will be needed. Further, people's reasons for not using the ADA's processes are another way discrimination can be identified.

"More education" is a common solution put forth in research reports. Directing that burden onto people facing disabling environments penalizes them and may not be effective. It is academia that needs more education. At one time science was used to substantiate accusations against the intellectual potential of African Americans and the temperamental stability of women to justify excluding them from school and employment. Finally, 40 years after the Civil Rights Act of 1964, NIDRR requires researchers to indicate in grant proposals the impact of their work on members of minority groups. Finally, the National Institutes of Health (NIH) has begun to fund gender and race specific research on health issues which were traditionally only studied for White males. People with severe impairments can act upon this prior experience with race and gender discrimination that was foisted by, or ignored by the academic community, and demand research

be done on disability discrimination. If that battle is won, we may not have to endure the same systemic discrimination and wait 40 years for research to describe the journey into the promised land of equal opportunity.

References

Acemoglu, D., & Angrist, J. (2001). Consequences of employment protection? The case of the Americans with Disabilities Act. *Journal of Political Economy*, 109, 915-57.

Albrecht, G., & Devlieger, P. (1999). The disability paradox: High quality of life against all odds. *Social Science and Medicine*, 48, 977-988.

Allaire, S., Li, W., & LaValley, M. (2003). Work barriers experienced and job accommodations used by persons with arthritis and other rheumatic diseases. *Rehabilitation Counseling Bulletin*, 46(3), 147-156.

Allbright, A. (2002). 2001 employment decisions under the ADA Title I-survey update. *Mental & Physical Disability Law Reporter*, 26, 394-398.

American Academy of Physical Medicine and Rehabilitation (AAPM&R) (2003). *Access to assistive technologies: Improving health and well being for people with disabilities*. Chicago: AAPM&R and the Foundation for Physical Medicine and Rehabilitation.

The Americans With Disabilities Act of 1990, (ADA, 1990) 42 U.S.C.A. 12101 et seq. (West 1993).

Antilla, S. (2002). *Tales from the boom-boom room: Women vs. Wall Street*. Princeton, NJ: Bloomberg Press.

Aune, E. (1991). A transition model for post-secondary bound students with learning disabilities. *Learning Disabilities Research and Practice*,

6, 177-187.

- Bagenstos, S. (2004). Has the Americans With Disabilities Act reduced employment for people with disabilities? *Berkeley Journal of Employment & Labor Law*, 25, 527-563.
- Barnes, C. (1996). Disability and the myth of the independent researcher. *Disability & Society*, 11(1), 107-110.
- Batavia, A., & Schriener, K. (2001). The Americans With Disabilities Act as engine of social change: Models of disability and the potential of a civil rights approach. *Policy Studies Journal*, 29, 690-702.
- Bee-Gates, D., Howard-Pitney, B., Lafromboise, T., & Rowe, W. (1996). Help-seeking behavior of Native-American Indian high-school students. *Professional Psychology-Research and Practice*, 27, 495-499.
- Berkeley Planning Associates. (1982). *A study of accommodations provided to handicapped employees by federal contractors*. 3200 Adeline St., Berkeley, CA: Berkeley Planning Associates.
- Blackwell, T., & Patterson, J. (2003). Ethical and legal implications of informed consent in rehabilitation counseling. *Journal of Applied Rehabilitation Counseling*, 34(1), 3-7.
- Brew-Parrish, V. (2004). The wrong message - still. Retrieved December 9, 2004 from:
<<http://www.raggededgemagazine.com/focus/wrongmessage04.html>>.
- Brostrand, H. (2006). Tilting at windmills. *Journal of Rehabilitation*, 72(1), 4- 9.

- Bruyère, S., Erickson, W., VanLooy, S., Sitaras, E., Cook, J., Burke, J. Farah, L., & Morris, M. (2002, May). *Employment and disability policy: Recommendations for a social science research agenda*. Paper presented at NIDRR and APA conference, Bridging Gaps: Refining the Disability Research Agenda for Rehabilitation and Social Sciences, Ithica, NY.
- Bruyère, S., Erickson, W., and VanLooy, S. (2006). The impact of business size on employer ADA response. *Rehabilitation Counseling Bulletin*, 49(4), 194-206.
- Burkhauser, R., & Stapleton, D. (2004). The decline in the employment rate for people with disabilities: Bad data, bad health, or bad policy? *Journal of Vocational Rehabilitation*, 20(3), 185-201.
- Burris, S., & Moss, K. (2000). A road map for ADA Title I research. In P.D. Blanck (Ed.), *Employment, disability and the Americans With Disability Act: Issues in law, public policy, and research* (pp. 19-50). Evanston, IL: Northwestern University Press.
- Butler, S., Crudden, A., Sansing, W., & LeJeune, B.J. (2002). Employment barriers: Access to assistive technology and research needs. *Journal of Visual Impairment and Blindness*, 96, 664-667.
- Campbell, M., & Schutz, S. (2004). Understanding the government-wide shift in accountability: Using performance management to plan for outcomes & demonstrate results. Policy, Planning, Budget and Evaluation Division, National Institute on Disability and Rehabilitation Research, U.S. Department of Education. Retrieved February 21, 2005 from:
<<http://www.neweditions.net/pr/commonfiles/pmconcepts.htm>>.

- Capella, M., & Turner, R. (2004). Development of an instrument to measure consumer satisfaction in vocational rehabilitation. *Rehabilitation Counseling Bulletin*, 47(2), 76-85.
- Carlson, D., Ehrlich, N., Berland, B., & Bailey, B. (2001). Assistive technology survey results: Continued benefits and needs reported by Americans with disabilities. Retrieved November 24, 2004, from: <<http://www.ncddr.org/du/researchexchange/v07n01/atpaper/ATpaperpdf>>.
- Charles, K. (2004). The extent and effect of employer compliance with the accommodations mandates of the Americans with Disabilities Act. *Journal of Disability Policy Studies*, 15(2), 86-97.
- Cohen, B., Guttman, D., & Lazar, A. (1998). The willingness to seek help: A cross-national comparison. *Cross Cultural Research*, 32, 342-357.
- Colker, R. (2000). ADA Title III: A fragile compromise. In L. Francis, & A. Silvers (Eds.), *Americans with disabilities: Exploring implications of the law for individuals and institutions* (pp. 293-317). New York: Routledge.
- Colker, R. (2005). *The disability pendulum: The first decade of the Americans with Disabilities Act*. New York University Press.
- Collignon, F. (1997, January). Is the ADA successful? Indicators for tracking gains. *Annals of the American Academy of Political and Social Science*, 549, 129-147.
- Cooper, M. (2001). Automated evaluation of accessibility guidelines. Proceedings of International Conference on Universal Access in

Human-Computer Interaction, 5–10 August, New Orleans, USA. Vol. 3, p. 150-154.

- Crudden, A. (2002). Employment after vision loss: Results of a collective case study. *Journal of Visual Impairment and Blindness*, 96, 615-621.
- Crudden, A., McBroom, L., Skinner, A., Moore, J. (1998). *Comprehensive examination of barriers to employment among persons who are blind or visually impaired*. Mississippi State: Mississippi State University, Rehabilitation Research and Training Center on Blindness and Low Vision.
- Crudden, A., Williams, W., McBroom, L.W., & Moore, J.E. (2002). Consumer and employer strategies for overcoming employment barriers. Mississippi State: Mississippi State University, Rehabilitation Research and Training Center on Blindness and Low Vision.
- Daly, M., & Bound, J. (1996). Worker adaptation and employer accommodation following the onset of a health impairment. *Journal of Gerontology*, 51B, 553-560.
- DeLeire, T. (2000). The wage and employment effects of the Americans with Disabilities Act. *Journal of Human Resources*, 35, 693-715.
- DeLeire, T. (2003). The Americans with Disabilities Act and the employment of people with disabilities. In D. Stapleton and R. Burkhauser (Eds.), *The decline in employment of people with disabilities: A policy puzzle*, (pp.259-273). Kalamazoo, MI: W.E. UpJohn Institute for Employment Research.
- Dickerson, L., Smith, P., & Moore, J. (1997). An overview of blindness and visual impairment. In J. Moore, W. Graves, & J. Patterson (Eds.), *Foundations of rehabilitation counseling with persons who are blind*

or visually impaired (pp. 3-23). New York: AFB Press.

Dillman, D. (2000). *Mail and Internet surveys: The tailored design method* (2nd ed.). New York: Wiley.

The Disability Rights Education and Defense Fund. (2005). *ACB v. SSA. Blind beneficiaries sue Social Security Administration-SSA fails to provide accessible communications*. Retrieved January. 24, 2006, from <http://www.dredef.org/press_releases/ssa.html> and <<http://www.dredef.org/cases/ACBv.SSA.html>>.

Dochartaigh, N. (2002). *The Internet research handbook*. Thousand Oaks, CA: Sage.

Durlak, C., Rose, E., & Bursack, W. (1994). Preparing high school students with learning disabilities for the transition to postsecondary education: Teaching the skills of self-determination. *Journal of Learning Disabilities, 27*, 51-59.

Edmonds, C. (2004). Providing access to students with disabilities in online distance education: Legal and technical concerns for higher education. *American Journal of Distance Education, 18*(1), 51-62.

Frank, J. (1999). Internet or nyet?: Some Internet prospects and problems in rehabilitation education. *Rehabilitation Education, 13*(2), 163-172.

Frank, J. (2000). Requests for large print accommodation by persons who are visually impaired. *Journal of Visual Impairment and Blindness, 94*, 716-719.

Frank, J. (2002). What are we teaching about the ADA and what is missing. *RE:view, 33*, 171-181.

Frank J. (2003a). *The impact of the Americans With Disabilities Act (ADA)*

- on the employment of individuals who are blind or have severe visual impairments: Part I: Elements of the ADA accommodation request process.* Mississippi State: Mississippi State University, Rehabilitation Research and Training Center on Blindness and Low Vision.
- Frank, J. (2003b, October). *The comparable benefits dilemma: ADA or RSA?* Paper presented at the National Rehabilitation Association (NRA), National Training Conference, Nashville, TN.
- Frank, J., & Bellini, J. (2005). Barriers to the accommodation request process of the Americans With Disabilities Act. *Journal of Rehabilitation, 71*(2), 28-39.
- Francy, N., Patrick, H., & May, C. (2000). Selecting and purchasing clothing: The experience of visually impaired people in Hong Kong. *Journal of Visual Impairment and Blindness, 94*, 34-41.
- Gerber, E. (2003). The benefits of and barriers to computer use for individuals who are visually impaired. *Journal of Visual Impairment and Blindness, 97*, 536-550.
- Gerber, E., & Kirchner, C. (2001). Who's surfing? Internet access and computer use by visually impaired youths and adults. *Journal of Visual Impairment and Blindness, 95*, 176-181.
- Giesen, J.M., McBroom, L.W., Cavanaugh, B.S., Gooding, E.M., & Hicks, J. (2000). Providing services to African Americans who are blind: Views of experienced White and African American rehabilitation counselors. Mississippi State: Mississippi State University, Rehabilitation Research and Training Center on Blindness and Low Vision.
- Goffman, E. (1963). *Stigma: Notes on the management of spoiled identity.* Englewood Cliffs, NJ: Prentice Hall.

- Goggin, G., & Newell, C. (2003). *Digital disability: The social construction of disability in new media*. Bolder, CO: Rowman & Littlefield.
- Gourash, N. (1978). Help-seeking: A review of the literature. *American Journal of Community Psychology*, 6, 413-423.
- Gould, M. (2004). Commentary: Assessing the impact of the Americans With Disabilities Act. *Disability Studies Quarterly*, 24(2). Retrieved May, 2004, from:
<http://www.dsqsds.org/articles/html/2004/dsq_spr04_gould.html>.
- Gross, A., Wallston, B. & Pilliavin, I. (1980). The help recipient's perspective. In D. Smith, H. Macauley & Associates (Eds.). *Participation in social and political activities*. San Francisco: Jossey-Bass.
- Hahn, H. (1984). Reconceptualizing disability: A political science perspective. *Rehabilitation Literature*, 45(11-12), Nov-Dec, 362-365, 374.
- Hair, J., Anderson, R., Tatham, R., & Black, W. (1998). *Multivariate data analysis, 5th edition*. Upper Saddle River, NJ: Prentice Hall, Inc.
- Harlan, S., & Robert, P. (1998). The social construction of disability in organizations: Why employers resist reasonable accommodation. *Work and Occupations: An International Sociological Journal*, 25, 397-435.
- Hartman-Hall, H. & Haaga, D. (2002). College students' willingness to seek help for their learning disabilities. *Learning Disability Quarterly*, 25, 263-275.
- Hernandez, B., Keys, C., & Balcazar, F. (2000). Employer attitudes toward workers with disabilities and their ADA employment rights: A

- literature review. *Journal of Rehabilitation*, 66(4), 4-16.
- Hernandez, B., Keys, C., & Balcazar, F. (2004). Disability rights: Attitudes of private and public sector representatives. *Journal of Rehabilitation*, 70(1), 28-37.
- Hinton, C.A. (2003). The perceptions of people with disabilities as to the effectiveness of the Americans with Disabilities Act. *Journal of Disability Policy Studies*, 13, 210 -220.
- Hirschman, A (1991). *The Rhetoric of Reaction: Perversity, Futility, Jeopardy*. Cambridge, MA: The Belknap Press of Harvard University.
- Hotchkiss, J. (2002). *A closer look at the employment impact of the Americans With Disabilities Act*. Retrieved November 30, 2004 from <<http://ssrn.com/abstract=319970>>.
- The Independent Living Research Utilization Center (ILRU). (2002). 2001 International employment policy think tank conference report. Barbara Duncan (Ed.). Retrieved January 31, 2003, from <http://www.ilru.org/Publications/tank_index.html>.
- Joffe, E., (1999). *A practical guide to the ADA and visual impairment*. New York : AFB Press.
- Johnson, M. (2003). *Make them go away: Clint Eastwood, Christopher Reeve and the case against disability rights*. Louisville, KY: The Advocado Press.
- Johnson, M., & Frank, J. (2004a). Stories of accommodation gone wrong, *The Ragged Edge*. Retrieved January 28, 2005, from <<http://www.raggededgemagazine.com/focus/ADAaccores1004.html>>.
- Johnson, M., & Frank, J. (2004b). ADA accommodation stories: The

categories. *The Ragged Edge*. Retrieved January 28, 2005 from <<http://www.raggededgemagazine.com/focus/ADAaccores1104.html>>.

- Kagle, J., & Cowger, C. (1984). Blaming the client: Implicit agenda in practice research? *Social Work*, 29, 347-351.
- Kaufman-Scarborough, C. (2001). Sharing the experience of mobility-disabled consumers: Building understanding through the use of ethnographic research methods. *Journal of Contemporary Ethnography*, 30, 430-440.
- Kirchner, C. (1996). Looking under the street lamp: Inappropriate uses of measures just because they are there. *Journal of Disability Policy Studies*, 7(1), 77-90.
- Koenig, A. (1992). A framework for understanding the literacy of individuals with visual impairments. *Journal of Visual Impairment and Blindness*, 86, 277-284.
- Leahy, P. (2005, September 27). Federal employees with disabilities sue RSA. Message posted to Washington Wire, National Rehabilitation Association electronic mailing list, archived at, <<http://www.nationalrehab.org>>.
- Mann, C., & Stewart, F. (2002). *Internet communication and qualitative research: A handbook for researching online*. Thousand Oaks, CA: Sage.
- McNeal, D., Somerville, N., & Wilson, D. (1999). Work problems and accommodations reported by persons who are post polio or have a spinal cord injury. *Journal of Rehabilitation Medicine and Science*, 2, (2000/2001), 24-44.
- Mezey, S. (2004). The federal courts and disability rights: Judicial

interpretation of Title III of the Americans With Disabilities Act.
Journal of Disability Policy Studies, 15(3), 147-158.

Moon, S., Chung, K., & Yang, D. (2003). The effects of the Americans With Disabilities Act: A longitudinal model analysis. *Clinical Research and Regulatory Affairs*, 20, 433-445.

Moss, K., Burris, S., Ullman, M., Johnsen, M., & Swanson, J. (2001). Unfunded mandate: An empirical study of the implementation of the Americans with Disabilities Act by the Equal Employment Opportunity Commission. *Kansas Law Review*, November, 50, 1-110.

Nadler, A. (1991). Help seeking behavior: Psychological costs and instrumental benefits, in M. S. Clark (Ed.), *Review of personality and social psychology* (vol 12), pp. 290-311 Pro-social Behavior. Newbury Park, CA: Sage.

Nadler, A. (1998). Relationships, esteem, and achievement perspectives on autonomous and dependent help seeking. In S. Karabenick (Ed.), *Strategic help seeking: Implications for learning and teaching* (pp. 61-93). Englewood Cliffs, NJ: Erlbaum Publishing Co.

Nadler, A. (2002). Inter-group helping relations as power relations: Maintaining or challenging social dominance between groups through helping. *Journal of Social Issues*, 58, 487-502.

Nadler, A., & Fisher, J. (1986). The role of threat to self-esteem and perceived control in recipient reaction to help: Theory development and empirical validation. In L. Berkowitz (Ed.), *Advances in experimental social psychology* (vol 19, pp. 81-122). Orlando, FL: Academic.

Nagi, S. (1969). Disability and rehabilitation: Legal, clinical, and self-concepts and measurements. Columbus: The Ohio State University Press.

National Council on Disability (NCD). (1995). *Voices of freedom: America speaks out on the ADA*. Retrieved November 25, 2000, from <<http://www.ncd.gov/newsroom/publications/1995/voices.htm>>.

National Council on Disability. (1996). *Cognitive impairments and the application of Title I of the ADA*. Retrieved January 6, 2003, from <<http://www.ncd.gov/newsroom/publications/cognitive.html#3c>>.

National Council on Disability (1998). *NCD authorizing statute*. Retrieved March 1, 2005, from <http://www.ncd.gov/auth_statute.htm>.

National Council on Disability. (2004). *Righting the ADA*. Retrieved December 6, 2004, from <http://www.ncd.gov/newsroom/publications/2004/pdf/righting_ada.pdf>.

National Institute on Aging. (2005). *Health and retirement study*. Retrieved January 25, 2005, from <<http://www.nia.nih.gov/>>.

National Institute on Disability and Rehabilitation Research (NIDRR). (1999). *Long range plan for fiscal years 1999-2003, (Chapter 6) research on the impact of the ADA*. Retrieved November 17, 2004, from <http://www.ncddr.org/new/announcements/nidrr_lrp/lrp_ilcir.html#6rotiota>.

National Institute on Disability and Rehabilitation Research (2006). Notice of final long-range plan for fiscal years 2005-2009. *Federal Register*, 71(31), p. 8165-8200.

National Instructional Materials Accessibility Standards (NIMAS). (2005). *Special education & rehabilitative services IDEA 2004*

resources: IDEA - Reauthorized statute, National Instructional Materials Accessibility Standards (NIMAS). Retrieved April 21, 2006, from <http://www.ed.gov/policy/speced/guid/idea/idea2004.html>.

National Organization on Disability (NOD/Harris). (2004). Landmark disability survey finds pervasive disadvantages. Retrieved July 7, 2004, from: <http://www.nod.org/content.cfm?id=1537>.

Nelson, B. (1980). Help seeking from public authorities: Who arrives at the agency door. *Policy Sciences*, 12, 175-192.

O'Brien, R. (2001). *Crippled justice: The history of modern disability policy*. Chicago: University of Chicago Press.

O'Day, B., & Goldstein, M. (2005). Advocacy issues and strategies for the 21st century. *Journal of Disability Policy Studies*, 15(4), 240-250.

Olson, J. (2004). Intervener training. *Deaf-Blind Perspectives*, 12(1), 1-5.

Osborne, J., & Overbay, A. (2004). The power of outliers (and why researchers should always check for them). *Practical Assessment, Research & Evaluation*, 9(6). Retrieved November 10, 2005, from <http://PAREonline.net/getvn.asp?v=9&n=6>.

Palmer, C. & Roessler, R. (2000). Requesting classroom accommodation: Self-advocacy and conflict resolution training for college students with disabilities. *Journal of Rehabilitation*, 66(3), 38-43.

Pietrolungo, A., & Sheehan, P. (2006). A major ADA victory. *The Braille Forum*, 44(8), 23-25.

Pittenger, D. (2003). Internet Research: An opportunity to revisit classic

ethical problems in behavioral research. *Ethics & Behavior*, 13(1), 45-61.

Pressman, J., & Wildavsky, A. (1973). *Implementation: How great expectations in Washington are dashed in Oakland.*. Berkeley, CA: University of California Press.

Reips, U. (2002). Internet-based psychological experimenting: Five dos and five don'ts. *Social Science Computer Review*, 20, 241-250.

Rohrer, J. (2005) Toward a full-inclusion Feminism: A Feminist deployment of disability analysis. *Feminist Studies*, 31(1) 17-25.

Rubin, S., & Roessler, R. (2001). *Foundations of the vocational rehabilitation process.* (5th ed.) Austin, TX: pro-ed.

Rumrill, P., Jr. (1999). Effects of social competence training program on accommodation request activity, situational self-efficacy, and Americans With Disabilities Act knowledge among employed people with visual impairments and blindness. *Journal of Vocational Rehabilitation*, 12, 25-31.

Rumrill, P. Jr., (2001). Reasonable accommodation and the Americans With Disabilities Act - It's all about communication. *Journal of Vocational Rehabilitation*, 16, 235-236.

Rumrill, P. Jr., Roessler, R., Unger, D., & Vierstra, C. (2004). Title I of the Americans with Disabilities Act and Equal Employment Opportunity Commission case resolution patterns involving people with multiple sclerosis. *Journal of Vocational Rehabilitation*, 20, 171-176.

Rumrill, P. D., & Scheff, C. M. (1997). Impact of the ADA on the employment and promotion of persons who are visually impaired. *Journal of Visual Impairment and Blindness*, 91, 460-466.

- Ryan, W. (1971). *Blaming the victim*. New York: Pantheon Books.
- Schall, C. (1998). The Americans with Disabilities Act--are we keeping our promise? An analysis of the effect of the ADA on the employment of persons with disabilities. *Journal of Vocational Rehabilitation*, 10, 191-203.
- Schmetzke, A. (2003) Web accessibility at university libraries and library schools: 2002 follow-up study. In M. Hricko (Ed.), *Design and implementation of web-enabled teaching tools* (pp. 145-189). Hershey, PA: Idea Group Publishing.
- Schmetzke, A. (2005a). Digitization of library information and its accessibility for people with disabilities. In M. Khosrow-Pour (Ed.), *Encyclopedia of information science and technology I-V* (Vol. 2, pp. 800-805). Hershey, PA: Idea Group Publishing.
- Schmetzke, A. (2005b). Web page accessibility on University of Wisconsin campuses: 2005 survey data and seven-year trend data. Retrieved May 16, 2006, from:
<<http://library.uwsp.edu/aschmetz/Accessible/UW-Campuses/Survey2005/contents2005.htm>>
- Schneider, A. (1982). Studying policy implementation. *Evaluation Review*, 6, 715-730.
- Schriner, K., Rumrill, P., & Parlin, R. (1995). Rethinking disability policy: equity in the ADA era and the meaning of specialized services for people with disabilities. *Journal of Health and Human Services Administration*, 17, 478-500.
- Shields, C. (2003). Giving voice to students: Using the Internet for data collection. *Qualitative Research*, 3, 397-415.
- Sills, S., & Song, C. (2002). An application of Web-based surveys. *Social*

Science Computer Review, 20(1), 22-30.

Silverstein, R., Julnes, G., & Nolan, R. (2005). What policy makers need and must demand from research regarding the employment rate of persons with disabilities. *Behavioral Sciences and the Law*, 23, 399-448.

Simon, V., Hai, T., Williams, S., Adams, E., Ricchetti, K., & Marts, S. (2005). National Institutes of Health: Intramural and extramural support for research on sex differences. 2000-2003. *Society for Women's Health Research*, Washington, DC. Retrieved March 26, 2005, from www.womenshealthresearch.org/press/CRISPreport.pdf

Southeast Disability and Business Technical Assistance Center (SEDBTAC). (2003). ADA basic building blocks. Retrieved July 30, 2004, from <http://www.adabasics.org>.

Southeast Disability and Business Technical Assistance Center. (2005). Reasonable accommodation, the interactive process and the ADA. *ADA Pipeline*. Atlanta, Georgia: SEDBTAC.

Southeast Disability and Business Technical Assistance Center. (2006). How do we measure success? Outcome by outcome. *ADA Pipeline*. Atlanta, Georgia: SEDBTAC.

Stapleton, D., & Burkhauser, R. (Eds.). (2003). *The decline in employment of people with disabilities: A policy puzzle*. Kalamazoo, MI: W.E. Upjohn Institute for Employment Research.

Stapleton, D., Burkhauser, R., Houtensville, A. (2004). *Has the employment rate of people with disabilities declined?* Retrieved March, 2005, from: http://www.ilr.cornell.edu/edi/publications/PB_EmpDecline.pdf.

- Sullivan, C. (2001). The ADA's interactive process. *Journal of the Missouri Bar*, 57, 116-122.
- Switzer, J. (2001). Local government implementation of the Americans With Disabilities Act (Title II): Factors affecting statutory compliance. *Policy Studies Journal*, 29, 654-662.
- Tebol, J. (1999). Racial/ethnic 'encounter' in the workplace: Uncertainty, information seeking, and learning patterns among racial/ethnic majorities and minorities. *Howard Journal of Communications*, 10, 97-121.
- Thompson, A., & Bethea, L. (1997). Faculty knowledge of disability laws in higher education: A survey. *Rehabilitation Counseling Bulletin*, 40(3), 166-180.
- Thompson, T., Burgstahler, S., & Comden, D. (2003). Research on Web accessibility in higher education. *Information Technology and Disabilities*, 9(2), Retrieved January 13, 2005, from: <http://www.rit.edu/~easi/itd/itdv09n2/thompson.htm>.
- Tuttle, D., & Tuttle, N. (2004). *Self esteem and adjusting with blindness* (3rd ed.), (pp. 61-68). Springfield, IL: Charles C. Thomas.
- Unger, D., Rumrill, P., Hennessey, M. (2005). Resolutions of ADA Title 1 cases involving people who are visually impaired: A comparative analysis. *Journal of Visual Impairment and Blindness*, 99, 453-463.
- Unger, D., Rumrill, P., Roessler, R., & Stacklin, R. (2004). A comparative analysis of employment discrimination complaints filed by people with multiple sclerosis. *Journal of Vocational Rehabilitation*, 20, 165-170.
- U.S. Equal Employment Opportunity Commission. (2004). *Facts about mediation*. Retrieved November 15, 2005, from <http://www.eeoc.gov/mediate/facts.html>.

U.S. Equal Employment Opportunity Commission. (2005). Questions and answers about blindness and vision impairments in the workplace and the Americans with Disabilities Act. Retrieved November 8, 2005, from:<<http://www.eeoc.gov/facts/blindness.html>>.

U.S. Equal Employment Opportunity Commission, National Council On Disability, & The United States Department of Justice. (2005). *Questions and answers for parties to mediation: Mediation and the Americans With Disabilities Act (ADA)*. Retrieved May 12, 2005, from <http://www.eeoc.gov/mediate/ada/ada_parties.pdf>.

The United States General Accounting Office. (GAO) (2002). *Business tax incentives: Incentives to employ workers with disabilities receive limited use and have an uncertain impact. GAO-03-39 December 11, 2002*. Retrieved January 10, 2003, from <http://www.gao.gov/>

The World Health Organization's International Classification of Functioning Disability and Health (ICFDH-2) (2001). Retrieved August 28, 2006, from <http://www.who.int/inf-pr-2001/en/pr2001-48.html>.

Appendix
The Survey Instrument

On-line and Staff Phone Survey of Requests for Accommodations

Introduction

This survey is about your experience requesting accommodation or barrier removal due to your visual impairment. The questions concern requests for accommodation you made since January 1, 2000, that you believed were covered by the Americans With Disabilities Act (ADA).

The survey has 7 sections.

- * Section A relates to job applications and interviews.
- * Section B relates to on-the-job requests to your employer.
- * Section C relates to schools or other training programs.
- * Section D relates to requests to government service providers.
- * Section E relates to requests to private service providers.
- * Section F contains general questions about requests.
- * Section G contains questions about yourself.

You must hit the submit button at the end of section G in order to send us your answers.

The survey asks you to describe one request situation at a time, up to 5, for each of the first five sections. You may describe a total of 25 request situations for the entire survey. You may describe fewer than 5 request situations for any section or skip a section completely if it does not apply to you. If you had to repeat the same request in the same situation, count that as one request when you estimate the number of requests you have made.

One request situation may be a request for only one thing at one time, or it may be a request for several things. You may specify exactly what you requested or describe requests in a general way, such as, I needed Braille, or readers, or access to a computer, or a CCTV, or some lighting changes. Requests may cover travel issues such as, allowing a bus to stop in the company's parking lot, a need for pedestrian access, or the need for time and space to walk a guide dog. Requests may be for changes in how you do your work, or your work schedule, or anything else you believe is covered by the ADA that you feel relates in some way to your employment or your job search.

If you only have a few situations to describe in a section, or if you have no requests to report for any section, your participation in this survey as a person with a severe visual impairment is still important. You will be asked to indicate in section F the reasons why you made few or no requests.

Questionnaire

First, please estimate the total number of employment-related requests for accommodation you made because of your visual impairment since January 1, 2000: Count each request situation only once. Hint: once a month would be 54 to 60 in the last 4 & 1/2 to 5 years, once a week would be 234 to 260.

If you made more than 25 requests, or more than 5 in each category, please fill in the survey based on your recent requests you feel are most important. If you made no employment-related accommodation requests because of your visual impairment since January 1, 2000, go to section F, question #9, and continue from there to the end (click here to go to F9.) If you have made requests, please continue to section A (click here to go to section A).

Section A - Job Applications and Interviews

Please estimate how many times you requested accommodation because of your visual impairment FOR AN INTERVIEW OR JOB APPLICATION since January 1, 2000: (Count each request only once.)

Please scroll down and answer the following 21 questions beginning with your most recent request. There are links at the end of each request situation that will let you repeat the section up to 5 times to describe 5 different situations or move into another section. If you did not ask for an accommodation for an employment application or interview, click here to skip to Section B.

A. - Job Applications and Interviews - Situation #1

1) What accommodations did you request? (list up to 5 or the most important things you requested in this situation)

(You may enter up to 255 characters.)

2) What was the year of this request situation?

3) In what state was this located?

4) Was the employer a for-profit business?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

5) Did the employer have 15 or more employees?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

6) Was the employer a religious organization?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

7) Was the employer a government entity?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

7a) If a government, was the employer:

a federal government employer

a state government employer

a local government employer

I do not know what level of government it was

I prefer not to answer this question

8) Did you receive all that you requested in this job interview situation?

Yes ___ No ___ Not yet ___ I prefer not to answer this question ___

9) If you did not receive all that you requested, please indicate below what you did receive. (List up to 5 of the most important)

(You may enter up to 255 characters.)

10) If you received anything, were the accommodations you received in this situation effective? (For the questions on effectiveness throughout this survey, an accommodation is effective if you received it in a timely manner, it functioned, you found it helpful, and you were able and willing to continue to use it as you needed it.) All were effective ___ Most were effective ___

Few were effective _ None were effective ___ I cannot answer that yet ___

I prefer not to answer this question ___

11) Did the employer seem willing to accommodate you?

Very willing ___ Willing ___ Unwilling ___ Very unwilling

I do not know ___ I prefer not to answer this question ___

12) Did this employer usually provide accommodation for applications or job interviews for applicants who have disabilities?

Yes, as far as I know ___ No, as far as I know ___ I do not know ___

I prefer not to answer this question ___

13) Were you involved with discussions with the employer about your request, besides just making the request?

Yes ___ No ___ I prefer not to answer this question ___

13a) If yes, please indicate below any brief comment you have about those discussions that you feel are important.

(You may enter up to 255 characters.)

14) Were you offered a job in this situation?

Yes ___ No ___ Not Yet ___ I prefer not to answer this question ___

15) Obtaining accommodation in this job interview situation was:

Very difficult ___ Difficult ___ Easy ___ Very easy

I do not know ___ I prefer not to answer this question ___

16) If you did not receive accommodations in this job interview situation, what were the reasons given? (Check all that apply.)

No reasons were given ___ It would be too expensive ___

It would be too difficult ___ Other reasons (Please specify)

You may enter up to 255 characters.

17) If you did not receive accommodation in this situation did you appeal the failure to accommodate?

Yes ___ No ___ Not yet ___ I prefer not to answer this question ___

18) If you did NOT appeal a failure to provide accommodation you requested, please indicate below the reasons why.

(You may enter up to 255 characters.)

19) If you did appeal the failure to accommodate in this situation, please indicate below the sources you used and the result. Check any of the 8 choices below that apply. After each, check off the appropriate box to indicate if your attempt was successful or not, or if you are still waiting, or if you prefer not to answer the question. In the text box at the end of this list, please specify any other ways you sought help in this situation and the result of those efforts.

I contacted someone else in the same organization.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

I contacted the ADA hotline (Also known as DBTAC, Disability and Business Technical Assistance Center).

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

I contacted a state, county, or city Human Rights Agency.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

I contacted a consumer advocacy group.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

I filed a complaint outside of the employer with the Equal Employment Opportunity Commission or the Department of Justice.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

I filed a lawsuit.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

I requested help from a State Vocational Rehabilitation Agency.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

I requested help from a State or private Center for the Blind.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Other (please specify.):

(You may enter up to 255 characters.)

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

20) If you did get accommodation in this situation, please indicate below who paid for the accommodation you requested.

A vocational rehabilitation agency (VR) paid for all accommodations

The employer paid for all accommodations

Both VR and the employer paid for the accommodations

I paid for the accommodation myself

I do not know who paid for the accommodations

I prefer not to answer this question

Other (Please specify) (You may enter up to 255 characters.)

21) Based on this experience, if you were to apply for a job from the same employer again, would you request accommodation for a job interview or application from this employer again?

Always ___ Sometimes ___ Rarely ___ Never

I do not know ___ I prefer not to answer this question ___

TO DESCRIBE YOUR REQUESTS FOR ACCOMMODATION IN ANOTHER JOB APPLICATION OR INTERVIEW SITUATION, CLICK HERE. IF YOU DO NOT WANT TO DESCRIBE ANOTHER INTERVIEW OR JOB APPLICATION REQUEST SITUATION, CLICK HERE TO GO TO SECTION B.

Section B - On-the-Job Requests for Accommodation to Your Employer

Please estimate how many times you requested accommodation because of your visual impairment FROM YOUR EMPLOYER, ON-THE-JOB since January 1, 2000: (Count each request only once.)

If you did not ask for an accommodation from your employer, you may skip to Section C by clicking here. If you did request accommodation from your employer, please answer the following questions beginning with your most

recent request. You may repeat this section up to 5 times to describe 5 different situations.

B. On-the-Job Requests for Accommodation to Your Employer Situation #1

1) What accommodations did you request? (list up to 5 of the most important things you requested in this situation)

(You may enter up to 255 characters.)

2) What was the year of this on-the-job request situation?

3) In what state was the job located?

4) Was the employer a for-profit business?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

5) Did the employer have 15 or more employees?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

6) Was the employer a religious organization?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

7) Was the employer a government entity?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

7a) If yes, was the employer: a federal government employer ___ a state government employer ___ a local government employer ___

I do not know what the level of government was ___

I prefer not to answer this question ___

8) Did you receive all that you requested in this situation?

Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

9) If you did not receive all that you requested, please indicate below what you did receive (list up to 5 of the most important).

(You may enter up to 255 characters.)

10) If you received anything, were the accommodations you received in this situation effective?

All were effective ___ Most were effective ___ Few were effective ___

None were effective ___ I cannot answer that yet ___

I prefer not to answer this question ___

11) Did the employer seem willing to accommodate you?

Very willing ___ Willing ___ Unwilling ___ Very unwilling ___

I do not know ___ I prefer not to answer this question ___

12) Did this employer usually provide accommodations for employees who have disabilities?

Yes, as far as I know ___ No, as far as I know ___ I do not know ___

I prefer not to answer this question ___

13) Were you involved with discussions with the employer about your request, besides just making the request?

Yes ___ No ___ I prefer not to answer this question ___

13a) If yes, please indicated below any brief comments you have about those discussions that you feel are important.

(You may enter up to 255 characters.)

14) If coworkers were assigned to help with your accommodations, did they seem willing to do this? Always ___ Sometimes ___ Rarely ___ Never ___

I do not know ___ No coworkers have been assigned to help ___

I prefer not to answer this question ___

15) Obtaining accommodation in this situation was:

Very difficult ___ Difficult ___ Easy ___ Very easy ___ I do not know ___

I prefer not to answer this question ___

16) If you did not receive accommodations in this situation, what were the reasons given? (Check all that apply)

It would be too expensive ___ It would be too difficult ___

Other reasons (Please specify.) (You may enter up to 255 characters.)

17) If you did not receive accommodation in this situation, did you appeal the failure to accommodate?

Yes ___ No ___ Not Yet ___ I prefer not to answer this question ___

18) If you did not appeal a failure to provide accommodation you requested, please indicate below the reasons why.

(You may enter up to 255 characters.)

19) If you did appeal the failure to accommodate in this situation, please indicate below the sources you used and result. (Check all that apply.)

Contacted someone else in the same organization.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted the ADA hotline (Also known as DBTAC, Disability and Business Technical Assistance Center).

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted a state, county, or city Human Rights Agency.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___
Contacted a consumer advocacy group.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a complaint outside of the employer with the Equal Employment
Opportunity Commission or the Department of Justice.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a lawsuit.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State Vocational Rehabilitation Agency.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State or private Center for the Blind.

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Other (please specify.):

(You may enter up to 255 characters.)

As a result of seeking this help, did you receive accommodation?
Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

20) If you did get accommodation in this situation, please indicate below
who paid for the accommodation you requested.

A vocational rehabilitation agency (VR) paid for all accommodations

The employer paid for all accommodations

Both VR and the employer paid for the accommodations

I paid for the accommodation myself

I do not know who paid for the accommodations

I prefer not to answer this question

Other (Please specify) (You may enter up to 255 characters.)

21) Would you request other accommodations from this employer again if you need them?

Always ___ Sometimes ___ Rarely ___ Never ___ I do not know ___

I prefer not to answer this question ___

TO DESCRIBE ANOTHER ON-THE-JOB SITUATION, CLICK [HERE](#),
OR TO GO TO SECTION C, CLICK [HERE](#).

Section C - Requests Made to a School or Training Program

These questions refer to requests for accommodation from the school for education or training, or for on-the-job training, or continuing education or other training. They do not refer to a job application to work for a school, and they do not refer to requests as an employee of a school.

Please estimate how many times you requested accommodation because of your visual impairment FROM A SCHOOL OR OTHER TRAINING PROGRAM YOU ATTENDED SINCE YOU WERE 18 YEARS OLD and since January 1, 2000: (Count each request only once.)

Please answer the following questions beginning with the most recent request. You may repeat this section up to 5 times to describe 5 different situations. If you did not ask for an accommodation from a school or training program, you may skip to Section D by clicking [here](#).

C. - Requests Made to a School or Training Program - Situation #1

1) What accommodations did you request? (list up to 5)

(You may enter up to 255 characters.)

2) In what year did you make this request?

3) In what state was the school or training program located?

4) What was the school or training program

5) Was the school or training:

Public Private Religious On-the-Job

I prefer not to answer this question Other (Please specify)

(You may enter up to 255 characters.)

6) Did you receive all that you requested?

Yes No Not yet I prefer not to answer this question

7) If you did not receive all that you requested, please indicate what you did receive (list up to the 5 most important.)

(You may enter up to 255 characters.)

8) If you received anything, were the accommodations you received effective? (For the questions on effectiveness, an accommodation is effective if you received it in a timely manner, it functioned, you found it helpful, and you were able and willing to continue to use it as you needed it.) All were effective Most were effective Few were effective

None were effective I cannot answer that yet

I prefer not to answer this question

9) Did the employees at the school or training program seem willing to accommodate you? Very willing Willing Unwilling

Very unwilling I do not know I prefer not to answer this question

10) Did this school or training program usually provide accommodations for its training to students who have disabilities?

Yes, as far as I know ___ No, as far as I know ___ I do not know ___
I prefer not to answer this question ___

11) Were you involved in discussions with the school or training program about your request, besides just making the request?

Yes ___ No ___ I prefer not to answer this question ___

11a) If yes, please share any brief comments you have about those discussions that you feel are important.

(You may enter up to 255 characters.)

12) Obtaining accommodation in this situation was:

Very difficult ___ Difficult ___ Easy ___ Very easy ___ I do not know ___

I prefer not to answer this question ___

13) If you did not receive the accommodation you requested from a school or training program, please indicate the reasons you were given for the entity not providing accommodation. (Check all that apply.)

No reason was given ___ It would be too expensive ___

It would be too difficult ___ Other reasons (Please specify) ___

(You may enter up to 255 characters.)

14) If you did NOT receive accommodation in this situation did you appeal the failure to accommodate?

Yes ___ No ___ Not yet ___ I prefer not to answer this question ___

15) If you did NOT appeal a failure to provide accommodation you requested, please indicate below the reasons why.

(You may enter up to 255 characters.)

16) If you did appeal the failure to accommodate in this situation, please indicate below the sources you used and result. (Check any of the 8 choices below that apply. After each, please check off the appropriate box to indicate the result of your attempt, and in the text box at the end of this list, please specify any other ways you sought help in this situation and the

result of those efforts.)

Contacted someone else in the same organization.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted the ADA hotline (Also know as DBTAC, Disability and Business Technical Assistance Center.)

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted a state, county, or city Human Rights Agency.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted a consumer advocacy group.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a complaint with the Office of Civil Rights of the Department of Education or with the Department of Justice.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a lawsuit.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State Vocational Rehabilitation Agency.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State or private Center for the Blind.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Other (Please specify): (You may enter up to 255 characters.)

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

17) Based on your experience in the above situation, will you continue to request accommodations from this school or training program if you need them?

Always ___ Sometimes ___ Rarely ___ Never ___ I do not know ___

I prefer not to answer this question ___

TO DESCRIBE ANOTHER REQUEST FOR ACCOMMODATION SITUATION TO A SCHOOL OR TRAINING PROGRAM, [CLICK HERE](#).

Or, if you are finished with this section, [CLICK HERE TO GO TO SECTION D](#).

Section D - Requests for Accommodation Made to a Government Service Provider

These questions refer to requests for accommodation made to a government run service agency. The requests may have been for information in an alternate format, such as tax or business forms, or licenses or tests from a government. It may be for access to transportation, such as public para-transit service. A request may be for changes in public bus routes or pedestrian signals, or for any other government services.

These questions refer to requests for accommodation in order to access or use the service. They do not refer to a job application for a job with a service provider, or as an employee of a service provider. This section does not include requests to a school or education service.

Please estimate how many times you requested accommodation because of your visual impairment FROM A GOVERNMENT SERVICE PROVIDER since January 1, 2000: (Count each request just once.) ___

Please begin this section by describing up to 5 accommodation request situations for government services. Please begin with the most recent request. If you did not ask for an accommodation from a government service provider, you may skip to Section E by clicking [here](#).

D. - Requests for Accommodation Made to a Government Service Provider
- Situation #1

1) What accommodations did you request? (list up to 5.)
(You may enter up to 255 characters.)

2) What year did you make this request?

3) In what state was the service located?

4) What was the type of service provider or service?
(You may enter up to 255 characters.)

5) Was the service provider:
the federal government ___ a state government ___
a local government ___ I do not know what the level of government was ___
I prefer not to answer this question ___

6) Did you receive all that you requested?
Yes ___ No ___ I prefer not to answer this question ___

7) If you did not receive all that you requested, please indicate below what you did receive (list up to 5). (You may enter up to 255 characters.)

8) If you received anything, were the accommodations you received in this situation effective?
All were effective ___ Most were effective ___ Few were effective ___
None were effective ___ I cannot answer that yet ___
I prefer not to answer this question ___

9) Did the employees at this service provider seem willing to accommodate you?

Very willing ___ Willing ___ Unwilling ___ Very unwilling ___
I do not know ___ I prefer not to answer this question ___

10) Did this service provider usually provide accommodations for its services to people who have disabilities?

Yes, as far as I know ___ No, as far as I know ___
I do not know ___ I prefer not to answer this question ___

11) Were you involved in discussions with this service provider about your request, besides just making the request?

Yes ___ No ___ I prefer not to answer this question ___

11a) If yes, please briefly share any comments you have about those discussions that you feel are important.

(You may enter up to 255 characters.)

12) Obtaining accommodation in this situation was:

Very difficult ___ Difficult ___ Easy ___ Very easy ___ I do not know ___
I prefer not to answer this question ___

13) Based on this experience, will you continue to request accommodations from this service provider if you need them?

Always ___ Sometimes ___ Rarely ___ Never ___ I do not know ___
I prefer not to answer this question

14) If you did not receive an accommodation you requested from this service provider, please indicate what reasons, if any, were given for not providing accommodation. (Check all that apply.)

No reason was given ___ It would be too expensive ___
It would be too difficult ___ Other reasons (Please specify.) ___
(You may enter up to 255 characters.)

15) If you did NOT receive accommodation in this situation did you appeal the failure to accommodate?

Yes ___ No ___ Not yet ___ I prefer not to answer this question ___

16) If you did NOT appeal a failure to provide accommodation you requested, please indicate below the reasons why.

(You may enter up to 255 characters.)

17) If you did appeal the failure to accommodate in this situation, please indicate below the sources you used and result. (Check any of the 8 choices below that apply. After each, please check off the appropriate box to indicate the result of your attempt, and in the text box at the end of this list, please specify any other ways you sought help in this situation and the result of those efforts.)

Contacted someone else in the same organization.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted the ADA hotline (Also known as DBTAC, Disability and Business Technical Assistance Center).

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted a state, county, or city Human Rights Agency.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted a consumer advocacy group.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a complaint outside of the service provider with the Equal

Employment Opportunity Commission or the Department of Justice.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a lawsuit.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State Vocational Rehabilitation Agency.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State or private Center for the Blind.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Other (Please specify): (You may enter up to 255 characters.)

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

TO DESCRIBE ANOTHER REQUEST MADE TO A GOVERNMENT SERVICE PROVIDER, CLICK HERE.

IF YOU DO NOT WANT TO DESCRIBE ANOTHER ACCOMMODATION REQUEST TO A GOVERNMENT SERVICE PROVIDER, CLICK HERE TO GO TO SECTION E.

Section E - Requests for Accommodation Made to a Private Service Provider

These questions refer to requests for accommodation made to a non-government service agency. The requests may have been for information in an alternate format, such as business forms, or licenses or tests from a private service agency. It may be for access to transportation, such as airlines, trains, buses, or private para-transit service. This section

also refers to accommodation for the services offered by banks, credit card companies, restaurants, hotels, stores, utility companies, medical or telephone services, or other private services.

These questions refer to requests for accommodation in order to access or use the service. They do not refer to a job application for a job with a private service provider, or as an employee of a private service provider. This section does not include requests to a school or education service.

Please estimate how many times you requested accommodation because of your visual impairment FROM A PRIVATE SERVICE PROVIDER since January 1, 2000: (Count each request just once.) ___

Please describe up to 5 accommodation request situations for private services. Please begin each group with the most recent request. If you did not ask for an accommodation from any service provider, you may skip to Section F by clicking here.

E. - Requests for Accommodation Made to a Private Service Provider -
Situation #1

1) What accommodations did you request? (list up to 5.)
(You may enter up to 255 characters.)

2) What year did you make this request?

3) In what state was the service located?

4) What was the type of service provider or service?
(You may enter up to 255 characters.)

5) Was the service provider a religious organization?
Yes ___ No ___ I do not know ___ I prefer not to answer this question ___

6) Did you receive all that you requested?

Yes ___ No ___ I prefer not to answer this question ___

7) If you did not receive all that you requested, please indicate below what you did receive (list up to 5).

(You may enter up to 255 characters.)

8) If you received anything, were the accommodations you received in this situation effective?

All were effective ___ Most were effective ___ Few were effective ___

None were effective ___ I cannot answer that yet ___

I prefer not to answer this question ___

9) Did the employees at this service provider seem willing to accommodate you?

Very willing ___ Willing ___ Unwilling ___ Very unwilling ___

I do not know ___ I prefer not to answer this question ___

10) Did this service provider usually provide accommodations for its services to people who have disabilities?

Yes, as far as I know ___ No, as far as I know ___ I do not know ___

I prefer not to answer this question ___

11) Were you involved in discussions with this service provider about your request, besides just making the request?

Yes ___ No ___ I prefer not to answer this question ___

11a) If yes, please briefly share any comments you have about those discussions that you feel are important.

(You may enter up to 255 characters.)

12) Obtaining accommodation in this situation was:

Very difficult ___ Difficult ___ Easy ___ Very easy ___

I do not know ___ I prefer not to answer this question ___

13) Based on this experience, will you continue to request accommodations from this service provider if you need them?

Always ___ Sometimes ___ Rarely ___

Never ___ I do not know ___ I prefer not to answer this question ___

14) If you did not receive an accommodation you requested from this service provider, please indicate what reasons, if any, were given for not providing accommodation. (Check all that apply.)

No reason was given ___ It would be too expensive ___

It would be too difficult ___ Other reasons (Please specify.) ___

(You may enter up to 255 characters.)

15) If you did NOT receive accommodation in this situation did you appeal the failure to accommodate?

Yes ___ No ___ Not yet ___ I prefer not to answer this question ___

16) If you did NOT appeal a failure to provide accommodation you requested, please indicate below the reasons why.

(You may enter up to 255 characters.)

17) If you did appeal the failure to accommodate in this situation, please indicate below the sources you used and result. (Check any of the 8 choices below that apply. After each, please check off the appropriate box to indicate the result of your attempt, and in the text box at the end of this list, please specify any other ways you sought help in this situation and the result of those efforts.)

Contacted someone else in the same organization.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted the ADA hotline (Also known as DBTAC, Disability and Business Technical Assistance Center).

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted a state, county, or city Human Rights Agency.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Contacted a consumer advocacy group.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a complaint outside of the service provider with the Equal Employment Opportunity Commission or the Department of Justice.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Filed a lawsuit.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State Vocational Rehabilitation Agency.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Requested help from a State or private Center for the Blind.

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

Other (Please specify): (You may enter up to 255 characters.)

As a result of seeking this help, did you receive accommodation?

Yes ___ No ___ I'm still waiting ___ I prefer not to answer this question ___

TO DESCRIBE ANOTHER REQUEST MADE TO A PRIVATE SERVICE PROVIDER, CLICK HERE.

IF YOU DO NOT WANT TO DESCRIBE ANOTHER ACCOMMODATION REQUEST TO A PRIVATE SERVICE PROVIDER, CLICK HERE TO GO TO SECTION F.

Section F - General Questions About Requesting Accommodation

Section F is about accommodation requests in general. If you did not ask for any accommodations, or only asked for a few accommodations since January 1, 2000, click here to skip to question F9 and continue from there until you complete the final section of the survey.

F. - General Questions About Requesting Accommodation

1) In general, after an entity agrees to provide you with the on-going accommodations you continually need, such as alternate formats for print, did you find that you received the accommodations:

by asking just the first time ___ by asking a few times again ___

by asking repeatedly many times ___

by asking every time you need the accommodation ___

I do not have any on-going accommodation needs ___

I prefer not to answer this question ___

2) In situations where you requested accommodations, were you a client of a state rehabilitation service at the time?

Yes ___ No ___ Some of the time ___ I prefer not to answer this question ___

3) Have you ever been encouraged by someone to request

accommodations?

Yes ___ No ___ I prefer not to answer this question ___

3a) If yes, please briefly specify who encouraged you and for what accommodations. (You may enter up to 255 characters.)

4) Were you ever asked to share the cost, or pay for an employment related accommodation?

Yes ___ No ___ I prefer not to answer this question ___

4a) If yes, please briefly specify who asked you to do that and for what accommodations. (You may enter up to 255 characters.)

5) Were you ever encouraged to NOT request employment-related accommodation?

Yes ___ No ___ I prefer not to answer this question ___

5a) If yes, please briefly specify who encouraged you to not make a request and for what accommodations.

(You may enter up to 255 characters.)

6) Have you experienced retaliation as a result of requesting employment-related accommodation?

Yes ___ No ___ I prefer not to answer this question ___

6a) If yes, please briefly describe. (You may enter up to 255 characters.)

7) In general, when you received the accommodations you requested, would you classify the responses rate as:

A very fast response ___ A fast response ___ A slow response ___

A very slow response ___ I do not know ___

I prefer not to answer this question ___

8) In general, how satisfied are you with the accommodation request process you have experienced?

Very satisfied ___ Satisfied ___ Unsatisfied ___ Very dissatisfied ___
I prefer not to answer this question ___

9) If you rarely make requests or have never requested an employment-related accommodation that you needed because of your visual impairment, or if you sometimes do not request this even though you are eligible to receive this, please indicate why you do not request accommodation you need, or do not request much accommodation. This might include not taking your dog guide with you to an interview because you feel you would not be hired due to the dog. (Check any of the 11 reasons below that apply to you or add your own at the end.)

I am unemployed and/or not seeking employment.

I do not need any accommodations.

I do not need any more accommodations.

I do not know how to request accommodation.

It is too much trouble to ask for accommodation.

Accommodations are provided without my asking.

I do not believe I would receive a reasonable accommodation I request.

I was advised not to request accommodation.

I receive all the accommodations I need from a state vocational rehabilitation service or some other source without making requests to anyone else.

I do not feel comfortable requesting accommodation.

I am concerned about retaliation if I request accommodation.

Other reasons you have for not requesting any accommodation, or for not requesting much accommodation (Please specify).

(You may enter up to 255 characters.)

10) Please indicate in the box below what you would suggest are the 5 most important things for someone who has a severe visual impairment to know, or to do, or to say in order to receive employment-related accommodations.

(You may enter up to 255 characters.)

11) If there is anything you would like to include about your experience with requesting accommodation or about this survey, would you please share that now.

(You may enter up to 255 characters.)

PLEASE CLICK HERE TO GO TO THE LAST SECTION OF THE SURVEY. Section G - Demographics

G. - Demographics

1) What is your age?

2) What is your gender?

male ___ female ___ I prefer not to answer this question ___

3) What race/ethnicity do you consider yourself to be?

White (Non-Hispanic) ___ Black (Non-Hispanic) ___

American Indian or Alaskan Native ___ Asian ___

Hispanic - Latino ___ Native Hawaiian or other Pacific Islander ___

I prefer not to answer this question

Other (Please specify)

(You may enter up to 255 characters.)

4) What is the highest education level you have completed?

High School or GED ___ Some college or some trade school ___

Completed a two year college or trade school ___

Bachelors degree ___ Some graduate school ___

Masters degree or higher ___ I prefer not to answer this question ___

4a) If not High School, what was your highest grade level completed?

5) Are you currently employed?

Yes ___ No ___ I prefer not to answer this question ___

5a) If yes, how many hours of paid work do you average per week?

6) Since you have had a severe visual impairment, how many years, both full and part-time have you worked? ___

7) If you have been actively seeking employment, how many job interviews have you had since you began looking for work? ___

7a) If you have been actively seeking employment, please enter the date you began seeking employment. ___

8) What is your individual yearly income from employment before taxes?

9) In what State do you live?

10) Do you live in a:

city ___ suburb ___ rural area ___ I prefer not to answer this question ___

11) Please choose one out of the three items below to describe your visual impairment.

I am totally blind, or I only have light perception.

I am legally blind, but not totally blind.

I have low vision, but I am not legally blind.

I prefer not to answer this question

12) How old were you when your visual impairment began to interfere with your daily activities?

13) Are you a member of a blindness consumer organization?
Yes ___ No ___ I prefer not to answer this question ___

13a) If yes, please specify what group or groups you belong to.
(You may enter up to 255 characters.)

14) Do you have other severe impairments or health problems?
Yes ___ No ___ I prefer not to answer this question ___

14a) If yes, what other severe impairments?
(You may enter up to 255 characters.)

14b) If yes, have you asked for accommodations because of this impairment?
Yes ___ No ___ I prefer not to answer this question ___

14c) If yes, what did you generally request?
(You may enter up to 255 characters.)

14d) If yes, have you generally received what you requested?
Yes ___ No ___ I prefer not to answer this question ___

15) Concluding Question (Stored separately from survey data): There may be additional questions we will need to ask for this project. May we contact you for this? If yes, please provide a name, telephone number, and e-mail address in the box below.
(You may enter up to 255 characters.)

You do not have to answer that last question, but you must hit the submit button to enter your completed survey. **YOU MUST HIT THE SUBMIT BUTTON AT THE END OF SECTION G IN ORDER TO SEND US YOUR ANSWERS.**

Thank you for your participation.