



Warrick County Mom Loses Disability Complaint Against School

Mycal Ashby is a woman who uses a wheelchair. She has a son who attends Loge Elementary in Warrick County, Indiana. Her son participated in a school choir, an extracurricular activity.

In the fall of 2014, the choir was invited to sing holiday songs at the Warrick County Museum. The museum is not affiliated with the school system. Ashby and her husband went to the museum to see their son perform, but she could not enter because the museum was not accessible. She had no way to access the upper floor where the concert would be performed. Mr. Ashby voiced his displeasure to both the school's music teacher and principal.

In 2015, the museum again invited the school choir to perform, and the school agreed. The museum staff said they were in the process of installing an elevator and believed it would be running before the holiday program. But it was not, and once again, Ms. Ashby could not watch her son perform at the museum. She sued the school corporation for intentional disability discrimination, and lost.

The Court said that the concert was part of the museum's own programming, not the school's. It was part of the museum's series of "holiday happenings" for the community. The school simply arranged for the students to attend and present a program. The concert was not a "service, program or activity" of the school and therefore the school was not responsible for the concert being inaccessible to Ms. Ashby.

The Court did not address whether Ms. Ashby could sue the museum for being an inaccessible provider of a public accommodation. The case is *Ashby v. Warrick County School Corporation*, 2018 WL 5784478 (7th Cir. 2018). If you have questions about the ADA, please contact the BHRC.

2019 Youth Art and Essay Contest

The Bloomington Human Rights Commission is once again sponsoring an essay/art contest for area children. This year's theme is "How has welcoming immigrants changed our society?"

Students kindergarten through 6th grade are welcome to participate in one or both categories for a chance to win and be recognized at a public ceremony. A total of 100 WonderLab passes will be given away to the winners.

SUBMISSION DEADLINE: February 15, 2019

If you have questions about the contest, please contact the BHRC.

Students K-3:

Essays may not be more than 250 words.

Students 4th-6th:

Essays may not be more than 500 words.

Art can be a drawing, sculpture, poem, song, etc.



One purpose of Rights Stuff is to provide information about civil rights litigation as a way to encourage adherence to best practices for landlords and employers. We do this by publishing relevant and timely articles from around the country.

Prisons Must Be Accessible to People with Disabilities

People don't often think about accessibility problems at prisons. But of course some inmates have disabilities, and all governmental programs, including prisons, are covered by the Americans with Disabilities Act (ADA). The U.S. Department of Justice recently announced that it had entered into a settlement agreement with the South Dakota Department of Corrections so that it will be more accessible to inmates with disabilities.

Under the terms of the settlement, Corrections agreed to make sure that if it remodels or alters the prison, the changes will be made in accordance with the Americans with Disabilities Act.

Corrections agreed to make some of its cells accessible to people with disabilities by transferring inmates with mobility disabilities to a more accessible facility. They also agreed to ensure inmates with disabilities are provided benefits, aids and services that are provided to other inmates, including work, education, recreation and early release opportunities. Corrections will provide a

shower chair for inmates who cannot use a transfer shower and make sure wheelchairs and other adaptive equipment are kept in good repair. They will take steps to make sure they can communicate effectively with inmates who are deaf, hard of hearing or who have speech disabilities, as well as with inmates who are blind or who have low vision. Corrections also will ensure its employees are trained on these policies.

If you have questions about the ADA, please contact the BHRC.



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City Encourages Applicants to Boards and Commissions

Bloomington, Ind. - The City of Bloomington's Office of the Mayor and Office of the City Clerk are accepting applications from community members who would like to serve on one of the City's boards or commissions. Some of these bodies are anticipating vacancies as current terms expire in December 2018 and January 2019. Applications are being sought to fill spaces on the Arts Commission, the Redevelopment Commission, the Board of Zoning Appeals, the BHRC and a number of others.

The City's boards and commissions give residents the opportunity to provide input on the policies that shape their government and their city. There are currently more than 45 boards and commissions that advise the Mayor and City Council on a vast array of issues. In addition to their advisory function, these bodies may

work cooperatively with City departments to contribute to policy, approve resolutions and fund projects, among other responsibilities.

"The more than 300 residents who serve on our boards and commissions play an essential role in guiding our City, for which I am deeply grateful," said Mayor John Hamilton. "The insight and expertise these community members bring from their professional lives and lived experiences is invaluable to the City's decision-making process. I urge residents to lend the City the benefit of your time, skills, and ideas as a board member or commissioner."

More information about each board and commission, including mission statements, membership requirements, current membership listings and term lengths, is available

from the "Boards and Commissions" button on the City's webpage at bloomington.in.gov. To apply for a position on one of the bodies, residents are directed to the "OnBoard" portal at the following link: bloomington.in.gov/onboard

After applying, members must be appointed to each body by the Mayor, the Common Council, or another board or commission. City residency is required for membership on most of the boards and commissions.

Prospective applicants are urged to attend a meeting of the board or commission of their choosing prior to applying. Meeting schedules and locations can be found under the "Information" tab for each body on OnBoard. All meetings of the City's boards and commissions are free and open to the public.



Commission on the Status of Women Seeks Nominations for Annual Awards

Bloomington, Ind. - The City of Bloomington Commission on the Status of Women is seeking nominees for the 2019 Woman of the Year, Emerging Leader and Toby Strout Lifetime Contribution awards, to be presented during Women's History Month events in March, 2019. Although nominations are accepted on a rolling basis, the deadline for nominations for the 2019 awards is January 18, 2019.

The Woman of the Year Award is presented to a woman who has improved the quality of life for other women through inspiration, community service or professional accomplishments above and/or outside normal job responsibilities. The recipient is also someone who serves as a positive role model for girls and women and has made outstanding contributions to the community.

The commission also recognizes women just beginning to make an impact, and those whose dedication to improving the lives of women serves as an enduring legacy. "Through the Emerging Leader Award, the commission honors women who are at the early stages of their work," explained Debby Herbenick, commissioner and director of the Indiana University Center for Sexual Health Promotion. "The Toby Strout Lifetime Achievement Award honors women whose body of work has been substantial, dedicated and devoted to lifting up other women or girls." Strout, who was also a commissioner, served as the longtime director of Middle Way House, a service provider for survivors of domestic violence, human trafficking and sexual assault.

Nomination forms for all the awards are available online at <https://bloomington.in.gov/boards/status-of-women/woman-of-the-year>. At the City of Bloomington's Community and Family Resources Department (401 N. Morton St., Suite 260) or by email at owenss@bloomington.in.gov. Nominations should include the name, address, telephone number and e-mail address of the nominee in addition to a description of how the nominee's accomplishments have improved the lives of local women or girls. Nominees should reside in Bloomington or Monroe County. The nominator also should include his or her name, address, telephone number and e-mail address. Completed nomination forms may be sent by e-mail to owenss@bloomington.in.gov or by mail to The Commission on the Status of Women, P.O. Box 100, Bloomington, Ind. 47402.

The Emerging Leader award recipient will be honored at the Women's Leadership Development event in March 2019 at City Hall. The Woman of the Year and Toby Strout Lifetime Contribution award recipients will be honored at the Women's History Month Lunch on Wednesday, March 20, 2019 at the Monroe Convention Center.

"Each year we look forward to recognizing outstanding women in our community who are inspirational community servants and professionals," said commission co-chair Ashley Hazelrig, assistant vice president and branch manager at the Peoples State Bank. "We have recognized women from diverse walks of life and want to continue to shed light on the impactful work of local women. If you know a woman who is worthy of recognition, we are eager to learn more about her and her contributions."

The City of Bloomington Commission on the Status of Women explores women's issues and concerns, celebrates women's accomplishments and promotes solutions to the problems and challenges faced by women.