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EDGE
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2021 SPECIAL EDITION

2021 DISABILITY ESSAY CONTEST

The SILC is very pleased to share this Special Edition of the IL Edge showcasing the winners of the 2021 Disability History Essay Contest. The contest has not been funded since the fall of 2017, and we are very happy to be able to bring the contest back to all West Virginia High School Seniors. The contest reinforces WV Disability History Week held the third week of October. Awards are typically presented at High School Senior Awards Ceremonies, which presented a challenge this year and we thank all the high schools represented for working with us on how to accomplish this.

The theme for the contest this year was, "*The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present*". This special edition of our newsletter includes all the winning essays, photos of the authors, and a bit of information to help you get to know these students. The authors of the winning essays received an engraved key chain and a check for the amount of their award as follows:

State Winner - \$3,250
District 1st Place Winners - \$1,750
District 2nd Place Winners - \$1000

Congratulations to all the winners! I hope this contest continues to motivate high school seniors to not only submit an entry, but to learn more about disability history and how the disability rights movement has changed our world and our lives.

Continue Learning,

Ann McDaniel

Ann McDaniel
Executive Director

2021 Disability History Essay Contest

This contest gives WV High School Seniors an opportunity to showcase their writing skills, share their knowledge of the Disability Rights Movement and perhaps earn some money to help advance their future!

This contest is a collaborative effort of the WV Division of Rehabilitation Services, the Statewide Independent Living Council and the State Rehabilitation Council, with cooperation from the WV Department of Education. The winning essays and their authors are recognized and presented with a check generally at the Senior Awards Ceremony at their respective high schools.



MISSION

"To ensure persons who have disabilities have access to community-based resources that promote personal choice and facilitate the achievement of their independent living goals."





State Winner



Hannah Casey, is a graduate of Charleston Catholic High School. While there, she was a member of the varsity volleyball and varsity softball teams all four years, serving as team captain for both teams her senior year. She also earned a spot as a North-South All-Star for both sports and was elected as a member of the 2nd Team All State for volleyball. Outside of school, Hannah has been a Girl Scout for 14 years, where she has earned her Silver Award. She has also spent hundreds of hours doing volunteer work for organizations such as Backpack Blessings and the Student Conservation Association. Hannah plans to attend DePaul University in Chicago, IL where she has been accepted into their 3 + 3 BA/JD program. She is planning to major in Peace, Justice, and Conflict Studies as she works to obtain her law degree. In her spare time, she enjoys reading, listening to music, journaling, and spending time with her friends.



Essay
2021 Contest

Hannah Casey Charleston Catholic High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

What would life be like if you were a person with a disability and you were not provided equal opportunities or you faced discrimination at a place that you visit everyday, such as school? Or what if you are a person with a disability and you have already had to face these issues every single day? With the help of Section 504 of the Rehabilitation Act of 1973, these situations have been significantly reduced as those who participated in the Disability Rights Movement advocated to ensure discrimination against qualified individuals with disabilities by any program or activity receiving federal financial assistance or by any program or activity conducted by a federal executive agency or the U.S. Postal Service” was prohibited (“The Rehabilitation Act of 1973”). As the first civil rights law passed to accommodate people with disabilities, the Rehabilitation Act of 1973 paved the way for more opportunities and advancements towards equality such as the Americans with Disabilities Act of 1990. Section 504 holds a lot of significance because it was the first time people with disabilities were treated as a protected class, though it took several years for the Act to be implemented.

Prior to the Rehabilitation Act of 1973, people with disabilities did not have to be treated the same as people without. They faced challenges such as lack of physical access, programmatic access, educational access, employment access, and more. People with disabilities were frustrated by the lack of support and help given by the government. The Disability Rights Movement was a way in which those who were frustrated could express their emotions and fight to ensure that people with disabilities were not forced to be segregated from the rest of society and treated with the same respect as everyone else. Inspired by the Civil Rights Movement and the changes that came about because of it, disability rights advocates lobbied for the passage of the Rehabilitation Act of 1973. Section 504 was included in this act, though many are not sure how it got included. But, even though this act and Section 504 were passed, the Department of Health, Education, and Welfare, who were in charge of writing the regulations that would implement this law, did not do so and therefore people with disabilities were not given the rights they had been promised. Judy Heumann, a protestor who took part in the 504 Sit-in, was angered by the lack of implementation and at a hearing with members of Congress she said, “We will no longer allow the government to oppress disabled individuals. We want the law enforced. We will accept no more discussion of segregation” (Carmel). Finally, four years after the Act was passed, the regulation they had been fighting for was implemented and Section 504 was placed into effect.

What would life look like if Section 504 had never been passed and implemented? For starters, none of the federally funded buildings would have accommodations made for people with a physical disability. There would be no ramps, no widened doors, no auditory or visual emergency alerts, no accessible restrooms, and more. Higher education would be inaccessible, with a lack of accessible buildings, courses, or programs. In K-12 public schools, they would not have to provide free appropriate public education for the students (Lee). These schools would not have to work to accommodate the needs of a student with a disability. There would be nothing to prevent discrimination against people with disabilities in any kind of program or activity that receives federal

John Ward

George Washington High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

The core passage of Section 504 of the Rehabilitation Act of 1973 is just over 70 words in length. It states, in language similar to the civil rights bills of the previous decade, that “no otherwise qualified individual with a disability... shall, solely by reason of her or his disability, be” discriminated against or denied the benefits of any program or activity that receives federal funding. The Rehabilitation Act provides no additional funding for enforcement of its policies, and it took four years, a ruling in the District Court for the District of Columbia, and nationwide sit-ins for the federal government to implement specific regulations for Section 504 protections. But over four decades later, the law has become a cornerstone of protections against discriminatory practices. Section 504 of the Rehabilitation Act has had a widespread influence protecting the rights of people with disabilities, particularly in public schools, contributing to a foundation of anti-discrimination law that has been expanded over time.

Section 504 functions essentially as “a civil rights statute, rather than a federal, programmatic statute” (deBettencourt 16). The law protects the rights of qualified individuals with disabilities from discrimination on the basis of disability, which is defined as “a physical or mental impairment which substantially limits one or more major life activities.” Those regarded as having or with a history of such impairment are also protected by Section 504 (HHS 1). The major life activities eligible for protection relate to “functioning socially, physically, and behaviorally” (Gamm and Meller 2) and cover a wide swath of physical and mental disabilities, which federal courts have generally ruled to be broad and non-comprehensive (Woodbury 26). Section 504 stipulates that any organization, program, or employer receiving financial assistance from the federal government cannot withhold “equal opportunity to receive program benefits and services”—including employment, education, or services—from individuals with disabilities who are otherwise eligible and qualified, and is obligated to provide “reasonable accommodation” for persons with disability unless undue burden is placed on the organization (HHS 1). Crucially, the law dictates that executive agencies “shall promulgate such regulations as may be necessary” to enforce its protections (title 29, sec. 794), including possible revocation of funding from non-compliant recipients (NCLD).

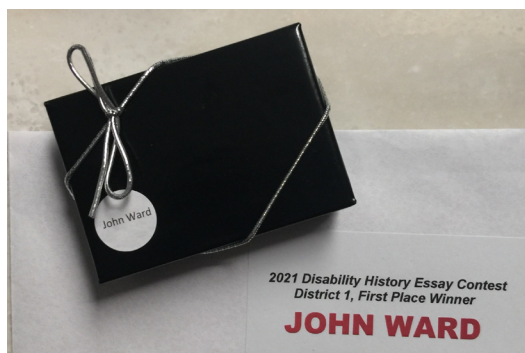
Section 504 covers a variety of organizations and professions under the umbrella of government funding, a notable example of which are public schools. Educators “are responsible for identifying, evaluating, and implementing Section 504 protections, services, and accommodations” to prevent discrimination against students with disabilities. Provided services must be uniquely situated towards each student to give “meaningful access” to school programs and activities for a free appropriate public education (FAPE). School districts, who generally designate Section 504 coordinators responsible for assuring “non-discriminatory access” (Skalski and Stanek 1-2), are required to maintain equivalent services and opportunities before, during, and after school to create a least restrictive environment (LRE) and equal playing field for kids with and without disabilities (Woodbury 2). Public schools are subject to monitoring and review under Section 504 by the Office of Civil Rights (OCR) and face steep potential penalties if found to be in violation (Skalski and Stanek 1).

(See John next column)

District 1 First Place



John Ward, is a graduate of George Washington High School in Charleston, WV. His family moved to West Virginia from Virginia before he entered first grade. He enjoys learning about history, camping, and riding roller coasters. He works part-time at Chick-Fil-A and plans to attend Pomona College in Claremont, California in the fall.



(John continued from previous column)

The determination and accommodation of students with disabilities generally follows four basic processes under Section 504 (Skalski and Stanek 4). First, parents are advised of their rights under the law, usually by the Section 504 coordinator, including rights to file grievances, notification of eligibility and significant changes to the program, and examination of all relevant records (Woodbury 35). Second, a multidisciplinary team “composed of persons knowledgeable about the child” can identify students with possible disabilities and evaluate the nature and extent of the impairment to discern if “necessary accommodations and/or services” must be employed under Section 504. Such an assessment requires “valid, reliable, and

(See John p10) Page 3



District 1 Second Place



Maya Cummings, is a graduate of George Washington High School. She can be described as a unique and expressive individual. In her spare time, she enjoys riding horses and working on her art!



Sherry Breeden, State Rehabilitation Council, (center) presented essay winners John Ward and Maya Cummings with monetary awards and engraved keychains at George Washington High School's awards ceremony.

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Maya Cummings George Washington High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

The year is 1977, the sounds of protests and desperation surround America as they fight for the rights for those with disabilities. Demonstrators across the country occupied federal offices on the inside while protests surrounded the outside. Signs are bouncing up and down throughout the crowds as they shout for justice and equality. After years of injustice and discrimination, America was done and demanded change to happen, fast.

When the Rehabilitation Act of 1973 was passed, citizens expected protection and rights for those who are disabled, but that was not the case. After years fighting for protection, those with disabilities thought there was finally a sign of change and hope. Transportation, libraries, and other public places were considered "available," but were not completely accessible to the millions of Americans with physical impairments. The Act had been vetoed twice before being signed by President Richard Nixon. Thing is, even after four years, the Act had yet to be implemented. This was due to the cost of having to remodel buildings and access points for accommodations; therefore, causing procrastination for any action to be made. Without any action, those with disabilities had difficulties to access public places, and sometimes could not access them at all. This would cause frustration as well as create many missed opportunities for them.

Americans wanted to take action themselves after being tired of waiting. They demanded that if there was no change by April 4, 1977, there would be national protests, and that is exactly what happened. Section 504 of that law reads, "No otherwise qualified individual with a disability in the United States, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Protestors demanded the section take effect right then and there. By April 5th, federal offices were surrounded inside and out. Signs read "Sign 504 now" and "MCW Supports 504." Sit-ins began across the country and federal buildings were occupied for hours or days.

The main area of protest was San Francisco, California. Hundreds of people with disabilities joined in opposition as well as personal care aides. Leaders such as Judy Humann and Kitty Cone showed up to join protests. With the sit-in lasting more than a month, it made the longest occupation of federal buildings. San Francisco attempted to deter protestors by shutting off the building's phone lines and water supply. Though there were some allies, the city mayor at the time, George Mascone, was sending mattresses and setting up portable living spaces for those fighting for justice. It was starting to look promising for those with disabilities. After over a month of strong protests amongst federal buildings, by April 28, 1977, the Section 504 regulations were implemented.

With the protests lasting over a month, inside of them was a community created. Hundreds to thousands of people with disabilities and allies supported one another to fight a much needed battle to ensure justice. The Section 504 act allowed more possibilities and opportunities to those who did not have them before. Citizens with disabilities were able to feel included and celebrate in triumph for the winning of one of history's life changing battles, Section 504, the Rehabilitation Act of 1973. ■

Kiara Bush

South Harrison High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

Section 504 of the 1973 Rehabilitation Act prohibits discrimination against people with disabilities in programs that receive federal financial assistance. This was the first disability civil rights law to be enacted in the United States and set the stage for the enactment of the Americans with Disabilities Act. Section 504 provides children and adults with protection from exclusion and unequal treatment in schools, jobs, and their community based on their disability. (Tischer) “No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (Johnson)

Before the creation of section 504, the “responsibility for the consequences of disability rested only on the shoulders of the person with a disability rather than being understood as a societal responsibility.” (Cone) Based on the previous civil rights laws that protected women and minorities, it recognized that historically, as a society, we have treated people with disabilities as “second-class citizens” based on societal fears and stereotypes. With section 504, the role of discrimination was finally acknowledged, and without it the Americans with Disabilities Act may have not been created.

Under section 504, students with disabilities maintain the right to reasonable accommodations. Under these laws schools must provide a “free appropriate public education” to all students with disabilities, “appropriate” meaning that a school must provide support to give a child access to the same education that their peers are getting. “The goal of 504 plans is to remove barriers to learning for students with disabilities. Schools must meet the needs of these students just as they meet the needs of students without disabilities.” (Lee)

The true importance in 504 is not only the protection it provides, but who it provides protection too. Section 504 of the 1973 Rehabilitation Act protects any student that has “a physical or mental impairment which substantially limits one or more major life activities.” (Lee) These activities can include anything from eating, sleeping, and walking, to learning, concentrating, and communicating. Meaning that this law can cover students with disabilities such and dyslexia, ADHD, anxiety, and many others, even if that child is taking medicine to manage their symptoms.

Section 504 is, in my opinion, one of the most important aspects of American education. Without these laws, my younger sister wouldn’t have had the chances she has been given educationally. She is epileptic, with Tourette syndrome, as well as having an anxiety disorder. If not for 504, she could have been turned away from any and all opportunities purely based on her disabilities. Given the chance, she has tested into the “gifted” program, as well as taking advanced and honors classes.

The future of our nation is in the hands of our youth, all of our youth. And section 504 of the 1973 Rehabilitation Act provides all students with the same opportunity to learn, grow, and succeed in not only their education, but in life. ■

District 2 First Place



Kiara Bush, is a graduate of South Harrison High School. She plans to attend WVU in the fall to earn her BA in Elementary Education, with a possible double major in Children and Family Studies. After college she hopes to teach Kindergarten or 1st grade. She is excited to be able to spread her love for learning to all students of any age. Kiara is ambitious and holds true to the qualities of compassion and thoughtfulness. She is also a determined individual, and believes in fighting for what you deserve and what you believe in.

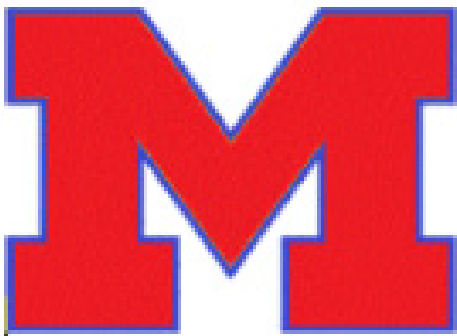




District 2 Second Place



Isabel Thubron, is a graduate of Morgantown High School. She will be attending West Virginia University in the Honors College this fall. She plans to major in Interdisciplinary Studies with concentrations in English, History and Women's Studies, with a possible double major in English Secondary Education. One day, she hopes to be an English teacher in the U.S. or a foreign country. Ultimately, she hopes to travel the world to see all it has to offer and make the world a little brighter and kinder along the way.



Isabel Thubron Morgantown High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

For centuries, society and government institutions defined what it meant to live with a disability on behalf of those actually living with them. Their definitions fell short. Living with a disability is an integral part of a person within the disability community's life, but mental and physical disabilities don't make someone fundamentally different than anyone else. They are still human, and they deserve the same opportunities, support and recognition that anyone else would receive. A common misconception about any civil rights movement is the belief that the marginalized group desires more than the average American, when, in reality, they just desire to be equal. Legislation, such as the Rehabilitation Act of 1973, is vital in ensuring that those opportunities are made available to an, otherwise, discriminated group. Section 504, specifically, allows children and young adults with disabilities to thrive in an educational environment that isn't limited because of something they can't control. Accommodations and understanding allow the disability community to feel heard and respected, something every one of us, as humans, desire and deserve.

Section 504 of the Rehabilitation Act of 1973 gave the disability community the voice they'd been wanting. Section 504 states that, "no otherwise qualified handicapped individual in the United States shall solely on the basis of his handicap, be excluded from the participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." For the first time in American history, a societal standard had been set for the expected inclusivity for people with disabilities. However, court rulings were inconsistent and regulations were not followed through. The disability community filed a lawsuit due to the lack of protection they were receiving under Section 504, and the federal government ruled that regulations to the bill must be made, but did not set guidelines as to how or when said regulations must be enforced. Once again, the disability community experienced the same inequity they had sustained before the Rehabilitation Act had ever come to fruition. Taking matters into their own hands, the community demanded regulations be set by a certain date and if the government had failed to do so, there were to be organized demonstrations. Similarly to the historic sit-ins associated with the African American civil rights movement, members from the disability community and advocates joined together to fight for the protection of people with disabilities under the law. One particular sit-in at the San Francisco federal building lasted 28 consecutive days, resulting in the immediate commencement of regulation review. The courage, devotion and determination of the disability community proved to be momentous, finally initiating the change they had sought-after for so long (Cone, 2020).

One of my closest friends has a 504 plan with our school that provides them with the same opportunities they otherwise may struggle to take advantage of. I've watched them suffer from immobilizing migraines that leave them absent from school for days on end and cope with the effects of test anxiety, resulting in excessive stress that triggers their migraines. These migraines can last for hours, or days even, and are mysterious to my friend's neurologists, making treatment options minimal and not as effective as they could be. Most of the time, they come to school and any type of stimuli that causes stress will debilitate them for the rest of the day, making them incapable of doing anything at all. They have spent countless school days in the nurse's office, waiting for

(See Isabel p11)

Tristen White

Wheeling Central Catholic High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

Everyday simple tasks that are easy for most people can be challenging for individuals with disabilities. Prior to the passage of Section 504 of the Rehabilitation Act of 1973 society historically treated people with disabilities unfairly. This unfair treatment stemmed from fear and stereotypes from previous generations. People with physical and mental challenges were not treated equally. They were not afforded the same opportunities as those without limitations. Disabilities were treated as personal problems, and the responsibility rested entirely on the person with a disability. Those who had disabilities did not think about the challenges they faced as discrimination or prejudice.

Section 504 was a civil rights law enacted to prohibit discrimination for those with disabilities. It was based on the language of civil rights laws that were written to protect minorities and women. For those with disabilities, discrimination existed in areas including housing, employment, transportation, and education. To make the law effective, regulations were needed to support the legislation.

The Department of Health Education Welfare (HEW) was named the lead agency to draft the regulations. These regulations would then be followed by all other federal agencies. No regulations were put into place between the passage of Section 504 in 1973 and the year 1977. A regulations draft was written and forwarded to HEW. A recommendation was made to publish the draft in the Federal Register for public comment. During this time, there was opposition from entities affected by Section 504 including state and county governments, hospitals, and universities. Due to this opposition, the draft was not published.

After President Carter took office, HEW set up a task force to review the draft regulations. There were no individuals with disabilities represented on this task force. Over time, there were approximately twenty (20) issues identified by the task force.

The American Coalition of Citizens with Disabilities (ACCD) became involved and worked to get the original, unchanged regulations published. Writing letters, personal pleas to be heard, and lobbying were not successful tactics. The ACCD stated that if the unchanged regulations were not published within a certain time frame that the group would call for a planned protest. When HEW did not comply, sit ins took place at HEW regional headquarters in numerous cities including Seattle, Philadelphia, Dallas, Boston, Atlanta, Chicago, Denver, New York and Washington, D.C. Most of these protests ended that same day as planned.

Hundreds of people from different socioeconomic groups and diverse backgrounds also arrived for a sit-in at the San Francisco federal building on April 5, 1977. The sit-in brought together a large number of cross-disability activists including protestors who were blind, deaf, had developmental and mental challenges, and wheelchairs users. This sit-in lasted nearly one month. The people with disabilities who participated in this protest were supporting the thousands who could not come in-person due to their limitations. Many

(See Tristen p11)

District 3 First Place



Tristen White, is a graduate of Central Catholic High School. She was active in many extracurricular activities during her high school career including; being a four-year member of the Drug Free Club of America, member of the Social Justice Alliance, French National Honor Society, the National Honor Society, Science National Honor Society, and the Rho Kappa National Social Studies Honor Society. She was chosen to represent her school as a 2020 member of Rhododendron Girls State Conference. She played four years of basketball and volleyball for the Maroon Knights. Tristen actively participated in many service and volunteer projects in her community. She plans to attend Robert Morris University to study Psychology.





District 5 First Place



Natalie Fout, is a graduate of Lincoln County High School where she was a four year member of the basketball and softball programs. She was also active in the National Honor Society, Student Government, Spanish Honor Society, and Special Olympics. In her free time she enjoys reading and spending time with her family. She was inspired to participate in the contest by her nephew Kruz (pictured below), who is affected by cerebral palsy and pontocerebellar hypoplasia. Natalie will attend Glenville State College to become a math teacher.



Natalie Fout Lincoln County High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

The discrimination of people with disabilities has been evident throughout history. Unfortunately, people with disabilities were forced to carry the weight of their struggles without help from the society in which they lived. As a society, we must work to better understand those with disabilities, and help accommodate their needs. Section 504 of the Rehabilitation Act of 1973 states that no qualified individual with a disability in the United States can be denied rights to any federally funded benefits. Since the establishment of the Act, we have been working toward building a more inclusive world.

One of the most prominent factors of Section 504 is its aid in removing barriers for children with disabilities. Schools must do everything they can to provide support to give a child access to the same education that their peers get. I am especially grateful for this section of the Act. My nephew is two years old and was born with cerebral palsy and pontocerebellar hypoplasia. He has trouble with many everyday things like eating and communicating, and he may also never be able to walk. However, he is not just a disability. He is a sweet little boy who likes to laugh and play, and he makes our family better just by being who he is, who he was born to be. I am glad to know that as he grows up, he will have access to education just like other kids.

Another protection of the act is that it prohibits discrimination against people with disabilities in all programs that get federal funding. This helps ease the struggles of obtaining things like jobs and housing. Programs must make reasonable changes to accommodate for disabilities. People with disabilities deserve the right to work and live the same as anyone else. They are people before they are their disability.

Though the Act has been very beneficial to the United States, it did not come easily. Before the Act was instated, there were many instances of obvious discrimination throughout America. Senator Hubert Humphrey, a civil rights activist, stated that Americans with disabilities deserve “dignity and self-respect as equal and contributing members of society.” There were many questions when the bill first passed. How would discrimination be defined? How would so many public facilities be updated? The American Coalition of Citizens with Disabilities also faced lots of opposition from hospitals, universities, and state and county governments. Thankfully, they prevailed through the backlash and created a brighter future for all those with disabilities.

Since the establishment of section 504 of the Rehabilitation Act, the rights of people with disabilities have become more and more recognized. However, as a society, we will always have room for growth and understanding of the



Deztiny Quesenberry

Wyoming East High School

The significance of Section 504 of the Rehabilitation Act of 1973 – Past and Present.

Since the beginning of time people have been created with different physical, cognitive, and sensory abilities. People who had disabilities were not afforded the same opportunities in schools, employment, housing, and many other areas of life that most take for granted.

Throughout history in the United States, there have been significant attempts to remedy the obstacles many people with disabilities faced and increase accessibility to everything that people who do not have disabilities take for granted, such as small steps onto a sidewalk, using the rest room, getting through an aisle in a store, etc. These attempts were the early basis for the Rehabilitation Act of 1973, establishing Section 504.

Early attempts to provide needed assistance and better education were made by President Abraham Lincoln when he signed the bill which established the Columbia Institution of the Deaf and Dumb and Blind to be able to earn college degrees. The institution was later renamed more appropriately- Gallaudet College. "Congress authorized the institution to confer college degrees in 1864, and President Abraham Lincoln signed the bill into law. Gallaudet was made president of the institution, including the college, which that year had eight students enrolled" (Gallaudet University). The first three graduates received their degrees in 1869, signed by President Grant. Since that initial graduation, all the Gallaudet graduate diplomas have been signed by the sitting U.S. president. Other presidents, such as Harry Truman, John F. Kennedy, and Lyndon Johnson each signed legislation furthering services and programs for people with disabilities, but there was still much to be done to ensure equal access for those with disabilities.

The Rehabilitation Act of 1973 was passed by Congress as a big step forward for those with disabilities. It received overwhelming support from activists seeking to change federal law by protecting the rights of individuals with disabilities to receive services whenever federal financial funding exists. This included public schools, colleges and universities, and state and local educational venues. It also defined who was to be included under this legislation. The bill simply indicated that no program receiving federal funds could discriminate against a person with a disability. President Nixon was aware of the benefits this bill would provide, but he feared the financial burdens it could place on schools, businesses, and others, so after much reservation, although he had vetoed the legislation in 1972, he eventually signed the bill in 1973.

There were considerable delays in enacting the legislation, as hospitals, businesses, and even schools at times fought paying for adaptations such as wheelchair ramps, automatic doors, elevators, and other things needed to provide access to buildings and services. As delay after delay took place, protestors and activists continued to pressure the government to enact and guarantee all needed provisions the law covered. After nearly 10 more years of battling, additional regulations finally made the Rehabilitation Act of 1973 become a reality.

Section 504 established a legal definition of disability. It would include people with mental or physical impairments that significantly limit one or more major

(See Deztiny p11)

District 5 Second Place



Deztiny Quesenberry, is a graduate of Wyoming East High School and grew up in a small holler with her grandparents and uncle who is mentally impaired.

My uncle, "Chubby" has always been a light in our lives by teaching us to enjoy the simple moments and to be grateful of all we are capable of. My Dad, Joe Quesenberry, has always worked with handicapped children and growing up around people who had disabilities taught me that they are no different from anyone else and should be treated with the same dignity and respect as everyone else. The lessons I've learned from Uncle Chubby and the kids my Dad had taught will last a lifetime. I am proud that I won second place in my district and I would like to thank my uncle and father for being the biggest inspiration behind my essay. It's so vital when our elected officials and president pass legislation to make life better for people with disabilities, because their quality of life is as important as anyone else's.





(Hannah continued from p2)

funding (Lee). Simply put, people with disabilities would be living segregated lives, without the same rights, opportunities, and access given to those without a disability.

Now, people with disabilities are protected in many areas of life and are able to fully participate as members of society. Through Section 504, federally funded programs are now required to provide "equal access for individuals with disabilities through the removal of architectural, employment, and transportation barriers" (Wilcher). Accommodations are necessary in buildings to ensure that people with disabilities are able to fully access the building.

Public transportation also has to make certain that all forms of transportation are accessible. There can be no discrimination in federal employment based on disability. Discrimination is prohibited anywhere that receives funds from the government, as it should have been many years ago.

People with disabilities should be given the same opportunities as everyone else and it is a shame that it took our country so long to make that possible. There is no reason that a person with a disability could not be as, if not more, capable of taking part in society than someone without a disability. Having a disability does not and should not limit the options a person should have in any part of life, whether that be school, employment, housing, and more. The Rehabilitation Act of 1973 and Section 504 specifically have allowed for huge strides in the access and opportunities people with disabilities have been granted. Section 504 and its impact on the lives of people with disabilities are significant. There is no telling how long it would have taken for a similar law to be passed if it had never been included in the Rehabilitation Act of 1973, but it was and the lives of millions of people are better because of it. ■



(John continued from p3)

unbiased" information "current and sufficient in scope to make a well-informed decision" (Skalski and Stanek 4) as well as secondary factors like "teacher recommendations, physical condition, social and cultural background, behavior and any independent evaluations" (NCLD). Third, a Section 504 plan tailored to the student should include accommodations "specific and unique to the disability" and aimed at providing a LRE. Such measures range from extended test-taking time, access to technological aid, or preferential seating (Skalski and Stanek 4) to instruction in a special education setting, alternative venue, or homebound services. In all cases, the school district is required to "fund the cost of services" even if those services are out of district (Woodbury 33).

Finally, periodic review of the plan, usually on an annual basis, determines if the qualifying impairment remains and if the existing plan "continues to afford a student an equal opportunity for learning" while considering new circumstances such as a change in the impairment, school environment, or placement (Skalski and Stanek 5). Throughout the process, parents are kept informed and involved in their child's evaluation, and reserve the right to resolve disputes through mediation, complaints through the OCR's predetermination settlement process, or lawsuit (NCLD). Each individual school district must create a suitable grievance process for disagreements through Section 504. Lawsuits alleging noncompliance "are becoming increasingly common", although federal courts have found that "parents must exhaust their due process rights within the school system before seeking judicial remedy" (Woodbury 4, 36).

The impact of Section 504 has also been felt in legislation that has built upon its provisions in different ways. The Education for All Handicapped Children Act of 1975, later reauthorized as the Individuals with Disabilities Education Improvement Act of 1990 (IDEA) (Woodbury 8), provides specific administrative and funding provisions "to guarantee special education and related services" for students eligible "in a number of distinct categories of disability". Students eligible for IDEA services must meet a specific category of disability that "must adversely affect the student's educational performance" in a much narrower sense than comparative definitions under Section 504 and require "a full comprehensive evaluation" with written and informed consent. These students receive an individualized education program (IEP), which is more detailed than a Section 504 plan and may be implemented within "any combination of special education and general education classrooms" (deBettencourt 16-18, 20-21). The Americans with Disabilities Act Amendments Act of 2008 (ADAAA), on the other hand, provided for the broadening of Section 504 protections, including expanding the definition of major life activities, providing for the broad interpretation of "substantial limitation" on such an activity, and coverage for disabilities that are episodic, in remission, or under "effective mitigating measures". These changes resulted in the more than doubling of Section 504 eligible students between 2001 and 2011 (Gamm and Meller 1-2).

Section 504's resemblance to civil rights legislation is by design. The provisions, guidelines, and protections guaranteed by Section 504 and the future laws it helped create ultimately carry significance in their principal goal: upholding people with disabilities as people first, deserving of the same rights and benefits as their fellow citizens. Ensuring non-discriminatory practices are upheld creates a level playing field for people across employers, caretakers, and organizations, most vitally in the school, the hearth of future generations. Section 504's far-reaching impact has and will continue to affect Americans, both those with disabilities and those without, working to create a more perfect Union where the pursuit of happiness remains in reach regardless of impairment. ■

(Isabel continued from p6)

their parents to pick them up hoping for some relief.

Their migraines don't stop at the school environment, though. When I hang out with them or we hang out with friends, a migraine can come out of nowhere which makes us have to proceed with "the evacuation plan" - an attempt to get them home as quickly as possible, as their migraines can also be accompanied by other extreme symptoms. For so long I've witnessed the paralyzing effects their disability has on their life, and all I ever wanted was for them to achieve some sense of normalcy that your typical teenager experiences. Luckily, Section 504 has granted them that possibility. Their 504 plan prolongs the turn-in period for assignments in instances where they've missed multiple days of school at a time. This prevents unnecessary stress that otherwise could trigger a migraine and provides them time to recover from a migraine episode. They also have the opportunity to take advantage of standardized testing accommodations, although they tend not to use this perk because they choose to not have their disability overtake their lives completely.

With Section 504 of the Rehabilitation Act and continued advocacy for the protection of the disability community under the law, opportunities like the ones I've experienced first-hand through my friend will continue to exist for those who need it and who deserve the chance for equity among their peers. Legislation, such as Section 504, is vital to maintain equal protection for all, as promised through the American ideology. Maintaining equality for the disability community is something that should be expressed by all people. To ignore the disability community is to ignore a beautiful, courageous subgroup of our population - without this group we will never be whole, so ignoring them and their desire for equality and protection is not an option. ■

(Deztiny continued from p9)

life activities. It established the individual's right to be free from discrimination with the cost to society to remedy the potential discrimination. Section 504 also enabled a person who had been discriminated against to seek administrative remedy or take the case to court. Accommodations became expectations under the law. Reasonable accommodation is considered as a change, adaption, or modification to a policy, program, service, or workplace which will allow a qualified individual with a disability to fully participate in a program, utilize a service, or perform a job.

Section 504 has significant relevance in schools and education for students with disabilities. "Section 504 plan helps your child get accommodations (changes in how content is taught, supported, or tested) that will help them participate in the classroom or other school activities" (Texas Health and Human Services). This ensures easy access to all parts of the school building. Regarding the school, section 504 allows for accommodations or modifications to assist students with disabilities for them to be successful.

Civil rights for all, including individuals with disabilities, is vitally important for quality of life. A school district or local business can no longer say "we don't make those accommodations here", without legal ramifications. The Rehabilitation Act of 1973 establishing Section 504 is now widely accepted and recognized as an anti-discrimination civil rights law that requires the needs of students with disabilities to be met as adequately as the needs of students without disabilities, and ensuring equal access to services, programs, and activities within the community so long as those entities benefit from federal funding. This legislation enabled individuals with disabilities to finally participate as an equal. ■

(Natalie continued from p8)

community of those with disabilities. We all need to understand that every single person has a place and purpose in this world, and that people with disabilities are capable of accomplishing great things. Society should always treat people with disabilities with kindness, and fight for their rights, because you never know when a family member, friend, or even you could join the community of people with disabilities. ■

(Tristen continued from p7)

participants endured pain and suffering as a result of participating. Some went without necessary equipment, back-up ventilators, and pain medication. Many stated that the pain, discomfort, and potential compromises to their health was minor in comparison to the goal for Section 504 to be signed. This protest remains the longest non-violent occupation of a United States federal building in history to this day.

On April 28, 1977, Joseph Califano, HEW Secretary, signed the Section 504 regulations unchanged. This was a significant victory as the most important disability rights legislation prior to the 1990 Americans with Disabilities Act that would provide additional protections against discrimination.

In the months following the sit-in, there were changes taking place in public places such as public transit, libraries, courtrooms, workplaces, and university classrooms. Wider bathroom stalls and ramps were being installed. These early signs represented a victory for the diverse group of activists who gathered together demanding change.

The sit-ins had a huge impact on the outcome of this legislation. People began to understand that disability was a societal problem, and not caused by the person with the disability. People with different disabilities came together in support of legislation to benefit the entire disability community, rather than for only particular groups of disabled individuals. Their dedication to this cause has helped to support thousands of people in the years following. I was inspired as I researched how this large group of people with varied levels of challenges and impairments took a stand to promote a monumental change in society. The voices and actions of these activists were heard and appreciated. Their story and their legacy live on today. ■



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PREVIOUS STATE WINNERS



Heidi Dennison
2012 State Winner
Nicholas County
High School



Alexandria Rundle
2013 State Winner
East Fairmont
High School



Mason Ryck
2014 State Winner
Robert C. Byrd
High School



Blake Huffman
2015 State Winner
Winfield
High School



Lindsey Beane
2016 State Winner
Hurricane
High School



Lydia Andlinger
2017 State Winner
The Linsly School



Will you be next?



WV Disability History Week

Source: [WVDOE](#)

OCTOBER 16, 2006 - Legislation was signed into law on March 8, 2006 designating the third week in October as Disability History Week in West Virginia so that students and the public will have the opportunity to learn more about the history and contributions of people with disabilities.

“This is landmark legislation that shines the light on the contributions and challenges people with disabilities face every day”, said state Superintendent of Schools Steve Paine. Disability can happen any time -- today, tomorrow, next week, or next year. The more children know about disabilities and the current perspectives of people with disabilities, the more likely they will be able to reject stereotypes and outdated ways of thinking.

The bill was created by delegates to the 2005 West Virginia Youth Disability Caucus made up of young people with disabilities ranging in age from 16 to 21. The legislation requires public schools to provide information on disability history, people with disabilities and the disabilities rights movement and encourages colleges and universities to conduct and promote activities that provide education, awareness and understanding of disability history. It also encourages the Legislature to provide recognition through an annual, joint proclamation and to provide resources for instruction and activities.

People with disabilities are increasingly present in America's workplaces, stores, transportation systems and public facilities. They make up an estimated 20 percent of society or nearly 53 million people. And the Individuals with Disabilities Education Act has resulted in millions of students with disabilities receiving a public education.

“Students with disabilities are attending regular school programs in increasing numbers”, Paine said. “By focusing on disability history, teachers can encourage a respect for diversity and differences.”

Teachers are encouraged to invite guest speakers to their classrooms, which could be a parent or community member. ■

Disability History: An Important Part of America's Heritage

Source: [US Department of Labor](#)

The Americans with Disabilities Act (ADA) was signed by President George H. W. Bush on July 26, 1990. As a result of this landmark legislation, communities and workplaces across the nation have become more inclusive and welcoming for America's nearly 40 million people with disabilities.

Despite the ADA's importance, however, many Americans are unfamiliar with the events that led to its passage. Inspired by the civil rights and anti-war movements of the 1960s and the feminist movement of the 1970s, disability leaders joined forces and took action, holding sit-ins in Federal buildings, blocking inaccessible buses from moving, drafting legislation, and protesting in the streets. And like the broader movements that preceded it, the disability rights movement had its own heroes and champions: Ed Roberts, Gini Laurie and Justin Dart to name a few.

Teaching children about the contributions of particular populations to our nation's history, such as women and people of various ethnic backgrounds, has been recognized as important through the declaration of dedicated months as well as other educational programs. Disability history, however, has been largely ignored in school curricula. This is particularly paradoxical since anyone, regardless of age, race, or heritage, may become a part of the population of people with disabilities at any time. But the tide is beginning to turn—due mainly to the grassroots efforts of young disability leaders.

Promoting Positive Change at the State Level

The youth-led movement for equal education on disability history celebrated its first victory in West Virginia in April 2006, when the West Virginia Youth Disability Caucus was instrumental in the passage of an act establishing the third week in October as “Disability History Week.” This legislation requires public schools to educate students about disability history, people with disabilities, and the disability rights movement and encourages colleges and universities to promote awareness and understanding of disability history. Further, it encourages the legislature to provide recognition of Disability History Week through an annual proclamation and provide resources for instruction and activities.

Other states are following suit. The Florida Youth Council (FYC) is seeking to establish the first two weeks in October as “Disability History and Awareness Weeks” in Florida's public schools. This initiative began when the FYC took its idea to the 2006 Family Café Conference in Orlando, where they met with then Governor Jeb Bush, who agreed to support the effort by issuing an Executive Order. Subsequently, bills have been introduced in both the Florida House and Senate. Florida's youth leaders are now collaborating with youth leaders from other states interested in introducing similar bills.

The North Carolina Youth Leadership Network (NCYLN) successfully advocated for the month of October to be devoted to “Disability History and Awareness.” In March 2007, proposed legislation was filed in the North Carolina House and Senate. To boost the effort, the NCYLN formed a partnership with the Alliance of Disability Advocates Center for Independent Living. With the backing of the disability community and other allies, including the North Carolina Parent Teacher Association, there was significant public support to pass the bill, which

was signed by the Governor in July 2007.

Washington State successfully passed a bill that established October as “Disability History Month” in all public schools. In passing the bill, the legislature stated that “recognizing disability history will inspire students with disabilities to feel a greater sense of pride, reduce harassment and bullying, and help keep students with disabilities in school.” Washington’s bill also requires public institutions of higher education to provide educational activities related to disability history during the month.

Reflecting one of its 2007 legislative priorities, the Idaho State Independent Living Council proposed legislation establishing the third week of October as “Disability History Week,” during which Idaho schools would be required to instruct on disability history, the independent living movement, and disability rights. A con-current resolution making October “Disability History Month” was passed by the State Legislature in March and went into effect shortly thereafter. The resolution encourages education on disability history during October, but does not make it mandatory. Advocates are also trying to integrate disability history into the state curriculum and Idaho Standards Achievement Test.

Educating Tomorrow’s Leaders Today

These and other efforts to integrate disability history into schools and communities reflect one of the key components of effective youth leadership development—learning about the history, values, and beliefs of one’s society. Such youth leadership development experiences correlate with a number of positive outcomes, including decreases in negative behaviors (e.g., alcohol and tobacco use and violence) and increases in positive attitudes and behaviors (e.g., motivation, academic performance, self-esteem, problem-solving, positive health decisions, and interpersonal skills). Youth leadership development activities are similarly linked to increased self-efficacy and the development of skills such as goal-setting, decision-making, and working well with others, attributes essential for success in adulthood and employment—and future advocacy efforts. ■



Signing of the Americans with Disabilities Act

West Virginia Code §18-100-5 Disability History Week

Source: [WV Legislature](#)

(a) The third week of October annually is designated as Disability History Week for the State of West Virginia.

(b) In recognition of and to further the purposes of Disability History Week, each public school shall provide instruction on disability history, people with disabilities and the disability rights movement. The instruction shall be integrated into the existing school curriculum in a manner such as, but not limited to, supplementing existing lesson plans, holding school assemblies or providing other school activities. The instruction may be delivered by school personnel or by guest speakers.

(c) State institutions of higher education are encouraged to conduct and promote activities that provide education, awareness and understanding of disability history, people with disabilities and the disability rights movement.

(d) The Legislature is encouraged to annually recognize Disability History Week by introducing a concurrent resolution to:

- (1) Recognize youth leaders in the disability rights movement;
- (2) Reaffirm a commitment to the full inclusion of people with disabilities in society; and
- (3) Recognize the disability rights movement as an important part of the history of this state and nation.

(e) Recognized resources for information, materials and speakers regarding disability history, people with disabilities and the disability rights movement include, but are not limited to:

- (1) Centers for Independent Living;
- (2) The Statewide Independent Living Council;
- (3) The Developmental Disabilities Council; and,
- (4) The State Americans with Disabilities Act Coordinator.

(f) The provisions of this article are not intended to create a burden, financial or otherwise, for public schools, teachers or state institutions of higher education. ■

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