

ADVOCACY

People First of Toledo Monthly Newsletter



**People First
of
Toledo**

Disability Discrimination

By Quinn Thomas

On April 28 this year, the Supreme Court made a decision in the case of *Cummings v. Premier Rehab Keller, P.L.L.C.* They decided that victims of discrimination do not have a right to money for the emotional pain of being discriminated against.

The case that caused this decision was brought up when Jane Cummings, a Deaf and legally blind woman, asked for an ASL interpreter at her physical therapy appointments and was told no. The rehab center argued that she could get by with writing and gestures instead. Jane was forced to find a different physical therapy provider. This delayed her in getting medical treatment.

UPCOMING EVENTS

PEOPLE FIRST OFFICERS ELECTION

All dues-paying members will have the option to vote by email. Results on August 11th.

9 & WINE

August 5th, Brandywine County Club. Play nine golf holes while tasting wine, then stay for a party afterwards. This is an Avenues for Autism fundraiser.

CCS POKER RUN

August 20th, 10:00 am, Signature Harley Davidson at 1176 Professional Drive, Perrysburg. Ride to 5 stops collecting cards-- best hand wins. After-party will be at Whitehouse American Legion.

TOLEDO ADULT AUTISM TABLETOP GROUP

Meets every Friday at 7:30 in the Toledo Game Room at 3001 W. Sylvania Ave. Plays a variety of board games and Dungeons & Dragons.

The court argued that this was a breach of contract case, and that the rehab center had never consented to being sued for emotional damages when they accepted federal funding. Essentially, they said that Premier Rehab Keller (and all other healthcare facilities) didn't realize they would need to comply with anti-discrimination laws when they accepted government money.

One judge said that the only harm that came to Jane Cummings through this was "humiliation, frustration, and emotional distress," which they decided was not enough to sue for. Historically, emotional distress is the main and most common damage sought in discrimination cases. Very rarely does a plaintiff actually lose money because of discrimination. In *Franklin v. Gwinnett County Public Schools*, a young girl was given money for emotional damages after being sexually harassed by her teacher. In *Zeno v. Pine Plains Central School*

District, another student was granted damages for the psychological harm that three years of racial harassment and assault had caused.

Cases like these won't win in court anymore. Because of *Cummings v. Premier Keller Rehab*, now we can only get justice for discrimination if whoever it was actually took money away from you. This decision was precedent-setting. It could affect Title VI (which protects from racial discrimination) and Title IX (which protects from sex discrimination) in future cases.

This was a 6-3 decision written by Chief Justice Roberts. Justices Breyer, Sotomayor, and Kagan dissented.



OUR NEXT MEETING

Friday, August 26th at the Toledo Museum of Art, 2445 Monroe Street, Toledo. The meeting will run from 6:00-7:30 and the fee is \$5, or \$50 for twelve months.

We will be going on a guided tour of the museum's full access and inclusion program, and focusing on works made by disabled artists. A hybrid option will be available.