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DEAF AMERICA FIGHTS FOR EQUALITY

By Christina Schulthoff
Medill News Service

WASHINGTON - Watching television, listening to the radio and going to the movies are pretty everyday activities, but imagine if that TV was stuck on mute, the song on the radio was white noise and the movie was silent. Nothing is everyday when you don't have the luxury of hearing. Living in a hearing world that's often unwilling to accommodate them, deaf people are overcoming obstacles and fighting to combat discrimination.

There are more than 400,000 totally deaf and more than 20 million hard-of-hearing people in the United States, according to the Center for National Health Statistics. That's roughly eight percent of the population. And while, in theory, they're protected under a variety of laws like the Americans with Disabilities Act, the Rehabilitation Act and the Fair Housing Act, life for hard-of-hearing Americans is still a constant struggle to have their rights respected by a society that has largely tuned them out. Landlords, employers and educators, among others, often don't provide satisfactory services. In fact, they sometimes don't provide services at all.

"We roughly get 12,000 contacts a month," says Mary Vargas, staff attorney at the National Association of the Deaf Law Center, adding that these calls include questions and complaints.

One of the main issues the center deals with is health care. Having difficulty communicating with health care providers can be a problem, especially when dealing with specific kinds of medicine, allergies, or similar matters. Under federal law, health care providers are required to provide interpreters, but they often fail to do so, according to Vargas. For example, a toddler in Pennsylvania was denied medical care by a doctor's office because his parents had requested a sign language interpreter. In another case, a woman at a Maine hospital was referred for anger management classes when she became upset over the hospital's refusal to provide auxiliary aids and services in its psychiatric facility. The hospital then refused to provide these auxiliary aids and services for her at the anger management classes.

Vargas says that some health care providers may deny deaf patients any sort of care, which in some cases has even lead to deaths.

Another problem facing deaf people, she says, is equal treatment in the justice system. For example, a deaf woman who wanted to file a harassment suit against her neighbor was turned away four times because the court failed to provide a sign language interpreter. During her fourth attempt, the court asked the

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accused woman's sister to interpret for the victim.

In another case, a man alleged that he was held at a detention center for nearly a week and was put into solitary confinement because he had been classified as suicidal. This happened because the staff was unable to communicate with him and refused to provide him with an interpreter. He was given an increased security risk status because he was misclassified as an unemployed vagrant, but he actually had worked with the same employer for almost 17 years and owned a home.

Vargas says the NAD Law Center also encounters equal-employment and housing issues. She says problems arise, for instance, when deaf people own hearing ear dogs and the landlord has a no-pet policy. Hearing ear dogs are important because they alert their owners to sounds such as doorbells. Also, landlords are required to install visual fire alarms for deaf tenants, but they often fail to do so.

Another big problem for many deaf and hard-of-hearing people is discrimination in the classroom, against both deaf teachers and deaf students. In one case, a young deaf woman wanted to teach hearing students at an elementary school, but was expelled from the school's education program just before her student teaching assignment was to begin because college officials decided that a deaf person could not teach non-hearing impaired students.

In another case, two children in Alabama grew up without access to education, a violation of their basic rights under the Americans with Disabilities Act. They were placed in classrooms for children with mental retardation simply because they couldn't hear.

Educational concerns are such a problem because two-thirds of deaf children attend neighborhood schools instead of seeking special education, according to Frank G. Bowe, a professor of special education at Hofstra University in Long Island.

"Teachers rarely are teachers of the deaf," he says. That's because to be certified as a teacher of the deaf, a long series of courses on deafness is required. Also, deaf students typically need sign-language interpreters. Schools are required by federal law to provide auxiliary aids and services to deaf students. However, they only pay interpreters about \$7 to \$15 an hour, far less than the \$40 to \$50 an hour a qualified interpreter can command elsewhere. As a result, many neighborhood schools have trouble attracting and retaining qualified interpreters.

"There are serious concerns about whether those interpreters can actually interpret," says Bowe. To make matters worse, because federal law states that schools must supply auxiliary aids and services at no cost to the student, parents are not allowed to pay the additional amount required for a qualified professional.

"It's all or nothing. The family accepts what the school offers or the family contests that in a due-process proceeding," says Bowe.

Another problem is closed-captioning. "Not all (or even most) educational media used in neighborhood schools is captioned," Bowe says.

The social and emotional development of deaf students may also be mismanaged by school counselors and staff. For example, deaf students may be teased or ignored because they are a minority and may suffer from feelings of exclusion and low self-esteem.

"I have seen some classrooms where the hearing kids learn finger spelling and some signs and are very welcoming and friendly -- and I've seen, much more often, the opposite. No one

even tries and the deaf student is very lonely," says Bowe.

Because of this, many deaf students prefer to make friends with others like them, if there are any around. "It's just so much more comfortable and the communication is so much better when other kids are also deaf," says Bowe. However, he also says that outgoing deaf kids can certainly make friends with hearing kids, especially when they share the same interests.

Even though things are still difficult for deaf and hard-of-hearing individuals, there are signs of improvement. Although some institutions may fail to provide auxiliary aids and services, there are federal laws that require landlords, educational institutions, courts, employers and others to do so.

Since 1998, FCC rules require people or companies distributing TV programs to home viewers to make sure that they are closed-captioned and that captioning is provided to deaf people in case of emergencies. In addition, the vast majority of government agencies and an increasing number of companies and service providers give access to a TTY, or teletypewriter -- a communication device for the deaf and hard-of-hearing in place of a phone. But all too often those television advertisers bombarding us with phone numbers to buy their products don't also give a TTY number.

Experts agree that American society still has a long way to go in accommodating the deaf and hard-of-hearing, but efforts are being made.



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