Civil Rights and Americans with Disabilities: Who’s Voting Now?

GOALS (U.S. HISTORY TOPICS)
• Understand how a democratic society debates issues and mediates between individual or group rights and the common good
• Consider the significance of the Constitution in today’s society
• Reflect on the 14th and 15th amendments to the Constitution (e.g., how citizenship was included, why the clauses “equal protection of the laws” and “due process” were included) and why they necessitated further legislation in the 20th century

RATIONALE
This activity asks students to read and compare the language of selected Civil Rights legislation. By tracing the changes in language (from “handicapped” to “people with disabilities,” for example) and the necessity of restating and reinforcing Constitutional rights, they are likewise asked to think about prejudice, stigma and fundamental rights and freedoms.

While the Americans with Disabilities Act is only 15 years old, the Voting Rights Act is 40 years old. One interesting approach to studying the development of these laws is to begin with the 14th and 15th amendments to the Constitution, which theoretically should have guaranteed the rights outlined in legislation a century later.


Find the full text for all documents (www.ourdocuments.gov/content.php?flash=true&page=milestone), and the ADA (www.dol.gov/esa/regs/statutes/ofccp/ada.htm).

PROCESS
• Explain to students that they are going to compare and contrast the language in two critical pieces of federal legislation.
• Distribute copies of the first pages of the Civil Rights Act and ADA.
• Use the handout to guide discussion comparing and contrasting the two documents.

These activities meet curriculum standards in Language Arts and U.S. History as outlined by Content Knowledge: A Compendium of Standards and Benchmarks for K-12 Education, 4th Edition. (www.mcrel.org/standards%2Dbenchmarks/)
Who’s Voting Now?

This activity requires reading the text of two laws, the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990. You should look for similarities between these two pieces of legislation and take note of their differences.

1. Each law states a reason for its existence using the language “An Act to...” Paraphrase the stated purpose of each act.
2. One act “establishes” while the other “enforces.” Describe which word you think has a stronger connotation.
3. If you did not already know the Civil Rights Act pertained primarily to African Americans and the Americans with Disabilities Act to people with disabilities, could you tell the difference between the two? Does each act discuss similar rights?
4. The findings and purposes of the ADA go into much greater detail than the Civil Rights Act. What knowledge about Americans with disabilities does the ADA attempt to establish?
5. Why might it have been necessary, in 1990, to go into greater detail about the purpose of the ADA than, in 1964, about the purpose of the Civil Rights Act?
6. What movement do you know more about, the Civil Rights Movement or the Disability Rights Movement? Why might one be more famous?
7. Why was it necessary to use the “sweep of congressional authority” to guarantee these rights?
8. What differences do you see between the changes each Act commands? List two or three examples.
9. For what rights, either those listed in the documents or examples you think of, do we still need to advocate?
Follow-up Essays and Research

Compare the Civil Rights Act of 1964 and the Voting Rights Act of 1965. How does the focus of the legislation change? Do you think the second version offers a more specific and tangible course of action for protecting Black Civil Rights? Write a brief position paper explaining why the vote is, or is not, the most expedient course toward guaranteeing Civil Rights. Consider how both the vote and social integration and interaction can change social attitudes and prejudices as well as laws.

Compare the 1975 Education for All Handicapped Children Act with the Individuals with Disabilities Education Act (IDEA). How is integrating students with disabilities and those without disabilities similar to race-based desegregation? Why does IDEA protect the right of parents to approve the education plan for their children? Write a brief description of the everyday lives of students with learning or physical disabilities at your school. What kind of changes has your school made, or should it make, to accommodate all students?

Do a brief research project that compares voter registration statistics (www.census.gov/population/www/socdemo/voting.html) in your county with census data for your county. What percentage of people from different racial and ethnic groups are registered to vote? What racial or ethnic group has the best representation (the highest percentage of registered voters per total population).

Compare and contrast oral histories from the Disability Rights Movement and the Civil Rights Movement from sites like Voices of Civil Rights (http://www.voicesofcivilrights.org/voices.html) and the U.C. Berkeley Disability Rights and Independent Living Movement page (http://bancroft.berkeley.edu/collections/drilm/).