

EXAMPLE OF KANSAS CBA

A Case Study of the Americans with Disabilities Act (1990)

*Presented by the Robert & Elizabeth Dole Archive and Special Collections,
Dole Institute of Politics, Lawrence, KS.*

1. Compelling Questions

(Yes, no or maybe and then explain)

Choose one:

- Did the passage of the ADA make life easier - ?
 - For people with disabilities
 - For business owners
 - For all citizens
- Is the ADA for all?
- Is it the government's responsibility to provide and enforce accessibility, and to what extent – public vs. private businesses?

2. Supporting Questions

Choose one:

- Did bipartisanship make positive or negative impacts on the writing and passing of the ADA?
- Why did Congress propose and pass the ADA of 1990?
- Should ADA be updated? To include what groups? To address what problem? **OR** Has the ADA done its job? Is it complete or are there other challenges and accessibility issues that haven't been addressed?
- To what extent did the ADA of 1990 create change in learning environments in the Kansas City area?
 - How does environment impact learning?
- What do you know about the programs that help students at your school?
- How has the ADA assisted in changing how Americans view disabilities and the disabled?

3. Kansas History, Government, and Social Studies Standards

Standard 1 - Choices have consequences.

1.3 The student will investigate and connect examples of choices and consequences with contemporary issues.

1.4 The student will use their understanding of choices and consequences to make a claim or advance a thesis using evidence and argument

Standard 2 - Individuals have rights and responsibilities.

2.3 The student will investigate and connect the rights and responsibilities of individuals with contemporary issues.

2.4 The student will use their understanding of rights and responsibilities to make a claim or advance a thesis using evidence and argument.

Standard 5 - Relationships among people, places, ideas, and environments are dynamic.

5.3 The student will investigate and connect dynamic relationships to contemporary issues.

5.4 The student will use their understanding of dynamic relationships to make a claim or advance a thesis using evidence and argument.

Educating for American Democracy (EAD) Design Challenges that this assessment connects:

- *Civic Participation* - How have Americans come together in groups, made decisions, and affected their communities, the country, and the world?
- *We the People theme* – What inspires folks to get involved – see themselves in the collection, see action from civic engagement. What values, virtues, and principles can knit together “We, the People” of the United States of America?
- *Institutional & Social Transformation* - How do laws and social structures change over time based on the will of the people?
- *New Government and Constitution* – equality and equity, what is just?

4. Objectives: By end of lesson students will...

Know... (Facts and procedural knowledge.)

- The Americans with Disabilities Act (ADA) was enacted in 1990 and updated with amendments

Understand that...

- IDEA and ADA created opportunities for students with disabilities to learn in the least restrictive environments

Be able to Do...

- Analyze primary sources and draw conclusions to the inquiry question “To what extent did the ADA of 1990 create changes to and opportunities within the learning environment in the Kansas area?”

5. Primary Source options

Photograph –

- Senator Bob Dole and former President Richard Nixon greeting disabled children, 4-24-1991.
 - File name: hd13_ada_photo_3 Dole Photograph Collection, 1880-1996, Box 38, Folder 6, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas

Documents –

Legislature viewpoint

- *Opposition: s-leg_753_006 --news source- Senators/state legislatures against it. Good for lower readers. 1993, 1 page. Robert J. Dole Senate Papers-Legislative Relations, 1969-1996, Box 753, Folder 6, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas.*
- *Support: s-leg_752_007 --Senator Dole’s response to NFIB (National Federation of Independent Business) is in support of ADA, while NFIB is in opposition. Good for higher readers, longest source chosen. 1989, 10 pages. Robert J. Dole Senate Papers-Legislative Relations, 1969-1996, Box 752, Folder 7, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas.*

Business viewpoint – local connection to Kansas

- *Opposition: s-leg_752_007 - Concerns with ADA on Wichita businesses 1990, 3 pages. Robert J. Dole Senate Papers-Legislative Relations, 1969-1996, Box 752, Folder 7, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas.*
- *Support: c021_003_006_017 - KC area communities making good progress, 2-24-1995, 4 pages. Alec Vachon Papers, 1969-2006, Box 3, Folder 6, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas.*

Public viewpoint

- *Opposition: s-leg_750_009_002 - Alec Vachon memo. Talking remarks to address questions on TV show, Face the Nation. Questions the public are asking about the ADA being an unfunded mandate. Easy to read but may need background on what unfunded mandate means. 1994, 2 pages. Robert J. Dole Senate Papers-Legislative Relations, 1969-1996, Box 750, Folder 9, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas.*

- *Support: s-leg_753_006 - Testimony of Justin Dart on personal effect of ADA, 4-28-1994, 6 pages. Robert J. Dole Senate Papers-Legislative Relations, 1969-1996, Box 753, Folder 6, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas.*
- **General ADA fact sheet:** lead_603_001_008 - What You Need to Know About the Americans With Disabilities Act, ~1990. Good for lower readers. Gives general overview of what the ADA does. 1990?, 1 page. *Robert J. Dole Republican Leadership Collection, 1985-1996, Box 603, Folder 1, Robert and Elizabeth Dole Archive and Special Collections, Robert J. Dole Institute of Politics, University of Kansas.*
- **General constituent letter:** s-con_251_002_004. Written by disabled 19-year-old, Arney Tolman, requesting information on employment for the handicapped. Good for lower readers, 3 pages. *Robert J. Dole Senate Papers-Constituent Relations, 1969-1996, Box 252, Folder 2, Robert and Elizabeth Dole Archive and Special Collections, University of Kansas.*

6. Introduction of ADA context:

Introduction of topic to students –

- What do you see around your school that may or may not help someone with a disability move around your school or learn. Come up with a list. Examples: ramps, curb cuts, learning aides, larger bathroom stalls, handrails, access to special education classes, etc. In opposition to stairs, multi-level school, no class accommodations.
- How has the world changed in the last 50 years? (About anything, not necessarily about disabilities)

Introduce Senator Bob Dole –

- <https://youtu.be/R8MoR07xpE>
- Show 2.5 minute video excerpt of Sen. Bob Dole in his own words about the upcoming ADA vote and his own viewpoint of the disabled community. Dole Archives – AV0376 – From Oct. 19, 1999, Sen. Dole spoke at the State Department for National Disability Employment Awareness Month.

Connect to archives –

- What is an archive? What is an archivist? Why are records important? What can we learn from them? Define ADA (Americans with Disabilities Act)

7. Formative performance tasks:

Benchmark 1 – recognize and evaluate

- Introduce options of primary sources from Dole Archive. Different people had different opinions on this landmark ADA legislation.
- Choose and examine at least two documents to explain how ideas/societies have changed over time in regards to disabilities
 - Decide between *legislative viewpoint* (what the government thinks), *business viewpoint* (how the ADA affects private, potentially small businesses), and the *public viewpoint* (what members of the general public think)

Benchmark 2 – analyze context and draw conclusions

- Fill out graphic organizer or primary source analysis to compare and contrast any two documents of the student's choice.
 - Audience - who was your source written for?
 - Motivation - what was this supposed to do? In support or opposition to the ADA?
 - Date - before or after passage in 1990?
 - Connection to Kansas
 - Summary
- Draw conclusions about how this information would have been received back in the respective time period vs. today 2022.

Benchmark 3 – investigate and make connections

- Investigate 2 more primary sources from the above list or 1 outside, contemporary article in the last 5 years about accessibility in Kansas.
 - Compare and contrast Dole Archives original sources to how disabilities are viewed/accessed in today's society.
 - How can we as a society continue to change and evolve so all are included?
 - Examine in lens of physical, social, employment, emotional evolution

8. Final CBA product – Summative performance task

Benchmark 4 – make a claim using evidence and argument

Construct an argument that addresses the compelling question using specific claims and relevant evidence from historical sources while acknowledging competing views.

Students will write a letter to their local representatives (region or state) about their/student view of how a person with a disability (physical or intellectual) has an easy or tough time in our community living their life/being involved.

- Letter needs introduction, 3 body paragraphs, questions to ask of reader, and conclusion

- Letter needs to make a claim using facts, information, and persuasive logic that is open to challenge and contradiction
 - Needs to use evidence and reasoning to support their letter
 - Needs to connect to Kansas and local observations
 - New high school level letter template made for this purpose provided from the Dole Archives (see zip file)

Student may also submit an essay, oral presentation, PSA commercial, or website based on teaching preference.

- Additional research extension – Future Career and Technical Education (CTE) compliance for government and public administration.

8. Final Assessment and Grading

Students can assess each other's letters and critique each other's arguments. If students volunteer, they could read their letters out loud to class and promote further discussion of the topic.

Conclusion – further questions for discussion:

- How has the ADA impacted your life?
- Is this issue complete/are we done? Is there more to do?
- What if a legislator feels in his heart what the right thing to do is but his constituents want a different outcome?
- What is the effect of the ADA on members of the general public? Businesses? How do legislators feel about this?

Could only be teacher feedback if no class time available. The goal would be to actually put these in the mail and see if a response is sent back to them.

Students should understand that there are:

- Two (or more) sides of every issue
 - No right or wrong side, just different viewpoints. Complicated inclusion
- ADA is for all people and protected by the Constitution
- Recognize there can be differences in opinion but all may have rational arguments and should be respected
- Many different types of documents within an archive
- Observed concrete examples of legislative process and conflict

The education staff at the Dole Institute of Politics would love to work with you on a live experience to complement this lesson or even teach it for you! Email jllover@ku.edu or call 785-864-1420 to learn more.