



Save Our Schools

A Division of Taxpayers' Education Lobby

Fran Griffin Gemma
President

Fay S. Alexander
Executive Director

July 28, 1987

Dear Senator:

Save Our Schools is compelled to voice its opposition to the astoundingly negative impact that the so-called "Civil Rights Restoration Act of 1987" will have on our public school system, among other entities. In the name of "civil rights," this legislation would actually force any entity which accepts federal funds to accept government hiring guidelines which presumably protect our citizens from discrimination.

The U.S. Supreme Court on March 6, 1987 threw a new complication into the issue. In the case of Arline v. School Board of Nassau County, 55U.S.L.W. 4245(1987), the Court ruled that persons with infectious diseases were to be considered as "handicapped" under Section 504 of the Rehabilitation Act. This Means that, if the Grove City bill passes, institutions and agencies which are direct of indirect recipients of federal funds will be prohibited from discriminating against persons with infectious diseases, presumably including Acquired Immune Deficiency Syndrome (AIDS).

In the wake of Arline, teachers and students with contagious diseases are entitled to the full protection conferred by Section 504. More teachers with contagious diseases, such as AIDS and tuberculosis, can be expected in the classroom teaching children.

The federal government has also defined alcoholics and drug addicts as "handicapped," and thus they are entitled to non-discrimination practices in hiring. While the Congress did amend this law to allow an employer to refuse to hire an alcoholic or drug addict if "current use of alcohol or drugs prevents such an individual from performing the duties of the job in question or...if it would constitute a direct threat to property or safety of others, such "handicapped" persons must still be admitted to schools-- as students, teachers and administrators.

Discrimination for any reason has rightly been outlawed in this country. However, this new trend to extend discrimination to so-called "handicapped" persons who have contagious diseases and substance addictions will be detrimental to our children and society at large. Please let me know how you stand on this.

Sincerely

A handwritten signature in cursive script that reads "Douglas C. Thorson".

Douglas C. Thorson
Legislative Director