| *From Subjects to Citizens*  **A Revolution of Words: The 250th Birthday of the Declaration of Independence and Its Impact on the Nation** |
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| **Americans with Disabilities: The Declaration’s 214th Birthday in 1990** |

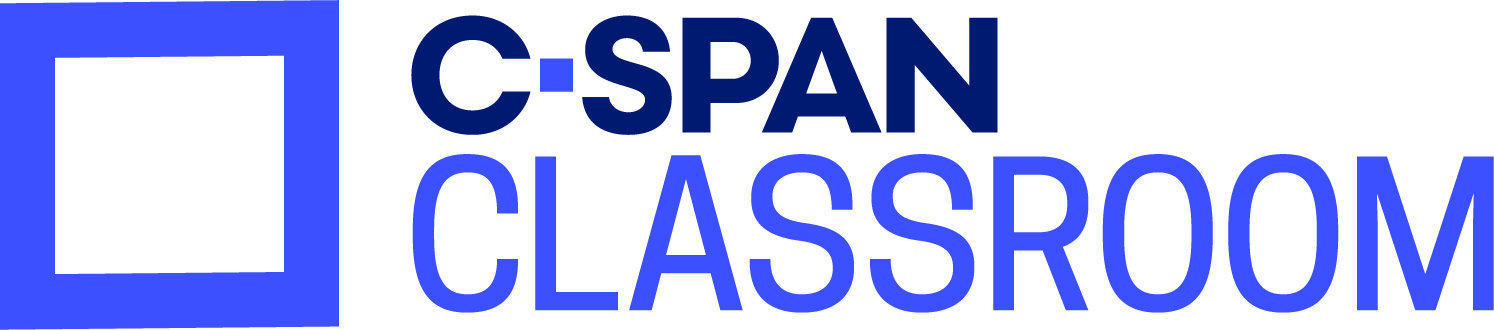
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## **LESSON OVERVIEW**

| **DESCRIPTION** |
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| In this lesson, students will examine the Declaration of Independence in its 214th year. The focus will be on the promises outlined in the Declaration and their connection to Americans with disabilities during the 20th century. |
| **ESSENTIAL QUESTION** |
| How did the promises of the Declaration of Independence serve as an inspiration to Americans with disabilities in its 214th year? |
| **KEY PROMISES** |
| * Equality * Unalienable Rights * Consent of the Governed * Right to Revolution |
| **MATERIALS** |
| * Equity vs. Equality Image from the Robert Wood Johnson Foundation * Primary Source Digital Unwrapping Slides * ADA Fact Sheet Reading * ADA Fact Sheet Graphic Organizer * Promises of the Declaration of Independence Handout * C-SPAN “Life Before the ADA” Video (external link) |

## **TEACHER CONTENT BACKGROUND INFORMATION**

*[Not intended for student use]*

**1. Key Promises in the Declaration of Independence**

1. **Equality**

The Declaration of Independence states that “all men are created equal”. This concept of equality focuses on equality as opportunity, where “all men” are created equal, although being created equal does not guarantee equal experiences. Enlightenment philosophers supported the concept of [individualism](https://centerforindividualism.org/individualism-founding-fathers-part-1-liberty-limited-government/). Individualism suggests that each person possesses an inherent worth that supports freedom, self-reliance, and individual skills, talents, and interests. Equal opportunity in the context of individualism means that being born equal does not lead to equal results or equal outcomes.

1. **Unalienable Rights**

According to the Declaration, unalienable rights (“natural rights”) are those rights with which people are born (given “by their Creator”). They include the unalienable rights of “life, liberty and the pursuit of happiness”. These rights cannot be taken away by the government, and the government is also obligated to protect unalienable rights. These rights are associated with 17th to early 19th century European Enlightenment philosophers who supported unalienable rights as the means to challenge traditional authority that existed under monarchies.

1. **Consent of the Governed**

Consent of the governed includes that “governments are instituted among men, deriving their just powers from the consent of the governed,” as written in the Declaration. This promise focuses on self-government. The people rule themselves through governments that they establish. Because the people establish those governments and are not ruled by a government imposed on them (such as a monarchy), the people give their consent to how they are governed. Thus, self-rule is experienced when the people establish their own government to which the people give their consent.

1. **Right to Revolution**

The right to revolution recognizes that there may be times when the government abuses its power. The Founders wrote, “[T]hat whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government...” This phrase suggests that when the people have determined that the government is not protecting their unalienable rights, they may change (“alter”) or replace (“abolish”) their government. The Declaration of Independence justified the colonists’ decision to separate from the British king. Since then, Americans have exercised their “right to revolution” by altering the government when the government has failed to live up to its promises through elections, interest groups, social movements, and political parties. Some of these changes have included broadening political power (who has it, what form it takes), defining citizenship, how the people experience self-government, and protecting individual rights.

**2. Connecting the Promises to Americans with Disabilities**

1. **Equality**

The Declaration of Independence claims that “all men are created equal”. Yet individuals with disabilities have not been treated equally compared with those without disabilities. This unequal treatment has been justified based on perceived biases due to disability. The absence of government intervention has also enabled inequalities to continue, such as by allowing private and non-governmental institutions to discriminate based on disability. Disability advocates suggest that government intervention is needed.

Interest groups seeking to address inequalities based on disability date back to the 1800s. Disability activism significantly increased in the 1930s when the League of the Physically Handicapped drew attention to the differential impact of the Great Depression on employment opportunities among Americans with disabilities. Individuals with physical, intellectual, and mental disabilities have acted to secure civil rights protections among Americans with disabilities.

1. **Unalienable Rights**

The United States government has enacted policies and regulations to support Americans with disabilities so that they can experience unalienable rights to life, liberty, and the pursuit of happiness. [Many argue](https://disabilityjustice.org/the-americans-with-disabilities-act-ada-of-1990/) that the most comprehensive legislation protecting the unalienable rights of Americans with disabilities is the Americans with Disabilities Act (ADA) of 1990. The ADA was enacted to promote widespread accessibility for individuals with disabilities. These accessibility opportunities have focused on economic, educational, political, and social participation, among others. The ADA also focuses on independent living, access to medical care, and other services and benefits.

The disability rights movement experienced other successes before the ADA. For example, Section 504 of the Rehabilitation Act of 1973 states that "No otherwise qualified person with a disability shall, solely on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance.” The language of the ADA and Section 504 both reflect unalienable rights. Each statute reinforces that individuals with disabilities are entitled to government protections of their unalienable rights, ensuring that they are not denied access to opportunities, benefits, accommodations, or rights due to their disability.

**3. Brief Timeline of the Events Leading Up To and After the Americans with Disabilities Act**

**In 1930,** the League of Physically Handicapped was founded to help fight unemployment during the Great Depression.

**In 1944,** The Fountain House was founded by a group of former psychiatric patients known as “We Are Not Alone.” Their goal was to help transition other patients from hospitals back into the community.

**In 1948,** President Harry Truman formed the National Institute of Mental Health.

**In 1950,** several local groups came together to form the National Association for Retarded Children (NARC).

**In 1975,** the Education for All Handicapped Children Act was passed, granting access to education for those with disabilities. (This would later become the Individuals with Disabilities Act [IDEA] in 1990).

**In 1977,** Section 504 regulations were established. They recognized that the economic status of people with disabilities was due to prejudices and barriers, not the disability itself.

**In 1986,** the National Council on Disability recommended comprehensive civil rights legislation, leading the way for the Americans with Disabilities Act (ADA).

**In 1988,** the Walk of Shame protest got national recognition as those who fought for disabled access to sidewalks. Over the next two years, protests for those with disabilities would spread throughout the country, including the significant “Capitol Crawl” in 1990.

**In 1990,** President George H. W. Bush signed the ADA into law.

**In 1993,** the National Voter Registration Act offered more access to voting to those with disabilities.

**In 1997,** the IDEA was amended to ensure equal access to education for all.

**In 1999,** the Supreme Court ruled in favor of those with disabilities in *Olmstead v. LC.* They found that those with disabilities have a qualified right to receive state-funded support and services. This led to the Olmstead Act.

**In 2008,** the ADA Amendments Act of 2008 was signed into law by President George W. Bush. These amendments broadened protections and offered them to more people.

**In 2019,** the Supreme Court ruled that the ADA protects access to physical public accommodations and digital spaces like websites and apps in *Robles v. Domino’s Pizza LLC*.

Sources:

Disability Rights of California, <https://www.disabilityrightsca.org/latest-news/celebrating-32-years-of-the-signing-of-the-americans-with-disabilities-act-ada>

National Park Service, <https://www.nps.gov/articles/disabilityhistoryrightsmovement.htm>

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## **ACTIVITY SEQUENCE**

| **HOOK** | 1. Ask students to brainstorm the difference between equity and equality. What do they think of when they hear those terms? 2. Display this cartoon on [Equity vs. Equality](https://drive.google.com/file/d/13iiKnvmLRD3hv8lPoDIpNfzCJrgHjNWB/view?usp=drive_link) from the Robert Wood Johnson Foundation. 3. What are some examples that students can find in life that showcase areas that focus on equality (everyone gets the same)? (i.e., serving sizes at lunch/restaurants, prices at a store, etc.) 4. What are some examples of equity (everyone gets what they need)? (i.e., transportation accommodations, educational services, communication help, etc.) |
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| **FEATURED PRIMARY SOURCE UNWRAPPING** | 1. Explain to students that it is time to ‘unwrap’ this month’s primary source document.   **Teacher Note:** As the theme of these lesson plans is America’s birthday, each month, you and your students will digitally unwrap a new primary source. This is an opportunity to drum up excitement as we lead up to the 250th celebration and draw our focus to a time when individuals were fighting for those promises outlined. Because December 3rd is International Day of Persons with Disabilities, the focus for this month will be on Americans with disabilities.   1. Use the [Primary Source Digital Unwrapping Slides](https://docs.google.com/presentation/d/1TXZ54C9qTTEpcP-kH5fW0P_8FMcZa4PeAmWgVknJxIs/edit?usp=drive_link) and reveal the primary source inside. 2. Examine the document together and ask students if anyone can identify it.   **Teacher Note:** This month’s source is the fact sheet for the Americans with Disabilities Act (ADA) from 1990.   1. Read the first six paragraphs of the fact sheet together as a whole class so everyone gets the background information.   **Teacher Note:** The link provided in the Speaker Notes of the slides will go directly to the source on the National Archives website. For this step, the focus is on the first six paragraphs, but the whole document is available there to see. |
| **LESSON ACTIVITY** | 1. In order to understand the significance of this act, instruct students that they’ll be breaking down the fact sheet of this act for a better understanding of how rights were expanded to those with disabilities. 2. Split the class into groups of 4. 3. Open the [ADA Fact Sheet Reading](https://docs.google.com/presentation/d/1iSgqE9oSfbJDNtVWcgBVpPcFQQDoCFGP2qiGPM5aruc/edit?usp=sharing) and assign each group member an article (A-D). 4. Pass out the [ADA Fact Sheet Graphic Organizer](https://docs.google.com/document/d/1D3HbPn1Z4ma1DZnA3mvJsUFXbXoLiQqj3Je8vjRfYnY/edit?usp=sharing). 5. Project or provide the [Promises of the Declaration of Independence Handout](https://drive.google.com/file/d/1SauXOu7tmypdTpwXti4TuuGH5gaSynzX/view?usp=drive_link) so that students can reference it through their task. 6. Let students know that each group will be responsible for reading their assigned fact sheet article (A-D) and filling out their corresponding column in the graphic organizer. 7. Once each member has filled out their column, students will work collaboratively to fill in the rest of the columns for the material they weren’t assigned to read. 8. Go over some of the common themes and new information as a class. |
| **CONCLUSION** | 1. Pull up the [Life Before the ADA](https://www.c-span.org/classroom/document/?19402) video from C-SPAN and watch **Clip #2** with the class. 2. Have students think back to the cartoon in the beginning. Ask students to identify some examples of individuals working toward equity versus equality in the video. 3. Now that students have heard some firsthand accounts, allow them to go back and adjust some of their answers to the challenges faced before the ADA section of their graphic organizer.   **Teacher Note:** It is important for students to walk away from this lesson understanding that while Jefferson used the word “equality” in the Declaration of Independence, the promise is both equality and equity. We are promised equality before the law and that all individuals possess the same inherent natural rights. But “equality” to the Founders also meant equal opportunity to engage with those rights. So, for example, we may all have a right to vote, but if someone in a wheelchair cannot access a polling location, the promise is not fulfilled. |

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## **ADDITIONAL RESOURCES AND SAMPLE ANSWERS**

| **SAMPLE ANSWERS** |
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| * [ADA Fact Sheet Graphic Organizer](https://docs.google.com/document/d/14PEKielmIEMTZJfwc65Ypmu85Fa_rjd6_3bIDpr4PGk/edit?usp=sharing) |

| **ADDITIONAL RESOURCES** |
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| [C-SPAN Classroom Resources Related to Americans With Disabilities](https://www.c-span.org/classroom/search/?searchtype=classroom&query=americans+with+disabilities)  [Lou Frey Institute Educator Resources](http://floridacitizen.org)  [Robert Wood Johnson Foundation](https://www.rwjf.org/en/insights/blog/2022/11/we-used-your-insights-to-update-our-graphic-on-equity/_jcr_content/root/container_copy_copy_/social_sharing_conta/content/column_control/col-6-6-1/image.coreimg.jpeg/1674566174468/rwjf-bikes-equality-equity-purple.jpeg)  [National Archives Document Analysis Educator Resources](https://www.archives.gov/education/lessons/worksheets) |