

2026 Opening Plenary Session

Sustaining the Disability Rights Movement through the Difficult Days Ahead

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Caveat

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Verkleempt

SNL: Mike Meyers as Linda Richmond
On “Coffee Talk”

My 40-Minute Floor Routine

I am grateful for the trust placed in me
by Katy, Stephan, Elisa and all of you
And, to be clear, today, I speak only for myself



Sokha Grossman,
leaping 15-year-
old girl in blue and
white tights, doing
a gymnastics floor
routine

An Obnoxious Ad for Life Insurance

“We don’t like to talk about it in our society,
but some day we are going to die. We are all going to die.

Suddenly, My Generation is Seeking Grace

(In the sense of an inner peace)

In the Pursuit of Grace, We Are Writing All Sorts of Strange Letters

Hate letters

Way too late love letters

Expressions of penitence and apology

Overdue insightful expressions of appreciation

A Love Letter to
My Brothers and Sisters
of AHEAD

AHEAD Is Not a Professional Organization

It is more, a Community

A community that I am confident has the potential to
withstand the current onslaught to our civil rights

We Are Community of Mentors and Mentees

Essential to: family and community, courage,
the preservation of historic lessons learned,
to our own growth as a font of solutions

I Cherish This Community, For What it Has Done for Me

I learned how my disability works

I met and bonded with at least four of my best friends

I learned the value of being a mentor and mentee

I gained a voice and a purpose/mission in life

I became part of a community

AHEAD Louisville, July 2009

I Cherish This Community for Who YOU Are ⁽¹⁾

You are “other-directed” selfless, caring people

You are tight-rope walking diplomats

You welcome and include *everyone* into our community

You are the “guardians of our humanity”

You affirm the humanity of every person



Richard and Paul: 2 brothers in tux^{2R}

I Cherish This Community for Who YOU Are ⁽²⁾

You have the capacity to individualize again and again

You are “creative-types” and original problem solvers

You are an agent of legal compliance

Particularly through universal design,

you are engines for innovation in high education

By removing barriers for disabled students,

you remove them for many other students

You Foster Diversity

Haben Girma



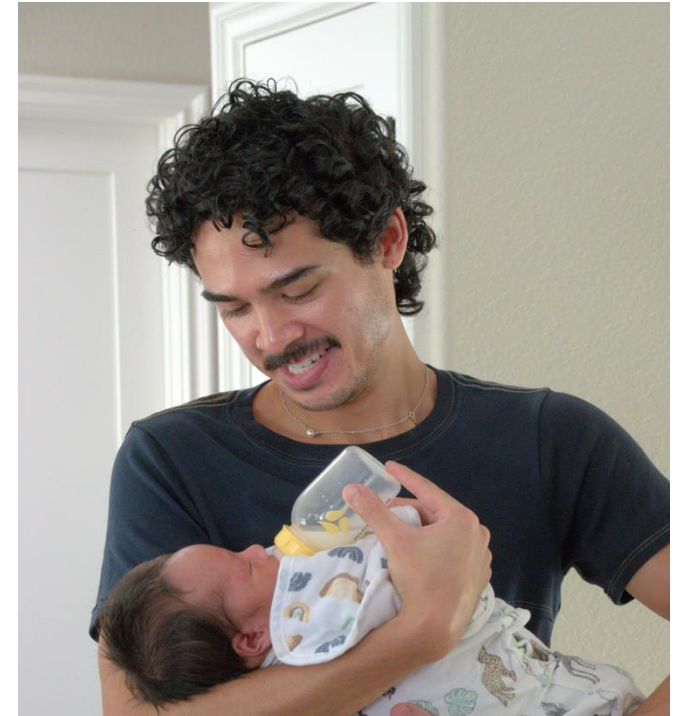
Freda Kahlo



My Highly Dishonest and Unethical Path to Academic Success

Absent a matter of safety or direct threat,
is any single academic requirement truly “essential”?

My Mentor Son, Seth



“The entire DSS industry is a scam; calculated to keep dependent young people with disabilities, dependent adults by giving them a lot of false expectations about how they will be treated in the real world, especially the world of work.”

My Most Important AHEAD Mentors/Mentees



Well-published, Asian female “scholar on a scooter”
in some library stacks – Mary Lee Vance, Ph.D.



Very cool male playing a guitar in a
musical instrument shop in Tokyo – Jamie
Axelrod, M.S.

Here, Now, This Morning,
I Seek a Commitment from Each You

Before you leave Providence,
volunteer to mentor someone in AHEAD,
and ask someone in AHEAD to be your mentor

“Difficult Days AHEAD”

Dr. King Spoke of “Difficult Days AHEAD” They Are Back

- Martin Luther King Jr. spoke of "difficult days ahead" in an address, known as "I've Been to the Mountaintop," delivered on April 3, 1968, at Bishop Charles Mason Temple in Memphis. He was assassinated the following evening.



The “Promised Land” Has Been Postponed

The Moral Arc of the Universe Is
Currently Not Bending In A Good Direction



Young Black woman surrounded by masked white nationalists while seated on DC Metro Orr, Cheney, *Reuters*, 4 July 2026

With Courage,
You, AHEAD, Our Community,
Will Have to Stand Up, and Fight Back

Fortunately, We Have Mentors
Holding a Torch
with a Powerful Flame
Ready to Hand it to Us,

You must keep it bright!

What Gandhi Learned from The Buddha

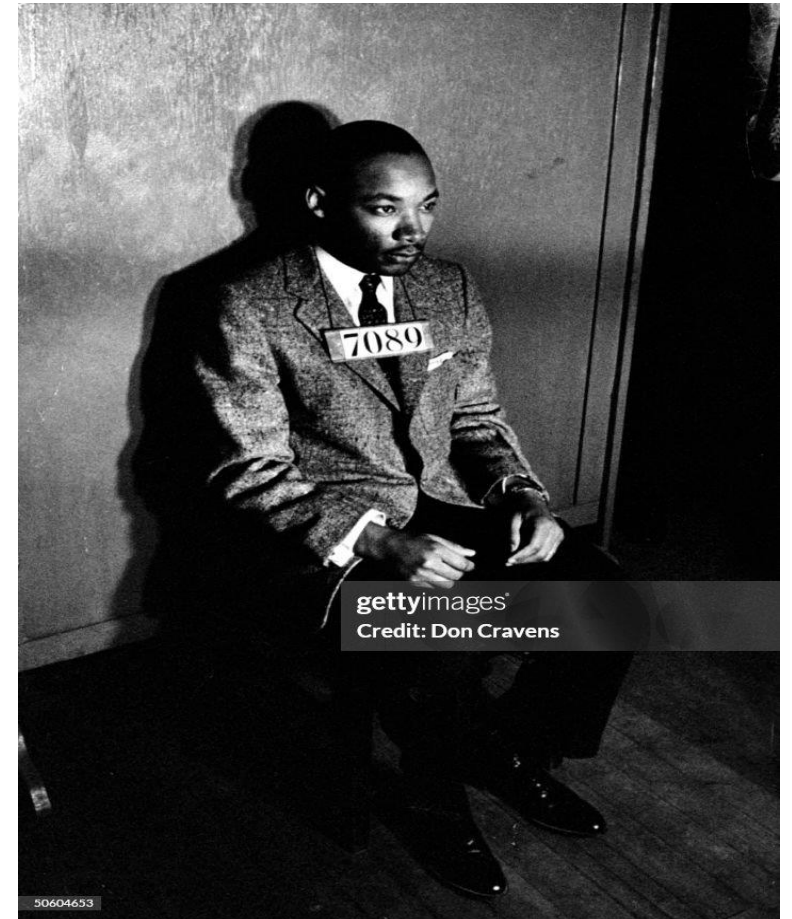
- Buddhism through a Hindu lens (480 BCE)
- Reverence for all living beings
- The Buddha taught that suffering, when faced with equanimity and grace, leads to liberation
- Gandhi (1869-1948), a London-educated lawyer living in South Arica, transformed this into a political tool: voluntarily accepting suffering (imprisonment, fasting, beatings) to awaken the conscience of the oppressor
- All beings are connected; injustice anywhere harms everyone, including the perpetrator



Getty Images

What M.L. King, Ph.D. Learned from Ghandi

- From Gandhi, Dr. King learned that nonviolence wasn't passive — it was a purposeful, even aggressive, moral confrontation
- With the courage of his faith in Jesus, Dr. King adopted Gandhi's insight that willingly absorbing violence exposes the moral bankruptcy of the oppressor and shifts public sympathy
- Filling jails, marching in the face of fire hoses — Dr. King learned from Gandhi that physically occupying space and accepting consequences was itself a form of advocacy speech



Dr. King sits for mug shot, in jail, during the Montgomery Bus Boycott Feb. 21, 1956 Getty Images

What Asst. Sec. Judy Heumann Learned from MLK

- Dr. King reframed Black identity to a rights-bearing political identity – Heumann reframed disability as a civil rights issue, not a medical problem needing a cure or a matter of charity or pity
- She practiced direct action and civil disobedience
- She engaged in coalition building across difference
- Dr. King's movement rejected the idea that Black Americans should be grateful for whatever small bits of inclusion/integration they were offered – Judy Heumann (1947-2023) carried this same uncompromising demand for full inclusion with regard to disability; particularly while battling for strong regulations implementing Section 504 --- making the regs. you implement, sacred

Picture of
Judy
Heumann,
seated in a
wheelchair,
in front of a
microphone,
wearing a
parka, with a
yellow pin
saying, “Sign
504”



Photograph by HoLynn D’Lil

Crowd Gathering for 504 Sit-In



Picture of 250 individuals with disabilities, gathered at 50 United Nations (UN) Plaza, in April 5, 1977 listening to speeches from State Senator Tom Hayden, Rev. Cecil Williams, the Black Panthers, feminists, union officials, the queer community, and other Civil Rights groups. The Sit-in began on April 5, 1977; the regulations were signed on April 28; the demonstrators left 1 or 2 days later. Photo credited to HolLynn D'Lil

What We Must Learn from Judy Huemann

- Demonstrate courage in the fashion of Ghandi & King—bow to no one
- Never forget the lessons of the Holocaust – protect the most vulnerable and consequently, the larger society from the “slippery slope”
- Do not forget our history: honor the contributions of persons with polio, children of Holocaust survivors, persons who were medically fragile, the deaf, and queer people for their sacrifices and compelling strategic leadership on behalf of disability rights

My Last Meeting with Judy

March 3, 2022, 3 AM PST

Our Difficulties Ahead

The Decimation of OCR: Salami Tactics

- Half as many employees, fewer than half as many offices
- Despite OCR receiving a record number of new discrimination complaints in 2025, nearly 24,000, OCR reached just 112 resolution agreements—the fewest in at least 12 years; “providing meaningful relief in just 1% of cases.”
 - 1.4% for disability
 - OCR’s resolution agreements fell 78%—from 507 case resolution agreements in 2024 to
- The proposed budget requests for OCR suggest that OCR will be 33% smaller than in the last administration

Decimation of OCR: Enforcement Effort “Collapse”

- “Compared to 2024, ... OCR reached settlement agreements in:
 - ***92% fewer cases involving academic adjustments***
 - ***93% fewer disability harassment cases***
 - ***33% fewer accessibility cases***”
- “GAO found that from March 2025 to September 2025, 90% of OCR’s case resolutions were dismissals”

April 28 Report by the US Senate HELP [Health, Education, Labor, and Pensions] Committee staff, which in turn is based on a February 2026, Government Accountability Office (GAO) report

Decimation of OCR: Dispatching OSERS and OCR

- Agreements are now in place to move OSERS to HHS raising fears of a return to the medical model and moving OCR to DOJ
 - Manifestly violates the ED Organization Act
 - What stays in ED and what moves to DOJ is unclear – new legislative proposals as to OSERS and OCR do not resolve this question
 - OCR is an administrative agency; DOJ is an enforcement agency
 - **Maybe** to get a tight grip by the AG on “hot topics” like transgender sports and disparate impact, with other OCR functions remaining at ED, for now?
 - Isolates the human capital at OCR from other sources of education expertise <https://www.ed-ocralum.org/our-work>

A Perfect Tool for a Federally Controlled Dictatorship:

OMB Docket#: 2026-0034 Proposed Federal Funding Rule

- The largest overhaul in years of the rules for every federal grant (2 C.F.R. Part 200) --- ***but comments might turn it back***
- Gives senior political appointees broad new power to decide who gets funded.
- Attaches ambiguous and vague conditions on “illegal DEIA,” “racial preferences,” and “anti-American values” — ***none defined***
- Lets Federal grantors cancel awards at any time, with no hearing and no appeal

Other Bad Stuff

- Delay in implementation of the DOJ Web Access and Phone App regulation – with complete revocation still possible
- Comprehensive elimination of disparate impact liability across the Federal government for all protected groups
- Proposed rescission of Section 504 Building-Accessibility Standards in a Department of Energy Rule
- Comprehensive elimination of gender dysphoria as a group protected from disability discrimination
- Making it harder to sue, harder to win, and less likely to get a cost-beneficial remedy in litigation

We Have Spoken of Community Earlier This Morning

DoJ Understands Its importance, as well
The misconstruction of ***Olmstead v. LC*** by the DoJ OLC

The Worst Symbol: Turning the Dissent in *Olmstead v. LC* into the Majority Opinion

- ***Olmstead v. LC*, [527 U.S. 581 \(1999\)](#)**
- ***State of Texas v. Kennedy*** (formerly ***Texas v. Becerra***), No. 5:24-cv-00225 (N.D. Tex., filed Sept. 26, 2024)
 - 14 Republican AGs filed suit alleging that Section 504 and the ***Olmstead*** mandate were unconstitutional
 - Thanks to people power, it is now 7 states and the claim has been narrowed to the challenge to ***Olmstead*** -- Alaska, Florida, Louisiana, Missouri, Montana, South Dakota, and Texas
 - This matter is at the briefing stage

Our Most Sacred Democratic Tool: The Vote



Preparing to cross the Edmund Pettus Bridge on “bloody Sunday,” March 7, 1965, before the marchers were heavily attacked by Alabama State Troopers and alleged clan members

Four Black males with arms linked, in suitcoats and ties, Rev. Ralph Abernathy, James Forman, Dr. Martin Luther King Jr. and Rev. Jesse Douglas leading the voting rights march from Selma Alabama to the Montgomery County Courthouse, the site for voter registration in Douglas County. Photo by Spider Martin/posted by the Briscoe Center for American History

A Return to *Jim Crow*: “Hollowing Out” of the Voting Rights Act of 1965

- As the result of four Supreme Court decisions, most recently, ***Louisiana v. Callais***, 608 U.S. ____ (2026), the Voting Rights Act, a formerly affirmative tool, has become very hard to use, particularly with regard to challenging gerrymandering that has an adverse impact on the basis of race but can be justified, instead, on partisan grounds
 - See also ***Shelby County v. Holder***, 570 U.S. 529 (2013) [ended preclearance requirements]; ***Rucho v. Common Cause***, 588 U.S. 684 (2019) [partisan gerrymandering claims present nonjusticiable political questions beyond the reach of federal courts]; ***Brnovich v. Democratic National Committee***, 594 U.S. 647 (2021) [made it substantially harder to win a results-based challenge to a restrictive voting rule]

As Democrats, Republicans, and
Independents,
What Can We Do, Now?

Voting Data Suggests A Two-Party/Nonpartisan Approach is Necessary

- Within my life-time, largely due to the large number of Americans with disabilities (44-54 million), multiple wars (vets), both parties have supported disability rights, e.g. George H.W. Bush, Bob Dole, Orrin Hatch-- though evidence of this is aging with regard to the Republican Party
- Most people form their voting preferences early in life based on the influences of those around them, particularly parents and family
- Race, national origin, religious affiliation, family, union membership, have historically been much more powerful determinants of voting preference than disability

What You Can Do on Your Campus ⁽¹⁾

- Foster a disabled students' organization on your campus
- Encourage your students to seek out campus governance positions like student body president or member of the honors committee
- Push for the adoption of universal design in assessment, curriculum, and architectural access
- Walk down to your campus Vet Center with pizza and technology – if there is no Vet Center foster the creation of one
- Capitalize on the fact that America is aging when designing campus programs

What You Can Do on Your Campus?⁽²⁾

- Affirmatively offer to meet with other student organizations
- Propose mandatory faculty training on disability discrimination analogous to what is available with regard to sexual or racial harassment
- Run for a position with AHEAD to weigh in on the difficult questions like, in this era of retribution, do we or don't we become an amicus party
- Participate in disability-related research and scholarship like JPED

What We Can Do ⁽¹⁾

- Form disability rights organization of your own:
 - It may be small but influential; e.g., the OCR Alumni Collective
 - Communicate directly with your State & Fed. Senatorial and House Reps
 - How I got entrée through a back door to the Senate HELP Committee Staff
 - “Sign on to” or respond to: letters, Rule comments, editorials, and litigation of others
 - Propound supporting affidavits for litigators

What We Can Do ⁽²⁾

Join, volunteer for, and donate to disability rights organizations

- Money, Money, Money
- Examples:
 - National Federation of the Blind (NFB) - nfb.org/
 - National Association of the Deaf (NAD) - nad.org
 - American Association of Persons with Disabilities (AAPD) - aapd.org
 - National Disability Rights Network-P&A (NDRN) - ndrn.org
 - the Bazelon Center for Mental Health Law - www.bazelon.org/
 - the American Civil Liberties Union (ACLU) - aclu.org
 - Disability Rights Education Defense Fund (DREDF) - dredf.org
 - Disability Rights Advocates (DRA) - dralegal.org
 - Council of Parent Attorneys and Advocates (COPAA) - copaa.org
 - the ARC of the United States (ARC) - thearc.org
 - National Council of Independent Living (NCIL) - ncil.org
 - Autistic Self Advocacy Network (ASAN) - asan.org
 - and a growing number of state-based/focused disability rights organizations (my personal favorite is DREDF)

What We Can Do? ⁽³⁾

Join, volunteer for and donate to existing education/civil rights organizations

- National Organization of Women (NOW) - now.org
- Democracy Forward <https://democracyforward.org>
- The NAACP Impact Fund - www.impactfund.org
- Education Law Center (ELC) - edlawcenter.org
- Mexican American Legal Defense and Education Foundation (MALDEF) - maldef.org
- American Council on Education (ACE) - acenet.edu
- American Association of University Professors (AAUP) - aaup.org
- Facilitate a disability-related alliance, become a leader, in any pertinent professional organization to which you belong

What We Can Do ⁽⁴⁾

- Act at the State and local level
 - Show up at a congressional or state town hall: in whose interest is it to severely downsize OCR?
 - If you don't like how your AG or County Attorney are behaving, let them know
 - Run for local office, like school board
 - Help both parties to develop a bigger/deeper bench of disabled politicians

Can We Heal?
The War in Vietnam,
An Era of Conflict That Was Even Greater than Now?



June 8, 1972, *The Terror of War* won a Pulitzer Prize in 1973

“Find Your Community, Find Your Mentors
And With Them Make A Difference”

Attributed to Judy Heumann. See Heumann, Judith, and Kristen Joiner.
Being Heumann: An Unrepentant Memoir of a Disability Rights Activist.
Beacon Press, 2020