**Dots and Dashes**

**November 6, 2023**

# **ACB Wins Nationwide Class Action Against Quest Diagnostics**

Following a week-long bench trial in Los Angeles, a federal court in California found Quest Diagnostics in violation of the Americans with Disabilities Act and permanently enjoined Quest from continuing to violate the ADA.

Beginning in 2016, Quest Diagnostics began to install self-service kiosks at its Patient Service Centers, which allow patients to, among other things, check in for phlebotomy appointments in a private and independent manner. Following complaints from ACB’s members that these kiosks as designed prevent people who are blind from accessing their services, ACB joined a civil rights complaint in federal court alleging that Quest’s kiosks deprived members of the blind community full and equal enjoyment of Quest’s services and failed to provide effective communication.

The court ruled in favor of ACB and a nationwide class of blind and low vision Quest patients. The court found that Quest violated Title III of the ADA in that Quest failed to provide people who are blind with full and equal enjoyment of Quest’s services and facilities because of their disability.

Read the full press release at [**https://www.acb.org/ACB-wins-class-action-judgement**](https://www.acb.org/ACB-wins-class-action-judgement).

# **Don’t Miss the Audio Description Awards Gala!**

The Audio Description Awards Gala airs November 14 at 7:30 p.m. Eastern. Join hosts Marilee Talkington and Conchita Hernandez Legorreta as we celebrate outstanding achievement in audio description. Awards will be presented for Innovation, Popular Entertainment, Gaming, Spanish Media (USA), People’s Choice, and many more. The Awards Gala will have captioning and audio description, and there will be a simultaneous Spanish translation.

Special guests include:

* Shawn Levy, director of “All the Light We Cannot See”
* Barbara Hinske, author of “Guiding Emily”
* Marla Runyan, Olympian and Paralympian, track and field
* Lavender Darcangelo, singer, activist, and “America’s Got Talent” contestant

How to access the Awards Gala:

* [ACB Media 1](https://www.acbmedia.org/home/streams/media1/)
* [ACB’s You Tube channel](https://www.youtube.com/%40ACBnational)
* ACB Community watch party on Zoom and Clubhouse
* [ADAwardsGala.org](https://adawardsgala.org/)
* [Peacock](https://www.peacocktv.com/), courtesy NBCUniversal (subscription required)

Visit [ADAwardsGala.org](https://adawardsgala.org/) to donate and support ACB’s Audio Description Project and help us advocate for audio description.

# **ACB Scholarship Application Now Live**

The American Council of the Blind is pleased to announce the continuation of our scholarship program which was first established in 1982. This program aims to offer financial support to entering freshman, undergraduate and graduate students, as well as students attending technical college. Scholarships will range from $2,000 to $7,500 and can be used to assist with costs associated with post-secondary education financial needs such as tuition, fees, room and board, and other additional costs associated with assistive technology.

To be eligible for this scholarship, students must meet the following criteria:

* Applicants must be legally blind
* Be a full-time student OR a part-time student who works at least 32 hours per week
* Be involved in their school and local community
* Must be accepted to a post-secondary institution in the United States
* A 3.0 GPA is expected to qualify for most scholarships

Applications for the 2024-2025 school year can be submitted online now through Wednesday, February 14, 2024 11:59 p.m. (CST).

For more information, visit [https://acb.org/scholarships](https://l.facebook.com/l.php?u=https%3A%2F%2Facb.org%2Fscholarships%3Ffbclid%3DIwAR3cC8klJkI8d1_Q4xiN9-hv0f4rvRW1ItmN3NZnKW4_FwTow6HyC3L9VOo&h=AT0Yu6VgrbS9EXmSSN-BCZecC2A_BFyBU3tHSHhTfe4orws9yPy-c9tRRgopGoB1rF46BOAcnTJSS2XVC7Z7KPYKGTxO1IfKMQq7fp_GOT4OudZkkoyAF8ebIiZjkSvLIQ&__tn__=-UK-R&c%5b0%5d=AT2igZ4k3gwtfnX5m1ELVIVGMA_9cDV3EvAO1DJU8pmuHZhqo3To31lYsVjRB7PXRxJJd1Q9wmFDVfi-vUlsG1h3yxzot3A4UtZc-NKnX_te_Gz-OrpBjlUVNtXAGdMblFLKgfRjP60_2JKVtK3fvIyxM5F_XGZkwxSJcSVnKEF9jbia3Z8ZbHSPcCACbQY3lCwr4_WxMTVs), or contact the ACB office at (612) 332-3242 or 1-800-866-3242 or email scholarships@acb.org.

# **Mark Your Calendars!**

It’s almost time for the ACB Media Holiday Auction! The Holiday Auction will be held on Sunday, November 26 at 6 p.m. Eastern, with the appetizer auction starting at noon on Friday, November 24 and Saturday, November 25.

# **Exercise Your Creativity and Help Make National Park Brochures Accessible**

Join the 2024 Descriptathon and help make national parks more accessible! ACB, the National Park Service, and UniDescription (UniD) are recruiting volunteers to create audio descriptions for selected national park brochures. Teams are composed of people who are sighted and people on the blindness spectrum, all of whom will collaborate to describe maps, paintings, and visual images within park brochures. All meetings are held remotely, so you might find yourself learning about a park in your state or across the continent.

UniD is the only initiative of its kind in the world, making the Descriptathon a unique and exciting opportunity to contribute to a path-breaking accessibility project. The first Descriptathon was held a decade ago, and since then ACB members have established an impressive record of participating as the number of parks and teams has grown.

The Descriptathon will be a full-day event, taking place February 6 - 8, 2024 (volunteers are expected to attend all three days). Participants will likely spend ten hours of prep time in the five weeks before the kick-off on February 6 (approximately two hours a week). During this prep time, team members will learn about audio description, how to use the UniD tool to describe their brochure, and get to know their teammates. Four to six hours might be needed to finalize the brochure description after the three-day event. Volunteers should have solid computer skills and be comfortable learning new technology.

For more about UniD and to download the free app, visit [**https://unidescription.org/**](https://unidescription.org/). If you’d like to participate in the tenth Descriptathon in February 2024, contact Tabitha Kenlon, Audio Description Project Coordinator, at **tkenlon@acb.org**.

# **Share Your Story to Help End Disability Discrimination in Health Care**

Have you ever:

* Had a doctor discriminate against you or refuse to see you because of your disability?
* Been unable to use medical equipment at doctors’ offices?
* Had trouble accessing medical services because of your disability or gone without needed care?
* Had your support person been excluded from your appointments?

The U.S. Department of Health and Human Services (HHS) is updating critical rules that address discrimination against people with disabilities in government-funded health care programs — and we have until November 13 to submit comments!

The proposed rules would apply to the use of federal health care dollars, including funds used by hospitals and health care providers that accept Medicaid or Medicare.

Share your story at [**https://action.thearc.org/OQAtL7Z?p2asource=ci-2023-1030**](https://action.thearc.org/OQAtL7Z?p2asource=ci-2023-1030) by November 13!

# **FCC Expands Audio Description Requirements for Broadcast Television**

On Oct. 17, the Federal Communications Commission voted unanimously to adopt a Second Report and Order expanding the number of broadcast designated market areas required to pass through audio description for ABC, CBS, FOX, and NBC to all Nielsen markets. In 2024, the top 100 market areas will be required to pass through audio description, and this requirement will increase by ten markets per year until all 210 broadcast market areas are covered in 2035. Read more about the Second Report and Order at [**https://www.fcc.gov/document/fcc-expands-audio-description-requirements-all-television-markets**](https://www.fcc.gov/document/fcc-expands-audio-description-requirements-all-television-markets).

# **Department of Justice Issues ADA Guidance**

On October 31, 2023, the Justice Department announced that it has issued guidance to explain how the Americans with Disabilities Act (ADA) applies to state and local government’s employment and day services. The Justice Department’s Civil Rights Division has issued this guidance to help state and local governments understand their nondiscrimination obligations and people with disabilities understand their rights under the federal law in this area. The guidance provides an overview of the ADA, the ADA’s integration mandate, and the types of employment and day services that are often offered to people with disabilities. It then answers nine questions about how the ADA applies to those service systems.

The guidance may be found at [**https://www.ada.gov/resources/olmstead-employment-qa/**](https://www.ada.gov/resources/olmstead-employment-qa/). A Federal Register notice discussing the guidance will be forthcoming.  To learn more about the ADA, call the toll-free ADA Information Line at 1-800-514-0301 or 1-833-610-1264 (TTY), or access the Justice Department’s ADA website at [ada.gov](https://lnks.gd/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMDEsInVyaSI6ImJwMjpjbGljayIsInVybCI6Imh0dHBzOi8vd3d3LmFkYS5nb3YvIiwiYnVsbGV0aW5faWQiOiIyMDIzMTAzMS44NDkyNTY4MSJ9.Iia0J2TuD8iZlpOD7rn_60zMlt1cRkisBGKTRsxhaM0/s/6579914/br/229605371676-l).

# **Casting Call**

DPD Casting is seeking a blind or low-vision 4- to 11-year-old child for a guest role on an animated series. This role is open to **ALL GENDERS.** A breakdown is linked [here](https://drive.google.com/file/d/1c6zu7qDe-R6MVUx8t_7MWHjc1-sK5mcK/view?usp=sharing) and the character description is below.

**Elephant:** The character is 4-6 years old and blind, friendly, playful, and a problem-solver. This little Elephant calls the animal superheroes to help them find their way to the watering hole at their new animal sanctuary home for the first time. With a little teamwork, the little elephant finds its way to the water, and makes a new friend along the way.

* **Talent who identify as blind or low vision are encouraged to submit.**
* **Seeking real kid performers for this role (not adult to play kids).**
* **Must be able to sing.**

Please email **Danielle@dpdcasting.com** to submit. (All I need is talent name and DOB! A photo is a plus but not a must.)

# **PBS' 'American Masters' Launches Visibility, Inclusion and Accessibility Initiative**

The new commitment, which aims to increase documentary programming by, for and about disabled communities, will support the disability history series “Renegades,” and includes a talent incubator and expanded accessibility features for the PBS programming.

Read more in “The Hollywood Reporter”: [**https://apple.news/AXYYnYcfVTRyMtePGkLMnow**](https://apple.news/AXYYnYcfVTRyMtePGkLMnow).

# **Casting Call for Thesis Film**

Casting by TG is seeking a female in her 20s, any ethnicity, who is blind or low vision, to play the role of Casey. Kind, caring, and compassionate, Casey is a lonely soul yearning for relief from an overwhelming abyss of emptiness. She stays in an abusive work environment with a cruel boss, because the shelter provided and “the devil you know” feels safer than venturing out into the world. When Juliette comes knocking, Casey’s instinct is to trust this stranger. Kindred spirits, they end up helping each other escape in their own ways.

To submit for consideration, email **CastingbyTG@gmail.com**.

# **An Interview with Aria Mia Loberti**

If you’re familiar with the series “All the Light We Cannot See,” you’ve probably heard the name Aria Mia Loberti.

Loberti was interviewed on CBS Sunday Morning October 22nd.

To view the interview, visit [**https://www.cbsnews.com/video/aria-mia-loberti-on-starring-in-all-the-light-we-cannot-see/**](https://www.cbsnews.com/video/aria-mia-loberti-on-starring-in-all-the-light-we-cannot-see/).

To read the article, go to [**https://www.cbsnews.com/amp/news/aria-mia-loberti-on-all-the-light-we-cannot-see/**](https://www.cbsnews.com/amp/news/aria-mia-loberti-on-all-the-light-we-cannot-see/).

# **Watching TV While Blind**

On October 19th, Consumer Reports published an article with the above title, by Brian Vines. Below is an excerpt.

In 1985, there was not a 7-year-old on the planet with a better working knowledge of the goings on in Genoa City, the fictional setting of “The Young and the Restless,” than me. The daytime drama was my grandmother’s favorite. It was my job to watch with her and provide visual commentary, because my grandmother was blind.

Back then, no one thought much about how to make TV accessible to visually impaired people, or really even considered that it might be an important thing to do. Today the landscape is vastly different. Newer TVs have settings and features designed to help people with limited vision enjoy the boob tube like the rest of us. Still, disability advocates say these assistive technologies leave room for improvement and that laws surrounding their implementation are not keeping pace. At the same time, they say, the need to make devices even better and easier to use by the visually disabled is more pressing than ever.

For starters, public health officials say the number of [Americans with uncorrectable vision](https://www.cdc.gov/visionhealth/risk/burden.htm#Population) impairment is expected to double by 2050, due to chronic diseases like diabetes and the rapidly aging population. Today, 4 million Americans over 40 have a vision impairment. Of those, 1 million are blind and 3 million have uncorrectable central or peripheral vision loss.

Also a major issue: how screen-centered our world has become. “We live in a visual society,” says Clark Rachfal, director of advocacy and governmental affairs at the American Council of the Blind, an organization made up of blind and visually impaired people. “If you want to be part of your community, if you want to be part of the conversation, you have to have access to the visual media everyone else is using.”

To read the full article, visit [**https://www.consumerreports.org/electronics-computers/tvs/watching-tv-while-blind-a3393572533/**](https://www.consumerreports.org/electronics-computers/tvs/watching-tv-while-blind-a3393572533/).