

11th March 2026 Testimony - No. 861 entitled “An act relating to establishing an Americans with Disabilities Act Coordinator”

## **Vermont House Committee on General & Housing**



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Thank you for inviting me to speak with you about compliance with the disability rights law, the Americans with Disabilities Act (ADA).

I am Kim Rae, a resident of Montpelier for 35 years. I have raised three children here and am committed to Vermont’s values of freedom and unity. I believe in our work to achieve a balance of individual liberty and community responsibility. I spent several years, from 2008 to 2015, working for the Vermont Center for Independent Living (VCIL) as the ADA technical assistance and training provider for all of Vermont. VCIL has been the state’s ADA TA for decades. I was driven to make sure that ADA compliance was happening, and that the people responsible in state government knew how to get support and training. In 2012 I worked with Governor Shumlin’s office to assign ADA coordinators across all of state government. At that time, there was sparse coordination; there was an ADA coordinator in Human Resources to respond to state employee’s requests for employment accommodations, (ADA Title I) and physical building compliance happening through the Access Board in the Dept of Public Safety. I brought trainers in from the New England ADA Center, VCIL conducted training events large and small for years. We did a lot of work with state parks for outdoor trails and water access. We leveraged Community Development Block Grants for troublesome municipal pedestrian areas. For the ADA’s 25th anniversary we

launched a Dept of Tourism website to promote accessible places to visit and recreate.

I know about the ADA because I needed to know. My oldest son was diagnosed with a really heavy medical condition, muscular dystrophy when he was four. Muscular dystrophy is an aggressive condition that decimates your muscles and weakens all organ systems over time. I knew nothing about muscular dystrophy until I needed to know, and I knew nothing about the ADA until I needed to know, and so now I do. I share these things with the committee so that you understand I am here as a Vermonter with the lived experience of someone who really knows the ADA and has lived a life that has needed this civil rights law.

The most important thing that I hope you hear from me today, is that the Americans with Disabilities Act, passed in 1990, as a compromise bill. The ADA did not include everything people with disabilities asked for and needed from society. It took years of people mobilizing in the 1970s and 1980s, people chaining themselves to buses, holding sit-ins at federal offices, making a spectacle crawling up the capitol steps to get the ADA passed through Congress. Vermont's disability rights organization, VCIL, was a part of this national movement, and still is. Vermonters had to organize to stay alive and access their communities. Compliance with the ADA is the absolute bare minimum that civil society should accept.

The thing about the ADA, and all civil rights laws, is that it is on the persons experiencing the discrimination to hold accountable the systems that are discriminating against them. This process is a long process. I also have lived experience filing lawsuits on behalf of Vermonters with disabilities - and personally - against the Montpelier public school system in order for the schools to unlock the accessible entrances and hold school field trips in wheelchair accessible locations. Our settlement list was very long and is the reason why, among many things, all the school entrances are accessible & secure, accessible parking maintained in winter, the high school stage is

ramped. The thing that is most important to me is that these systems hold themselves accountable. Yes, there need to be ADA coordinators in place and coordination happening across all agencies and programs, that is already required by law. There needs to be a sustainable and effective enforcement process for the Vermont state government to comply with the ADA. Vermont should strive to go beyond compliance with a 36 year old federal law. Vermont needs to genuinely engage people with disabilities in every part of government operations.

As a committee, you need to be hearing from people with disabilities in all of your committee meetings on all of your bills. Housing, transportation, funding are all vital and far more complicated for people with disabilities to access and navigate. This engagement needs to be the norm because you need people with beautiful autistic minds to see another path forward, you want fantastic problem-solvers who have navigated a world not designed for them. You need the wisdom and perspective of people with disabilities in order to do better. The world is so much richer when a diverse set of experience designs and builds the systems and spaces we all work and play in.

My son is 28 years old now and has driven a power wheelchair since he was 8 years old. He uses a respirator at this point because his lungs have gotten so weak; he uses a feeding tube to eat. He has lived far beyond the short expectancy the doctors pronounced when he was diagnosed. He is really living by a thread now; it takes so much for him to get up and be able to move around our house here in Montpelier. He left the state for 8 years, graduating high school a year early, to live on his own, in his own affordable accessible apartment in the Carolinas, something he could not achieve in his hometown, in Vermont because the bare minimum ADA compliance is not met here by state or by towns. He needed to come back to Vermont recently because his condition has progressed to a point where he needs a level of care that only his family can meet. It takes everything for him to be

alive each day. It is wicked difficult to go anywhere else outside the house. When we do need to go to the hospital, visit the State House, or a store, it is so much work to get to the very few places where the sidewalk is smooth, the snow has been shoveled, the entrance is ramped. It takes every single human, every business owner, every customer, every decision-maker to do a little something more to consider and maintain access across the state.

My ask of you:

1. Honor the humanity of Vermonters with disabilities by complying with federal laws protecting their rights and elevating their leadership and participation.
2. Look around the room, any room you are in - a restaurant dining room, a conference room, at any decision-making table - if there are no people with lived experience with disability in the room, you are falling short of basic civil engagement. Make it happen. Vermonters will only experience individual freedom when we have true community responsibility.

