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Bristol Virginia's school office building gets failing grade

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Dec. 13--BRISTOL, Va. -- Jackie Nophlin represents a group of parents in the city school district, but whenever she wants to attend a School Board meeting, she must call ahead so it can be relocated because she can't get into the board's main office on Oak Street.

The building isn't accessible to the disabled.

Advocates for the disabled and a small group of parents say Nophlin, who uses a wheelchair, should have access to the building. However, school leaders say the structure is too old to require updates.

"It can be done. There can be a ramp put in to the level of the board room, but the cost was pretty up there," said Nophlin. "I mentioned it before to another superintendent at the time, but it never went anywhere."

Current Superintendent Doug Arnold said the three-story School Board office was built in 1900 -- long before the federal government required all buildings to be accessible. Arnold said he understands that some people need special accommodations so the school district will move board meetings to Virginia High School when necessary.

"But modifications to this building cannot be done inexpensively," Arnold said, adding that it would cost "upwards to \$150,000" to install ramps or platform lifts. "And, in my opinion, that would not be a good way to spend public money."

The board office, which used to be a schoolhouse, has stairs before every entrance and an additional flight of steps just outside the meeting room.

For access, Nophlin and other disabled people would need a ramp or a lift to get past the stairs. An elevator would also be needed to get people to different levels once inside.

Although every school in the district has accessible equipment, Arnold said Tuesday there are no plans to install accessible equipment at the board building.

"The building is grandfathered in, so we don't have to make modifications," he said.

According to the 1990 Americans with Disabilities Act, places of public accommodation and commercial facilities should be "designed, constructed, or altered in compliance with accessibility standards established by the Department of Justice."

Public places include hotels, theaters, museums, schools and other government buildings.

The law requires, starting in 1992, that all public places have a way for the disabled to enter buildings and interior levels. Failure to do so could result in a \$50,000 fine on a first offense and \$10,000 for every subsequent offense.

"If they could build a ramp that would address her needs, the school system should be looking into that," said Nancy Horton, assistant director of the Mid-Atlantic ADA Center in Rockville, Md.

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Greg Morrell, director of Abingdon-based Appalachian Independence Center, said a "grandfather clause" does not exist under ADA compliance. Therefore, he thinks the school district should alter the board office for accessibility.

"Local governments are supposed to have plans and things developed for accessibility by now, and this is 17 years later," Morrell said. "They have her participating by going to an alternate site, but that's not really good enough."

Morrell was referring to this section of the ADA, which states: "Where structural modifications are required to achieve program accessibility, a public entity with 50 or more employees must do a transition plan by July 26, 1992, that provides for the removal of these barriers. Any structural modifications must be completed as expeditiously as possible, but, in any event, by January 26, 1995."

He said the school district does the right thing by moving meetings to accommodate the disabled, but it would be better if the building had ramps.

"I would hate to have to call and say I'm coming to the meeting," said Morrell, who also uses a wheelchair. "I would hope the city would look at that and say 'Even if we don't know if someone disabled is coming, we should still provide access.'"

Scott Bowen, the city's building official, also said the School Board office is "grandfathered in" but would see to it that any newly built structures in the city are ADA compliant.

Ronnie Morris, the school district's maintenance supervisor, said school officials have had few complaints in the past from people needing access to the building because not many disabled people come to meetings, he said.

"There's been a little bit of a study done into putting an elevator in, but it didn't get anything farther," Morris said. "I'm not exactly sure about that building, but I feel like it would be exempt because it was built long ago."

Nophlin became a more-visible community leader in October after school administrators sent a one-page letter to parents explaining that black students and students with disabilities didn't score well enough on their statewide exams. The letter, attached to students' report cards, outraged parents who said it was worded insensitively and singled out certain kids.

Since then, Nophlin has been the voice of the parents and has attended the past two School Board meetings.

At the first meeting on Nov. 5, School Board members moved the meeting to the high school.

The following meeting last Tuesday was moved back to Oak Street. At that meeting, Nophlin said she sat at the high school's library and listened to the meeting via a telephone.

Nophlin said listening in hindered her because she'd rather talk with board members face-to-face and see their reactions.

"I couldn't hear anyone except the superintendent," she added.

The group of parents Nophlin represents also want her to have access to the building.

"I don't think that's right, and I think they can accommodate her better," said parent Monica Frank. "If they're too sorry and cheap to get an elevator, they can at least get a ramp."

Adding accessible points to the building would benefit the whole community, said Tracy King, another parent.

"You never know who wants to come -- it could be anyone or another public official," King said. "Jackie really does need that there because she's just trying to help us."

Despite the barrier to the board office, Nophlin says she'll happily continue to represent the parents. Even so, Nophlin said she wishes she didn't have to request special accommodations.

"It makes me feel the same way the kids felt when that letter came out," she said. "It singles me out, [and] I don't have the same privilege of walking into the school building."

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