

1 The Business Committee of the Thirty-first General Synod has recommended this proposed
2 resolution be sent to a Committee of the General Synod.

4 **Toward Disability Justice: A Call to the Church and Churches**

6 **A Resolution of Witness**

8 **Submitted by UCC Disabilities Ministries**

10 **Summary**

12 This resolution recognizes that the experiences of people with disabilities (PWD) have changed
13 since the UCC last spoke on the issue of inclusion of people with disabilities. This resolution is
14 designed to provide guidance to various settings of the UCC on the social justice goals that are
15 inherent to being Accessible to All (A2A).

17 **Biblical and Theological Rationale**

18
19 As Christians we believe that all persons are created in the image of God. The World Council of
20 Churches 2016 statement on disabilities, *The Gift of Being*, has solidified a theological
21 understanding of the global church that “[o]ur Creator made *all* human beings after God’s image
22 and likeness, not only some human beings. From the perspective of the church it is *exclusion*, not
23 *inclusion*, that requires an argument.”¹ Given this understanding the UCC must continue to
24 grapple with what it means not only to be an *Accessible to All (A2A)* Church but also how to
25 really include PWD once PWD have gained access to church buildings, church community,
26 community worship, and even church leadership.

27
28 Inclusion is not only a matter of being present with one another. Inclusion goes beyond
29 accessibility. Inclusion means that the needs and concerns of one member of the body of Christ
30 are understood and responded to by the whole Body of Christ. Inclusion is a form of solidarity.
31 To be inclusive of people with disabilities, who have been called by God, to be part of the
32 community of Christ is also to be advocates for the issues of social justice that specifically
33 impact PWD. PWD, including persons with mental health issues, continue to be marginalized in
34 society.

35
36 In the gospels we encounter a Jesus who so often knows what the other most needs before they
37 ask. We encounter therein a Jesus who heals a variety of persons. The one thing that is constant
38 among the various healing narratives of the gospels is that every time Jesus heals an individual

¹ World Council of Churches, “The Gift of Being”
<https://www.oikoumene.org/en/resources/documents/central-committee/2016/the-gift-of-being> paragraph 8,
(November 28, 2016).

39 they are empowered to rejoin the community. Theologically speaking the rejoining of the
40 community is the key component of all these narratives. In each healing narrative the disability
41 of the person being ‘healed’ is considered to have an “impurity”, and thus be “impure”,
42 according to the Levitical laws. So in healing Jesus reverses the Levitical codes, challenging the
43 religious and civil authorities to assert their own power in saying who is to be included in God’s
44 community and God’s Justice and who is not. Jesus knew that persons needed to be both
45 included fully in society and find in that society a measure of justice that respected who they
46 were.

47
48 In Luke 17:11-19 we have the gospel account of Jesus and ten persons with leprosy. These
49 persons are ones who have been excluded from living with the rest of the community because of
50 the Levitical codes. Jesus does not ask if they wish to be healed nor does he promise they will
51 be. Jesus does not ask what they want. Jesus simply sends them directly to the priests, the only
52 ones with the authority to declare that they may reenter society. Jesus sends the persons with
53 disability to challenge the temple hierarchy.

54
55 This resolution seeks to have the voices of PWD included in the UCC’s social justice work. This
56 resolution seeks to have the priests, God’s people, heed the voices of those whom Jesus has sent
57 to testify about the injustices that are too often overlooked because they primarily impact the
58 marginalized.

59
60 Previous UCC resolutions on including people with disabilities (PWD) in the life of the church
61 have called upon the church to extend hospitality and have invoked the Messianic Banquet of
62 Luke 14 as a theological imperative to include PWD. Believing the previous theological
63 approach to inclusion still has its place, this resolution sets out a new theological basis for the
64 church to speak on issues of disability justice. This new theological basis of Luke 17 is one in
65 which the church itself is called to listen to the voices of PWD at the margins, and to respond to
66 the issues they raise as crucial for their own lives. This resolution provides the UCC with a
67 mandate from PWD about the justice issues important to PWD.

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70 **Background**

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72 For the past thirty years, the UCC has been an advocate for persons with disabilities who have
73 been excluded by social norms and who are seeking to reenter society. The UCC Synod called
74 for the church to interact with PWD in passing the resolutions “Persons with Handicaps” (GS 11,
75 in 1977) and “Church and Persons with Handicaps (GS 12 in 1979). The UCC Synod passed a
76 resolution calling for itself to be accessible to PWD at GS 13 in 1981. In 1983, GS 14 approved
77 “Support of Voting Accessibility for Disabled”. The UCC Synod called for the “Full
78 Participation of Persons with Disability In the Life of the Church” at GS 15 in 1985. The UCC

79 General Synod thoughtfully passed “Concerning the Church and the Americans with Disabilities
80 Act of 1990” at GS 20 in 1995. GS 22 supported the “Calling of Clergy With Disability” in
81 1999. In 2005 GS 25 passed the resolution “Called to Wholeness in Christ” calling the UCC to
82 be “Accessible to All.” Most recently in 2015, GS 30 called on UCC settings to be WISE
83 (Welcoming, Inclusive, Supportive, and Engaged) around mental health.

84
85 While the UCC has been an advocate for PWD, most of this advocacy has centered around how
86 the church itself could or should include persons with disabilities. There have also been times
87 when the church has advocated against inclusion of PWD, such as when the UCC joined other
88 American mainline churches to lobby for an exemption from the ADA for church properties,
89 including seminaries. While being included in the church is central to the lives of many people
90 with disabilities, the church is sometimes silent on justice issues crucial to PWD. This resolution
91 seeks to prod the church to do more, aside from charity, to speak with a prophetic voice on the
92 need for justice in the lives of PWD.

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94

95 ***Points of Justice called for by this resolution***

96 ● ***UN Convention on the Rights of People with Disabilities (CRPD)***. Based on the
97 Americans with Disability Act, this UN Treaty is the major human rights treaty that
98 speaks to the issue of disabilities. The Ecumenical Disabilities Advocacy Network
99 (EDAN), a program of the World Council of Churches, has named the ratification of this
100 treaty one of its goals and needs over the next few years. Those who work with EDAN in
101 North America have been hampered in their efforts to support brothers and sisters in
102 Christ around the world because neither the United States of America nor Canada has
103 ratified the treaty.

104
105 The United States of America has already signed the treaty but the Senate failed to ratify
106 it. The UCC Collegium of Officers has already endorsed the ratification of the CRPD.
107 This resolution calls upon Synod to affirm the Collegium endorsement by resolving that
108 the UCC supports the CRPD. This will allow our staff in JWM’s Washington DC office
109 to advocate for the CRPD knowing the whole UCC stands behind them.

110
111 ● ***Americans with Disability Act (ADA)*** The ADA is considered the major civil rights
112 legislation concerning disabilities and it was passed in 1990. UCC and other clergy were
113 strong advocates for the original passage of the law in 1990. The ADA defines disability,
114 provides housing and employment protection for PWD, among many other things.
115 Periodically the law is reviewed and updated. Because of this it continues to be a target of
116 politicization.

117
118 Disability activists are always vigilant when the ADA is reviewed because each time it is

119 reviewed there are voices calling for the ADA protections to be weakened. By calling for
120 the UCC to continue to advocate for the strengthening of and protection of the ADA, we
121 are calling on the UCC JWM's policy advocates in Washington DC to keep the church
122 informed about legislation that impacts the ADA and disability civil rights, and
123 encouraging JWM to issue email alerts, email actions, and otherwise speak with a
124 prophetic voice on the civil rights of PWD.
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- 126 ● ***Subminimum wage, fair wages, and unemployment.*** While the church is called to
127 advocate for all people who face economic injustice, the church is too often silent on the
128 issue of subminimum wage, fair wages, and unemployment as experienced by PWD.
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130 PWD experience rates of unemployment that almost double the unemployment rate for
131 people without disability.² PWD have a higher unemployment rate than any other
132 minority group.³
133

134 PWD often experience unintended consequences when fair wages are instituted among
135 selected industries. The median annual income for households that include PWD is
136 approximately \$14,000 less than households that do not include PWD.⁴ PWD are more
137 prone to poverty than peers without disability. PWD who rely on personal attendants to
138 get them dressed, fed, and into the community often find themselves without caregivers
139 when a given industry, such as fast food, raises its minimum wage above the legal
140 minimum wage. This is because PWD, who are more likely to be poor, often cannot pay
141 personal attendants more than the minimum wage which may be supplied by the state.
142

143 PWD are often subject to the subminimum wage. Based on the Fair Labor Standards Act
144 of 1938, the Secretary of Labor can issue certificates that allow employers to pay less
145 than minimum wage if they employ PWD.⁵ Only PWD are subject to the subminimum
146 wage which allows selected employers to pay PWD based on the amount of work that
147 they can do rather than the minimum afforded to all other workers.⁶ Some workers with
148 disability in America make less than a dollar an hour.
149

150 This resolution calls the UCC to include and consider the impact of unemployment and

² Bureau of Labor Statistics, US Department of Labor, press release June 11, 2014,
<http://www.bls.gov/news.release/pdf/disabl.pdf>, (May 21, 2015).

³ Ibid.

⁴ Amanda Noss, "[Household Income: 2012](https://www.census.gov/prod/2013pubs/acsbr12-02.pdf)", US Department of Commerce: Economics and Statistics
Administration: U.S. CENSUS BUREAU <https://www.census.gov/prod/2013pubs/acsbr12-02.pdf> (May 16, 2015).

⁵ Sarah Blahovec, "It's about TIME: Ending the Subminimum Wages for Workers with Disability",
Huffington Post, http://www.huffingtonpost.com/sarah-blahovec/its-about-time-ending-sub_b_7041592.html (April
10, 2015) accessed on May 27, 2015.

⁶ Ibid.

151 fair wages on PWD. This resolution also calls upon the UCC to be a prophetic voice and
152 call for the end of the subminimum wage and to educate on this topic whenever the issue
153 of fair wages is addressed.
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- 155 ● **Public education** Section 504 of the Rehabilitation Act of 1973 guaranteed children with
156 disabilities access to the education institutions that receive federal funding. Among other
157 requirements the law requires that children with disabilities be educated in a way that
158 meets their needs as adequately as non-disabled children are educated to meet their needs.
159 The law also calls for children with disability to be included with children without
160 disability to the extent that it is appropriate to do so. The social effects of ableism
161 continue to challenge this legally defined right for children with disabilities to receive an
162 education. Just as all are included in the Body of Christ, the church is called to be a
163 prophetic actor in protecting the inclusion of PWD in educational programs and access to
164 education for PWD.
165
- 166 ● **Health Disparities** Most people with disabilities have an anecdotal experience they can
167 share about being denied or receiving poor health care due to living with a disability.
168 Ableism is entwined in America’s medical industry and health care delivery systems. The
169 ‘medical model’ of disability has long defined disability as “abnormal” and something
170 that must be “fixed”, “cured” or otherwise made not to exist. Scholars have noted that
171 “[i]ndeed, given that the social welfare and healthcare systems in the US reveal
172 inconsistencies in the actual delivery of services that seemingly mark some identifiable
173 populations as de facto less deserving of resources under baseline, normal conditions, it is
174 worthwhile to consider how these groups would fare in the event of a national medical
175 emergency such as a flu pandemic.”⁷ Treatment in pandemics, equal access to transplant
176 medicine, and even the offer of life sustaining treatment that would be offered to a person
177 without disability is a concern for many in the disability community. This resolution calls
178 upon the UCC to continue to advocate for equitable health coverage for all persons and
179 for members and staff of the UCC to seek out and create educational opportunities to
180 learn about the health disparities faced by PWD.
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- 182 ● **Police Brutality** PWD are often the victims of police brutality, and often these incidents
183 do not remain on the front page and thus are forgotten. Often encounters between PWD
184 and police escalate into violence because police are not trained to recognize disability and
185 thus assume all persons can/should respond in the same way.⁸ The eugenics movement

⁷ Rosoff, P. M., & DeCamp, M., “Preparing for an Influenza Pandemic: Are Some People More Equal than Others?” *Journal of Health Care for the Poor and Underserved*, (22 (2011)): 19-35.

⁸ Perry, David M. and Lawrence Carter Long, “How Misunderstanding Leads to Police Violence”, *The Atlantic*, <http://www.theatlantic.com/health/archive/2014/05/misunderstanding-disability-leads-to-police-violence/361786/> (May 6, 2014) accessed on December 5, 2016.

186 intentionally created a stigma that PWD and persons with mental health conditions were
187 by definition criminals, while the eugenics movement may be dormant, this stigma
188 remains active in society.⁹ Recent studies indicate that half of persons killed by police in
189 the line of duty have a disability.¹⁰ Race continues to be a main factor in police killings
190 but the intersectionality of race and disability clearly cross when persons die from police
191 interventions. This resolution calls upon the United Church of Christ develop an active
192 response to the intersectionality of race and disability in relation to police brutality and
193 death by police force. This resolution further calls upon local congregations and
194 seminaries to be sources of education about disability/mental health awareness and places
195 where police can interact and gain experience with PWD in safe non-threatening settings.
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- 197 ● **Disaster Preparedness** PWD are often not considered in disaster preparedness planning.
198 A survey of many preparedness plans revealed that no plans explicitly indicated whether
199 they had systematically identified or included vulnerable groups in the planning process
200 or that they were committed to identifying those groups.¹¹ The survey stated “It is
201 noteworthy that countries were more likely to develop policies to protect or compensate
202 those who may become disadvantaged by a pandemic than those who are likely to suffer
203 disproportionately because they are already disadvantaged.¹² Attention to disaster
204 planning that includes PWD is needed to adequately plan for the needs of PWD in
205 emergencies. This resolution calls for the UCC in all its settings to be proactive in
206 including PWD in developing disaster preparedness planning and plans.
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209 **Text of the Motion**

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211 WHEREAS the United Church of Christ General Synod Twenty-Five has called upon all settings
212 of the UCC to be “Accessible to All” (GS resolution Called to Wholeness in Christ, 2005);
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214 AND WHEREAS the UCC Collegium of officers has already publically supported a call for the
215 United States of America to ratify the UN Convention on the Rights of People with Disabilities;
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217 THEREFORE LET IT BE RESOLVED that the Thirty-First General Synod calls the United
218 Church of Christ in all its settings to commit to disability justice;

⁹ Ibid.

¹⁰ Melber, Ari and Marti Hause, “Half of People Killed by Police Have a Disability: Report”, *NBC News*,
<http://www.nbcnews.com/news/us-news/half-people-killed-police-suffer-mental-disability-report-n538371> (March
14, 2016) accessed Decemeber 5, 2016.

¹¹ Uscher-Pines, L., Duggan, P. S., Garoon, J. P., Karron, R. A., & Fadden, R. R., “Planning for and
Influenza Pandemic: Social Justice and Disadvantaged Groups”. *The Hastings Center Report* 37 no. 4 (2007)
<http://www.thehastingscenter.org/Publications/HCR/Detail.aspx?id=790>.

¹² Ibid.

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220 THEREFORE LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
221 United Church of Christ, and all other settings of the UCC, be an advocate for the ratification of
222 the UN Convention on the Rights of Persons with Disability (CRPD);

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224 THEREFORE LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
225 United Church of Christ encourages the national setting to monitor legislation and court
226 decisions that involve the Americans with Disability Act and other legislation that impacts
227 persons with disability and use this information to invite other settings of the church to serve as a
228 prophetic witness to the inclusion of all persons in society;

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230 THEREFORE LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
231 United Church of Christ urges all settings of the United Church of Christ to be a prophetic voice
232 for wage equality and proclaim of the injustice of the subminimum wage whenever the UCC
233 advocates for fair wage;

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235 THEREFORE LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
236 United Church of Christ calls for the continued right of people with disabilities to receive a free
237 and appropriate public education;

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239 THEREFORE LET IT FURTHER BE RESOLVED THAT the Thirty-First General Synod of the
240 United Church of Christ calls on all United Church of Christ camps to include persons with
241 disability in mainstreamed age appropriate camps and include people with disability in all
242 camps;

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244 THEREFORE LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
245 United Church of Christ urges all UCC settings, including the Pension Boards, to be advocates
246 for affordable and equal health care insurance without prejudice to preexisting conditions
247 inclusive of mental health;

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249 THEREFORE LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
250 United Church of Christ invites all UCC settings to develop awareness of health disparities
251 experienced by PWD who may not be offered or made eligible for organ transplant, or other life
252 sustaining treatment, because they live with disability;

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254 THEREFORE LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
255 United Church of Christ urges the national setting, and all other UCC settings, to develop an
256 active response to the intersectionality of race and disability in relation to police brutality and
257 death by police force, and further calls upon local congregations and seminaries to be sources of
258 education about disability/mental health awareness and places where police can interact and gain

259 experience with PWD in safe non-threatening settings;

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261 FINALLY, LET IT BE FURTHER RESOLVED that the Thirty-First General Synod of the
262 United Church of Christ encourages UCC Disaster Ministries to include the need for disaster
263 preparedness among PWD in their disaster response plans and that disaster ministry teams in all
264 settings of the church engage PWD to develop emergency preparedness.

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266 **Funding**

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268 The funding for the implementation of the Resolution will be made in accordance with the
269 overall mandates of the affected agencies and the funds available.

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271 **Implementation**

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273 The UCC Collegium of officers in consultation with the UCCDM Board of Directors, and other
274 appropriate ministries will determine the implementing body.