

# Autistic Elected Official Sues Enfield, CT, Board of Education

December 3, 2019

One of the first openly autistic people to run for, and be elected to, public office, says she has had to sue her school board for discrimination. Sarah Selvaggi-Hernandez, an elected member of the Enfield Board of Education, filed suit against the Enfield Board of Education under the Americans with Disabilities Act (ADA) in federal court in Connecticut.

Ms. Hernandez, who has autism, is hard of hearing, and has auditory processing disabilities, says she ran for a position on the Board in 2017 because she wanted to "show up and be a voice for people with autism in the decision making process." The voters of Enfield agreed and elected her to be that voice.

Unfortunately, Hernandez, who is also a professor of occupational therapy and advocate, says the Board of Education wasn't willing to accommodate her communication disabilities.

Because of her disabilities, Ms. Hernandez has difficulty hearing and understanding telephone conversations and in-person conversations unless she gets written materials, can see the speakers, and can take notes. She asked the Board to communicate with her between meetings in writing, such as by email and text, and to provide written materials and an erasable white board for note-taking. Although the Board agreed to these accommodations, Board officials repeatedly refused to follow through, repeatedly insisting on communicating by telephone between meetings and refusing to provide written information or a white board for executive sessions. Her requests were often met with open hostility and anger. Finally, in a June executive session, the Board failed to provide written information, formally stated that it would not honor her communication needs, that Board members would no longer communicate with her or provide her information, and, essentially, that she would no longer be permitted to do her job as a Board member.

Autism is a disability that affects at least 1.7% of the population (1 in 59). Autistic people may be highly sensitive to sensations, such as sound and light, and may have non-standard ways of learning, problem-solving, moving, understanding and expressing language. They may also have difficulties with uncertainty, change in routine, and social interactions. Julia Bascom, Executive Director of ASAN notes, "Autistic people bring valuable skills and perspectives to our communities. We deserve to be included in all areas of life, especially in decisions about policy issues that affect us. Inclusion means providing us with the accommodations we need to fully participate."

Ms. Hernandez sued under the Americans with Disabilities Act, which requires state and local government agencies to provide equal access to people with disabilities, including by providing "reasonable accommodations" and "auxiliary aids and services" when necessary. Ms. Hernandez alleges that the communication changes she requested were required by the federal law and the Board's treatment of her was discrimination. She says, "I ran for election to bring the diverse voices of people with disabilities to the table. I'm was deeply hurt by the way the Board treated me and it caused me tremendous pain and emotional distress. But I won't let them stop me from speaking up and standing up for the rights of people with autism."

Ms. Hernandez is represented by Sam Crane of the [Autistic Self Advocacy Network](#), Kasey Considine of [Disability Rights Connecticut](#), and [Eve Hill](#) and [Anthony May](#) of Brown Goldstein & Levy, LLP.

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