

## **Penny Acrey**

### **Disability rights activist and Director of the Office for Students with Disabilities at UT Arlington**

*Interview conducted by  
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in 2013 in Arlington, Texas  
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Disability Studies Minor  
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### **Biography**

Penny Acrey is originally from Houston but now lives in Fort Worth. Since 2010, she has served as Director of the Office for Students with Disabilities at the University of Texas at Arlington. She earned a BSW in 2002 and MSW in 2004 from the UT Arlington School of Social Work; she is now an LMSW with a focus on disability, trauma, and mental health. Acrey served as Associate Director of UT Arlington's Office for Students in Disabilities from 2004 to early 2009. After spending eighteen months as Assistant Dean for Student Success in the School of Social Work, she returned to the Office for Students with Disabilities in 2010 as Director.

After Acrey's first child, Sarah, was born with Osteogenesis Imperfecta (OI), Acrey became active in the OI community, "came out" as a person with a disability, and started advocating for disability rights. She has fought to ensure that students at Southwest High School in Fort Worth—the high school that serves most students with physical disabilities—have equal access to choir, band, media technology, and other electives as well as the auditorium stage, among other campaigns. She assisted with the founding of UT Arlington's Disability Studies Minor and teaches "Gender and Disability" in the Minor. Acrey also serves on a number of advisory boards of regional agencies serving people with disabilities, including Helping Restore Ability and the IDD Needs Council of Tarrant County.

### **Topics discussed**

- Accessibility in public places
- Universal design and accommodations conflicting with one another
- Evolving attitudes about disability and cooperation with accommodations

- The power of student voices in improving access
  - Traveling as a person with a disability
  - Education and knowing your rights
  - Equality, disability rights, and access to healthcare
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### Shaffer

The day is November 12, 2013. We are in University Hall, Office for Students with Disabilities conference room.

This is interview number two: followup interview with Penny Acrey.

### Acrey

<topic>Accessibility in public places</topic>

Like we were talking about a minute ago, one of my pet peeves is movie theaters. You may have read over the years, there've been several big lawsuits against movie theaters and the new stadium seating that they have. I have a lot of issues. I've got some really awful stories that I could tell you about experiences in movie theaters. Movie Tavern is bad, there's one out by my house and it has a row of seats with tables as you go in, but they don't put any signage, people go in and they just sit there. Then if you come in and you can't go up the stairs or down the stairs, and that's the only place you can sit, you sometimes get nasty people that just won't move. They'll tell you they got there first and they're not moving.

I've had some very bad experiences with movie theaters. I really like the fact now that more and more of the theaters do have...even the ones that are not stadium seating that have the sloped seating where you go in, they'll have cut out areas where you don't have to sit at the very back or at the very front. Nobody wants to sit really either of those places.

I find that it's still a battle everywhere you go. Do you know where the Casa Manana Theater is in Fort Worth? Casa Manana is a very famous theater; it's been there a million years. Back in the day it was fully in the round and all the aisles came and sloped down toward the stage. I don't recall that they had any cut outs for wheelchairs; you just had to sit in the aisle...which was not a very safe thing because since there's no backstage area when it's in the round, the actors come running down the aisles, typically in the dark. Sitting in the way of the actors who are running is not really a good plan. They totally renovated Casa Manana a few years back, and instead of having slopes that go down, there are landings with steps every so far and they do have an area that's at the very back of the section that slopes down, but it's not elevated. There is no what ADA [Americans with Disabilities Act] refers to as "line of sight provided" so that if people stand up, which they often do during the show, [you] can't see anything at all. I did complain about that after my first visit there and I was told that it did meet requirements and that architect had signed off on it. They weren't going to do anything different, and they didn't. I don't go there anymore.

That's disappointing. It drives home the point that everything is subject to judgment. An architect who may not be as well trained as another may come in and sign off on a project and say "Yeah, it meets regs."

### Shaffer

That alone will allow them to bypass the law.

**Acrey**

Yes. No line of sight there. When I went there, I wanted to go up to the front of that section and sit, by where the rail was, so I could see well. There's no way down there if you're on wheels. They just argued with me and told me that it was fine and they weren't going to do anything. That was disappointing.

There are a lot of places that are like that that just get around it. They'll tell you, for example, if you call the Italian Inn in Fort Worth that's over on Camp Bowie, and tell them you want to make a reservation—they've been there a long long time, a very old established restaurant—tell them that you want to make a reservation and that you're a wheelchair user, just throw that in, and they'll very quickly tell you "I'm sorry we don't have any wheelchair access." It's a full flight of stairs down into a basement. If you ask them "Aren't you required to have that?" They'll tell you "No, no, this is an old building and we're grandfathered in." There you go. I don't go there either.

**Shaffer**

Have you been to the Studio Movie Grill?

**Acrey**

Not in a long long time. I think I only went there once. I don't remember much about it.

**Shaffer**

It's in The Highlands, it's pretty good. From the very back to the front everything sloped and there are rolling chairs so you can move the chair, they'll work with you, the tables, it's really nice. You can sit anywhere in the theater. If you use a wheelchair you can pretty much sit anywhere.

**Acrey**

Is there signage on the tables? That's pretty good. That's probably one of the newer theaters that have been built since those lawsuits took place. Some of the new ones like over at the Movie Tavern that's by where I live, or I told you I had the problem, they have renovated some of the theaters. They have now big, leather, plushy chairs with the little trays on there for anybody to use. Then they have these tables on wheels, so if you came in and you were a chair user you would need someone to pull that table out for you so that you could get behind it because they keep them pushed against the wall. We had a bad experience there. We went to see a movie that was pretty new out, and it was pretty full even though we were there pretty early. I complained that the only accessible row that didn't have stairs was full, and they weren't going to make anybody move. What they did was, they brought me a freestanding kitchen chair from the food court. It was pretty uncomfortable to sit in the whole time.

Even though there may be architectural access, there's problems with staff training and that kind of thing. One of the ongoing battles I have with the grocery store is—I don't know if you've noticed it, but when you go through the checkout lane, they'll have this check writing platform that you pull out and if you're short statured, or a wheelchair user... The check writing platform is up here [raises hands] I would go in and it would be missing. Someone is pulled it completely out and it's gone. I have to ask for it every time, they have to go get a manager but I make them do it every single time. I get really frustrated with that. (Laughs)

Same thing with Sam's Club over by my house. They have these little things that you could pull out, they popped up on a spring and locked for you to write your check. Sometimes they were broken or the piece was gone that held it up. If it doesn't work, it's useless. I've had to do a lot of complaining, but I think just like anybody else, and you get tired when you go everywhere and you're just trying to live your life, do what you need to do, you keep running into these barriers. I don't complain about everything, I can't possibly do it. It would be a full-time job just to go around and complain. You have to pick your battles.

**Shaffer**

<topic>Universal design and accommodations conflicting with one another</topic>  
Have you ever run across anything that conflicts architecturally with another disability? For me, one thing I know would be in my wheelchair going down a curb cut or a ramp that has these little pop up bubble bricks.... It just rattles my chair. I know a lot of that is there to help those who have trouble seeing so that they know that's where the ramp is going down and that's the curb cut. When I get older and I have less mobility, or some of my friends who can't lift their arm up, it is that rattles and their arm falls off of the joystick to drive the wheelchair, they can't put their arm back up and get their hand to drive off. If there's something like those bricks that people like to put in in the middle of town squares, that will destroy a wheelchair.

**Acrey**

Yes, yes. Oh, yes I do know that. My walker, I have a hard time and it makes my arm hurt, my shoulder hurt when I'm trying to drive my walker over that. The worst experience I think I already shared with you was in Europe with the cobblestones, it makes the bricks here look like nothing. You literally get stuck and can't move. Somebody has to come and lift you out, like, every ten inches when you hit a new cobblestone. I have heard back when the old curb cuts didn't have those bubbles, I've heard blind people say that those were really awful, curb cuts were horrible for them. They would often fall and not realize they were going off a curb or were walking into the street if their stick didn't pick it up. You're right; some things that accommodate some really are aggravating for others.

**Shaffer**

That's a hard thing because you want that universal design, it sounds so good. Like socialism or communism, it sounds so good, but there's often things that get in the way or conflict.

**Acrey**

I think it makes you realize that there really isn't any thing such as "universal." Universal means it works for everybody. There's nothing that works for everybody. In a restroom if you ever noticed in the disabled stalls, the toilets tend to be tall. Everybody with a disability is not tall. Even if you're transferring from a chair, chairs are not all one size anymore. Chairs are custom, if you're a child or a small person, you're going to have a smaller chair and getting up on a toilet that's that tall is just ridiculous.

**Shaffer**

Yeah. Yeah that's true, I never thought about that.

**Acrey**

I see a lot of... I try to report it when I see it here, but on campus I see a lot of the disabled restroom stalls that have little tiny locks with little tiny knobs that you would use to pull a door shut and lock it, and if you don't have really good dexterity in your hands, you can't grab that. You can't pull the door shut. There's all kinds of problems.

### Shaffer

<topic>Evolving attitudes about disability and cooperation with accommodations</topic>  
Let's talk about the good for second. What do you see that has changed that... Whether it be physical barriers, architectural, attitudes.... What do you see has been the biggest change that has inhibited the most change? What works best?

### Acrey

I think just the fact that a whole generation of people are walking around who have never known life without curb cuts and signage and reserved parking, things like that. It's more commonplace. I think that really helps attitudes when they just see that it's of course are going to do that, that's what you do. That's very normal to them. I think that before all that happened, or as it was phasing in, people were resistant to it and ignorant. I don't think there's many people anymore that could say, "Well I didn't know you had to have a permit to park there."

Attitudes are still stupid, they're really stupid. I had to fight pretty hard to get parking put in at my daughter's high school. I told you that story, I think, about the access to the band hall and all that. They didn't even have parking, no parking and no curb cut. We got that put in, and I went up there one night, it was around six. They had band practice late, which is very common in music, you stay after school, you get there early. I went there to pick up my daughter, and there was someone's mom backed in to the only space back there, and she was unloading equipment from the back of her car. People love to use disabled parking for loading zones. "I'm only gonna be here a minute," and that of course is stupid. It's a very stupid argument. Well, if that's the minute when someone needs it, you've really hurt somebody.

It was just one of those days when I had had enough. I had fought so hard to have those put in, they had been disrespected by teachers. I caught teachers parking there and I photographed the back of their car with no permit and got their license number and took the photos to the principal. I had called a campus officer over about it and he wouldn't even ticket them. He said "I don't know what reason they may have for parking here, they could have permission and I'm just not gonna do it." I did make quite a stink about that. The teachers eventually found out it was me who took their photo and turned it in, then I wasn't terribly popular with them. Oh well, don't park there. If you need it, get a permit. I want you to have it.

This mom was backed in there, and I had to park across the way. I had to walk up there and get my daughter, and I said—there were kids milling around...and I said. "Whose car is this?" The kids knew exactly why I was asking, they knew my daughter, and they knew why I needed that spot. They told me exactly whose car it was and they said, "She's right here!" They stood around to watch the fun, when she came out I just blasted her. I blasted her and I said "Why? What would possess you to pull up here and take a spot that somebody needs who cannot get up and down a step?"

She was very embarrassed because quite the little crowd had gathered and were watching the fun, and I feel a little bad for her now, although not too bad because it was a good lesson for her. She said, "I thought because it was after hours." I said, "Really, do you mean I can't come out after hours? I didn't know that! No one ever told me I wasn't allowed here! You're here, why shouldn't I be here?" I just let her have it. She had her hands up and just wanted to get away so bad. You could tell. I said, "Are you going to stop parking here? Do I need to

go talk to the principal? What do we need to do?" I was really just had had it. I lost my temper totally with her.

I try not to do that because it makes reinforces that stereotype the bitter cripple...the old man yelling, "You kids get off my grass!" I don't want to come across like that. You fight and fight and fight to get a stupid parking place put in, and there were all kinds of parking places around there. She could've park right next to that one and still have gotten her equipment out and across. It was bad. I bet she never did it again. The kids were laughing. It was just really a bad thing. I'm sure I embarrassed my daughter. (Laughs) it was a Kodak moment.

**Shaffer**

Yeah, I think we all have those moments. I went off at a guy at a golf course. Don't get me started on that. Poor guy, he wasn't even the right guy to go off on, he was just someone that was there. I think I remember a section number that I threw at him and he just didn't say anything. I was like "How much do I owe you??" He was like, "You don't owe me anything." (Laughs) Luckily my brother was there to help me in the golf cart, because in [of] the ADA you're required to provide a golf cart that I can get this chair onto, and they didn't have any of that.

**Acrey**

We do have one [cart] here at UTA that's wheelchair-accessible, but I have discovered that if you know you're going to need that you need to ask for that and make sure they have it and they have it charged.

**Shaffer**

I tried to utilize that one day, they said that it was broken.

**Acrey**

That's not good. I would always make sure that you let people know, talk to a supervisor, tell them that needs to be repaired right away anytime it breaks. It needs to be kept charged. If somebody needs it...

I know once they had an event, I think it was groundbreaking for the engineering research building, a lot of people from the community were here, and they were using golf carts to shuttle people over there under a big tent. I was coming out of a parking lot, I was standing on a sidewalk, and they drove by in a golf cart and they saw me. They know who I am, and they said, "Oh! Wait, wait! We've got a wheelchair-accessible golf cart!" Just to appease them a little bit and let them use their new toy, I waited and they went and got it. They were so excited. They let the lift down in an ant bed and a couple of other things...really wasn't the correct way to use it. They meant well, so I worked with them. I've had to learn to ask for that, and it just seems to be one of the realities of what people with physical disabilities have to do. You have to plan. Otherwise, you're going to hit a wall and be really really upset.

**Shaffer**

Bring people down to your perspective, if they don't know how they going to help you?

**Acrey**

They don't even think of it, it doesn't cross their mind at all. I understand why it doesn't. If it's not one of those lenses through which you see the world every day, you just don't see it. Before I started working with people who were blind and have low vision, I didn't recognize all the barriers people who were blind had...the lack of Braille signage and all kinds of issues. The more you learn the more you are exposed, the more you're educated. It really just brings about a lot of awareness.

**Shaffer**

<topic>The power of student voices in improving access</topic>

What do you think the best way is to get disability to the forefront of issues in a school or college? Bringing those issues about, making them a priority?

**Acrey**

Students. Students are the key. I'm staff here, I've been here a long time, I feel like they do listen to me, but I have a lot more ability to get their attention with an issue if I can point to a student and say "My student is having an issue and can't get a door open or this or that." They'll attend to it right away. If I just say something like "I'm really concerned about this classroom and we could get a complaint eventually" they don't take it as seriously as if a student brings it. I know when I was a student here, anything I ever brought to them was addressed immediately. There's a lot of difference. You guys are the paying customers, and you have their ear. You really do.

**Shaffer**

That's good to know. I don't think people realize the magnitude of that, they take it for granted.

**Acrey**

I don't think they do either. I don't think so either. Exactly, exactly.

I'm quite confident that if some students wrote some letters, the Rosebud Theater would have some wheelchair cutouts pretty soon. It just hasn't happened yet. I really hope it doesn't happen that somebody from the community comes and files a grievance or goes to the ADA and files a grievance that way. It just makes the school look bad, it doesn't benefit anybody. It just really doesn't. I'd rather them do it because it's really been brought to their attention by a student. The end result's the same... [You] still get the access.

**Shaffer**

I had trouble with the studio, I just talk to the professor, he got me a key and it's still hard, it's still hard to actually turn the key and get into the studio. A lot of times I'll need help. Just thinking about that and getting in there, you have to take...it's hard to get the key in, turn it, and then open the door.

**Acrey**

Is there card swipe access?

**Shaffer**

There is card swipe access, but it goes through a hallway, and the door is insanely heavy because it's soundproofing. The door is one heavy solid door. I don't really know...

**Acrey**

Do you realize that the law does regulate the weight of doors, and that can be adjusted? In fact, facilities management has a little gauge thing that they can come and put it on any door. It shouldn't have more than 5 pounds of weight on it, to open a door. If there's a door that is too hard for you to open, you need to send us an email, put it in writing exactly where it is, and we'll send it to facilities, and they'll see what they can do.

**Shaffer**

It is necessary for the music studio, which is one thing that's kind of hard, but I'm sure there would be a way to swipe a card and then hit the button just open the door like that. On top of that, there's also security. Oftentimes I can't get to the security code fast enough because I have to leverage my arm, flip a button and then enter the security code real fast. I have to open the heavy door, get in there, usually I'll call, and if I'm by myself, which is rare, but it's happened, but I'll have to call the campus police and tell them the security code might go off.

**Acrey**

You could always call them and ask them to come over and open it and see how quickly they can get there to do it. There should be somebody.... There's a nonemergency number that you can call, they would rather you call them, than let them think a crime is in progress or something.

**Shaffer**

Yeah. They pretty much know by now if the alarm goes off, "Oh, it's just Miles getting in the studio." (Laughs)

**Acrey**

You have to do what you have to do, and if it gets too problematic, we'll see what facilities can figure out. They're pretty good about problem-solving. We're not technicians or mechanics, or any of those things, but those guys are. They're very good about thinking outside the box.

**Shaffer**

That's the thing, I'm not used to going to that step to where I need that. I'm always like, "Oh, I can adapt with. I can do what I need to do...figure out something and plan." Not just me, but my generation, that's something we're not used to having to be able to do, knowing that we can do.

**Acrey**

Yeah, it's a process with anybody, asking for help. It's okay to do, absolutely. Whatever they'll put on there for one thing, causes problem for something else. It's weighing the security with



the access. That's something we've seen in other buildings, too. There are buildings that have a lot of technology and valuable equipment, things in rooms, and they're always going to be locked. The doors, the fire marshal doesn't want us to prop them open. If a student comes late, they can't get in. We have to figure out a workaround every time.

**Shaffer**

Yeah. Anything else you can think of?

**Acrey**

<topic>Traveling as a person with a disability</topic>

Not in respect to architecture at the moment. I think we pretty well covered it. We've talked about places of public accommodation, we probably don't even want to try to talk about airlines. That's just too awful to even go to. Do you fly much?

**Shaffer**

I flown the first time last month, October to New York. New York was something else.

**Acrey**

Yes, New York is something else. A lot of planning around that, a lot.

**Shaffer**

There would be, it's not really their fault because usually they mean well, it's just the infrastructure is so terrible and old.

**Acrey**

Exactly. There are parts of the East Coast that are even older. I've been to Portland, Maine. Every place had a stoop, all the little businesses, restaurants, every place had steps going in. I don't know how people live there.

**Shaffer**

I'd be on the sidewalk, I'd going to go across the street and there'd be a ramp...but it doesn't go all the way down, it's a ramp going down and inclined to a curb, so it didn't even finish. It's like they started and it would be like three inch drop that I could not go down at all. Often times, you'd have to go back around to the other side of the block and go across back over to and then down.

**Acrey**

I almost fell crossing a street.

**Shaffer**

It can be dangerous crossing...because everyone is in a hurry.

**Acrey**

And those cabs, I was in fear of getting run over by a cab, because they're so aggressive and fast. Scary.

**Shaffer**

I enjoyed it though, it was a good experience for me. There's a level of focus that I had to have just going across the street. If you're not focused, if your head's not in the game...

**Acrey**

Yeah, you could get hurt or killed. My philosophy is when I go to a place like that, I do my research ahead of time. Almost all cities now will have something about access, traveling, visitors with disabilities, how to get around. You have to visit those websites, do your homework, and you got to weigh it out. You got to say, "Okay, I'm going to do everything I can do. There may be some things I can't do." I didn't ride the subway, did you ride the subway?

**Shaffer**

I didn't get a chance to get around.

**Acrey**

No, I was scared of the elevators and what kind of shape they might be in. There aren't many and you have to know where they are. I didn't do that.

**Shaffer**

I talked to a friend who lives there, who uses a wheelchair. Luckily. If I didn't talk to him, then I would've been really frustrated. Because I talked to him ahead of time he gave me some information on subway, buses and taxis. Taxi worked the best for me, but I also had found a really good taxi that worked with me and didn't overcharge me. It was really good to me, and I'll probably use them if I go back to New York.

**Acrey**

Cabs are regulated in New York, as long as you don't get one of the gypsy cabs, those privately owned ones, you don't want that. You want a city cab. They're going to be good.

**Shaffer**

I went through a website that's for disabled access.

**Acrey**

Yeah, I always do that too and I find out... Last year I went to San Francisco. San Francisco is extremely hilly, extremely hilly. Getting around is a challenge, walking down a street is just up and down and around. There's lots of challenges. One thing I really wanted to do was go to Alcatraz, and I read that the climb up to the top once the boat lets you off, is pretty steep. I read on their site they do have golf carts, little trams that will take visitors with disabilities up to the top. Everybody went to this point and waited and every twenty minutes or so one of the trams came and they knew how to help people get on and off. They took you all the way up to the prison building. It was quite a walk and it was steep. Just knowing that would've been better that I knew that than getting off the boat and going, "How am I going to do that?" And be really frustrated and freaked out. There's usually a workaround. You just need to do your homework. Don't let it keep you from traveling, because traveling is too much fun.

**Shaffer**

<topic>Education and knowing your rights</topic>

It seems to all come back to education, and that's where it started, getting those with disabilities into school. Anything that we've had all comes back with education and you don't realize to get that education that some architectural things need to be adjusted for that.

**Acrey**

Right. You don't know what your rights are, you don't know what the law says, you don't know how to complain, you don't know you can complain. There are a lot of people, unfortunately, sitting at home not working, just watching daytime TV, not going to school, because they don't think they can.

**Shaffer**

Yeah. The Social Security that most people are on because of a disability or for disability, they did not encourage them to get jobs, or to get an education. You can't get a job and put money back into Social Security.

**Acrey**

<topic> Equality, disability rights, and access to healthcare</topic>

They make it punitive, because for so many of us with disabilities, healthcare is really really important. Everybody's fighting the Affordable Care Act right now, because most of the people fighting it have never been turned down for insurance. I have been turned down for insurance. I have insurance now, and I appreciate it because I know what it's like not to have it. A lot of people will not risk losing Medicaid to work because they can't afford it, they'd be bankrupt in a month. They don't reward you for working.

**Shaffer**

Which doesn't make sense, because if you were working, and they also allowed you to keep your insurance, then you could work and you could also put money back into the system.

**Acrey**

Right. They don't think of it that way.

You have people with privilege, and people with money who are in office. When you think about it, our legislators, they go down, even here in Texas, the legislators that go down to Austin, who can afford to take off from their job for a month or two and go have a legislative

session? It's not ever going to be a teacher, it's not ever going to be a firefighter or somebody. It's going to be a business owner or somebody who's wealthy, who has the freedom to do that. They do keep the money that they pay those legislators low enough so that that could not be your full-time job, you couldn't live off of it. By keeping that low it keeps the people with money and power. You have to have money to be able to do it. When you hear about these legislators, not the Senators and all who do make their money that way, the legislators when they vote to hold their own wages down, they're, in effect, doing that to ensure that only the wealthy have those positions. It won't be the social workers, it won't be... It will always be the independently wealthy people that are making decisions for all the rest of us.

**Shaffer**

That's a good point.

**Acrey**

Yeah, that's not good.

**Shaffer**

Anything else?

**Acrey**

I can't think of anything else! (Laughs).

**Shaffer**

Thank you, this is very helpful. I appreciate you.

**Acrey**

Thank you, Miles!