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Disabled Woman Sues Boys Scouts

Church throws out unit, Troop without charter

By Susan Walden - Publisher & Editor

The squeaky wheel doesn't always get the grease. Sometimes it's looked upon as a troublemaker that needs to be removed. So is the case of a Titusville disabled woman, her husband and the Scouts of Unit 700. Palma Rasmussen, with the help of her husband Keith, took over leadership of the Boy Scout Troop, Cub Scout Pack and also formed a Venturing Crew, consisting of boys and girls, several years ago. Many of the Scouts have physical, mental, emotional and learning disabilities and didn't feel comfortable in other units until they came to Unit 700.

But now the Scouts' laughter has turned to tears. After Palma, who is wheelchair-bound, filed a lawsuit in June against the Boy Scout's Central Florida Council stating that they violated the federal Americans with Disabilities Act, the Rasmussens have lost their membership with the Boy Scouts of America and their charter organization Good Shepherd Lutheran Church kicked them off their grounds. The Council has also filed a countersuit against the Rasmussens. Now there's no Unit 700 and the children, who want to stay together with the Rasmussens, are being forced by the Council to find other units. The parents are behind the Rasmussens all the way, to the point that they've created a parent organization and have filed more than once with the Council to form a new Unit 700, but the Council is dragging its heels, the parents complain.

Rasmussen has several physical disabilities, which include systemic rheumatoid arthritis and systemic lupus she's had since birth. After several unsuccessful kneecap replacements, her legs cannot bend. She also has diabetes and Reynaud's Disease affecting her circulatory system. The Rasmussens were no strangers to Scouting when they moved to Florida in 2002 from Staten Island, N.Y. "They had a written policy they adhered to in New York and there were no problems," she said. She noticed what she describes as a disregard for those with disabilities when after two years of being the Cub Scout Day Camp director and hosting the events at Titusville High School because it's "barrier free" (handicapped accessible), she was informed in 2005 by the district director that it would be moved to a Cocoa location that wasn't handicapped accessible. "When I started up the barrier-free camp, children with disabilities started coming," Rasmussen said. "When the Council runs something it should be for everyone."

As the years unfolded, Rasmussen says she was unfairly singled out by two Council executives in particular, and situations became worse and worse. In October 2005, Rasmussen paid \$75 to attend the Fall Council Camporee but was informed she should reconsider because the terrain was rough and in a remote area and wouldn't be able to negotiate her wheelchair. She couldn't attend and her money wasn't refunded.

After a commissioner's meeting that year, one of the Council executives told her she had to clean the toilets before she left. Rasmussen's Council boss became incensed and told her that Rasmussen would do no such thing and they left. But nothing could compare to what happened to Rasmussen in January 2006, an event that is the basis for the federal lawsuit.

Camp nightmare

Rasmussen and her son were nominated and elected respectively in November 2005 to participate in the Order of the Arrow, the National Honor Society of the Boy Scouts, held at Camp Lanoche in Lake County in January 2006. Rasmussen filled out the proper registration forms citing her handicaps and dietary needs because she is lactose intolerant due to medicine and is diabetic. She called the lodge advisor advising him of her challenges. He told her someone would call her. Since no one had after some time passed, she called the lodge advisor again who assured her everything would be fine. When she arrived with her family and service dog, Kenny, Rasmussen was greeted with, "Oh God, the Rasmussens are

here,” by the district commissioner, she said. “She had been giving me a problem all along,” said Rasmussen. “I felt she’d have to deal with it.” Rasmussen shrugged it off. Rasmussen was told there were no accommodations for her and that her dog, which she depended upon, had to go because one of the leaders had allergies. An official began making improvised accommodations, which included her sleeping in the Health Lodge. However, the lodge she soon found out wasn’t wheelchair accessible and didn’t contain handicapped toilet and shower facilities, which means there were no railings.

As the event began, one official demanded loudly that Rasmussen’s backpack be searched “for contraband,” which was unorthodox to the event. Her guide told him it was unnecessary and inappropriate. She was assisted out of her wheelchair and into a golf cart then driven to the campfire area and to the lodge to sleep. “I didn’t see my wheelchair again until 9:45 Saturday night,” Rasmussen said. “My walker didn’t fit through the door where I was supposed to sleep,” she said. Since there were no handrails for her, she couldn’t use the toilet.

In the early morning, she was assisted in the golf cart and driven to a remote wooden picnic table for two and a half hours without her wheelchair or trip to the bathroom. Then the rest of the group gathered near the table and she was given a hardboiled egg and an eight ounce container of milk, which she couldn’t drink because of her lactose intolerance. Rasmussen was then helped to a hut to perform her assigned work. She was given a broken chair and had to request a milk cart to prop her legs on. “Although individuals were in and out of the hut during the day, I was there mostly alone. No one took me to lunch at the dining hall or to go to the bathroom still,” she said. The event required that everyone be given seven scant meals during the day.

Well after lunch one of the camp rangers asked Rasmussen if she’d had lunch. When she told him she hadn’t, he became angry and immediately ordered a youth to bring lunch to her – a half of a peanut butter sandwich and a cup of drink mix. Soon after (about 5:20p.m.), she became ill and was going into diabetic shock– shaking and sweating. Still no bathroom visit. “At this point my blood sugar levels had dropped very low and I realized I was in trouble.” After a phone call, an official was granted permission to give her a soda and an apple. The evening meal wasn’t until 10 p.m.

The fire ring was next, where everyone sits on lowest logs. Rasmussen said she was ordered to get out of the golf cart and sit on the log for three and a half hours. “This was incredibly painful. I felt it was an act of hate because they knew my disabilities and the pain I have,” she said. “The pain was excruciating in my joints plus it was 35 degrees and my feet were numb from the cold.” After the evening event, she was taken by golf cart back to the dining hall where she finally utilized the bathroom since the day before.

Several minutes later she was informed by several youth and adults that the chapter chief commented, “That fat (f-word, b-word). We had to make all those arrangements for her.” Rasmussen said none of the officials made a point to correct the conduct. “This was disgusting and despicable,” Rasmussen said as tears filled her eyes. “To do these things to me because I’m in a wheelchair is just horrible. No one corrected this man or took away his membership, but they took away mine?”

Council officials contend that Camp Lanoche and any other camps under them for that matter do not have to accommodate handicapped people because they are a nonprofit organization. “The American Disabilities Act doesn’t apply to campgrounds like that,” said Jeffrey Jonasen, Central Florida Council president in a phone interview. However, according to the Council charter, an agreement between the organization and BSA, it states, “The Council specifically accepted its obligation to cooperate with the Boy Scouts of America and its representatives in promoting the program of the BSA in accordance with the provisions of the ... policies, and rules and regulations of BSA.” Those regulations of BSA state in the Scout Camp Code of Conduct that they will “obey all U.S. Federal laws, as well as local and state laws.” BSA’s National Camp Standards, which represent the minimum level of care expected,” state they must make certain that the camp is “in compliance with all ... Americans with Disability Act standards. ...”

“We want to accommodate everyone but we’re not going to put sidewalks in the woods,” Jonasen said. Handicapped-friendly Florida Boy Scout parks aren’t unheard of, says Rasmussen. “Look at Gulf Ridge, for example. It’s barrier free.”

Like any big organization, the Boy Scouts have many documents, bylaws and standards. The Rasmussens are quick to point out the Scout Camp Staff Code of Conduct, that states that hazing has no place in camp - that no one shall "engage in behavior that constitutes discrimination or harassment ... including disability of an individual."

After Rasmussen talked to the Council about changing their discriminating ways to no avail, she contacted the EEOC and asked for mediation. The Council refused, she said. "Between that and then our attorneys trying to iron it out, we tried four times officially and they refused," she said. The Rasmussens say the same two Council executives, according to the church's visiting pastor, talked to the church Council. Nov. 1, they then issued a letter stating they no longer would be a charter of Unit 700 citing "divisive leadership."

After her story aired Nov. 5 on TV evening news, two Council executives came to the Rasmussens door and handed them letters revoking their membership. "We reserve the right to revoke registration whenever there is concern that an individual may not meet the high standards of membership that the BSA seeks," the letter cites. On the same day, the BSA countersued the Rasmussens. They claim there was a misappropriation of funds, specifically three checks endorsed and deposited incorrectly. "This is just ridiculous. They're just grabbing at straws here and we can prove that we did absolutely nothing wrong," said Rasmussen.

The children are upset and the parents are fed up with the way they've been treated. Rasmussen kept the way she was treated quiet so she wouldn't affect the others, says Jeanette Manning, who has a 16-year-old with a challenge. "Palma is hardly a complainer," she said. "When she and her husband see an injustice they want to make it right. She's not just standing up for herself; she's standing up for the right of all kids who are affected by this. Scouting isn't just for those who aren't disabled." Manning said she and others who even are Council executives have said it's the "good ole boy" syndrome in the Council.

"How do I tell my child that a church threw out his unit, especially after they laid dozens of pounds of sod and planted trees and bushes for them?" She said parents had a meeting with the church committee, but nothing happened. Pastor Alan Koch, Good Shepherd's interim pastor said he didn't want to comment on the issue, when contacted by telephone. Two other committee members were unavailable for comment.

One 16-year-old thinks what happened is petty. "I think it is ridiculous and very stupid," said Mary Colvin, Venturing Crew member. "Just because we have disabled in our unit, they treat us like that. We've had so much fun and have done a lot that most don't do. Then they tell us we're not a Boy Scout Troop anymore? All of us want to stay. Why take it out on us?"

The parents have gotten together and officially requested to become a unit again under the leadership of other parents but there paperwork seems to go nowhere. Jonasen begs to differ. "No parents have filed for a new unit."

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