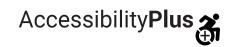


## Disclaimer

 Information, materials, and/or technical assistance are intended solely as informal guidance and are neither a determination of your legal rights or responsibilities under the ADA, nor binding on any agency with enforcement responsibility under the ADA.

The Rocky Mountain ADA Center, operated by Meeting the Challenge, Inc., a CP&Y
Company, is funded under a grant from the National Institute on Disability, Independent
Living, and Rehabilitation Research (NIDILRR grant number 90DPAD0009-01-00) to
provide technical assistance, training, and materials to Colorado, Utah, Montana, North
Dakota, South Dakota, and Wyoming on the Americans with Disabilities Act.

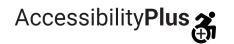


## **ADA National Network**

- Technical Assistance
- Refer and Network
- Conduct Research
- Provide Training
- Publish & Share Materials
- Social Media



Contact: 1-800-949-4232 www.adata.org



## **Accessibility Consulting**

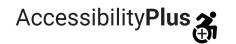
- Self-Evaluation and Transition Plans
- Facility Audits
- Architectural Plan Review
- Policy & Procedure Review
- Public Right-of-Way Review
- Website Accessibility Audits
- ADA Lawsuit Audits





## **Learning Objectives**

- 1. Introduce Federal laws that relate to disability and accessibility
- 2. Breakdown four of the most critical laws for customer-facing organizations to be aware of
- 3. Understand where to go to get more information about these laws



## Federal Disability Rights Laws

- 1. Architectural Barriers Act
- 2. Achieving a Better Life Experience Act
- 3. Affordable Care Act
- 4. Air Carrier Access Act
- 5. Americans with Disabilities Act
- 6. Age Discrimination in Employment Act
- 7. Civil Rights Act of 1964
- 8. Civil Rights of Institutionalized Persons Act
- 9. 21st Century Communications and Video Accessibility Act
- 10. Fair Housing Act
- 11. Family Medical Leave Act
- 12. Genetic Information Nondiscrimination Act
- 13. Help America Vote Act

- 14. Health Insurance Portability and Accountability Act
- 15. Individuals with Disabilities Education Act
- 16. Medicaid
- 17. National Voter Registration Act
- 18. Rehabilitation Act
- 19. Social Security and Medicare
- 20. Telecommunications Act
- 21. Ticket to Work/Work Incentives Improvements Act
- 22. Voting Accessibility for the Elderly and Handicapped Act
- 23. Voting Rights Act
- 24. Workforce Innovation and Opportunity Act
- 25. Workers Compensation



# Americans with Disabilities Act (ADA)



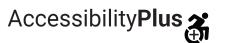
## **Americans with Disabilities Act**

- Civil Rights Law = legal guarantee for <u>all</u> citizens, regardless of identity and/or circumstances
  - Promises equal treatment
  - Prohibits discrimination
  - Signed into law on July 26, 1990, by George H.W. Bush
  - Passed with a 377-28 margin
  - Descriptive, not prescriptive

## **Disability Definition**

- Has a physical or mental impairment that substantially limits one or more major life activities
- 2. Has a record of such an impairment
- 3. Is regarded as having an impairment





### Titles of the ADA

- Title I Employment
- Title II State and local government
- Title III Public accommodations and commercial facilities
- Title IV Telecommunication
- Title V Miscellaneous

#### Title I

**Equal Employment Opportunity Commission** 

www.EEOC.gov



#### Title II & Title III

**US Department of Justice** 

www.justice.gov



## **Enforcement**

#### **Title IV**

Federal Communications
Commission

www.fcc.gov





# Air Carrier Access Act (ACAA)



## **Air Carrier Access Act**

- Passed in 1986
- Prohibits discrimination on the basis of disability in air transportation including flights of U.S. airlines, and flights to or from the United States by foreign airlines.

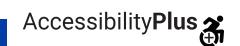
#### **Key provisions:**

- Assistance boarding, deplaning and making connections.
- Treatment and storage of wheelchairs and other mobility aids.
- Accessibility in newly built aircraft.
- Not require advance notice that a person with a disability is traveling.
- Portable oxygen policies.
- Allow service animals.
- Not require a person with a disability to travel with another person, except in limited circumstances.
- Security screening.
- Provide priority seating.

## **Disability Definition**

- Has a physical or mental impairment that substantially limits one or more major life activities
- 2. Has a record of such an impairment
- 3. Is regarded as having an impairment





#### **US Department of Transportation**

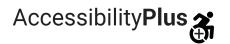
#### www.transportation.gov



## **Enforcement**



## Fair Housing Act (FHA)



## **Fair Housing Act**

- Passed in 1968
- Applies to
  - Property owners
  - Housing managers
  - Homeowners and condominium associations
  - Lenders
  - Real estate agents
- Prohibits discrimination on the basis of disability (among others)

#### **Key provisions:**

**Housing providers must:** 

- Make reasonable exceptions in their policies and operations to afford people with disabilities equal housing opportunities
- Allow people with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces.

**Design and Construction Requirements:** 

 New multifamily housing must be designed and built to allow access for persons with disabilities.

## **Disability Definition**

- Has a physical or mental impairment that substantially limits one or more major life activities
- 2. Has a record of such an impairment
- 3. Is regarded as having an impairment





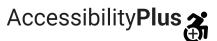
#### **US Department of Housing and Urban Development**

www.hud.gov





# Individuals with Disabilities Education Act (IDEA)

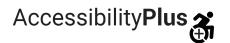


## Individuals with Disabilities Education Act

- Passed in 1975.
- Requires public schools to make available to all eligible children with disabilities a free appropriate public education in the least restrictive environment appropriate to their individual needs.
- Covers certain children with disabilities from birth to age 21 or graduation.

#### **Key provisions:**

- Public school systems must develop Individualized Education Programs (IEPs) for each child.
- IEPs must be developed by a team of knowledgeable persons and reviewed annually

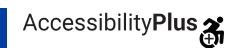


## **Disability Definition**

## A child with specific disabilities who, by reason thereof, needs specially designed instruction and related services.

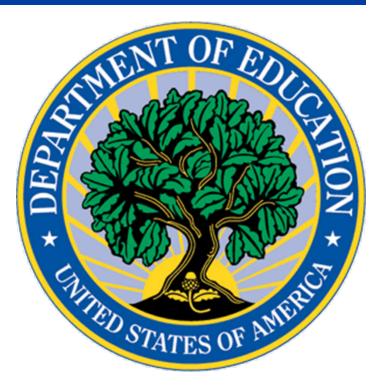
- Autism
- Deaf-Blind
- Deafness
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities

- Orthopedic Impairments
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment including Blindness

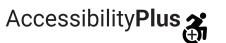


State Education Agency
or
US Department of Education
www.ed.gov





## **Enforcement**



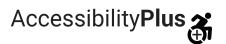
## **State Laws Vary**

- Individuals with disabilities also may be protected by state anti-discrimination laws, some of which are more stringent than the federal laws.
- To learn more about rights under state laws, contact your state's governor's office on disability issues.

### **Additional Resources**

- Rocky Mountain ADA Center <u>A Guide to Federal</u> <u>Disability Rights Laws</u>
- New England ADA Center <u>Disability Rights Laws</u> <u>Overview</u>
- ADA National Network adata.org
- Federal agency websites
- U.S. Access Board
- State Office of Disability





## Contact Us. We're here to help.

3630 Sinton Road, Suite 103 Colorado Springs, CO 80907



EShuman@cpyi.com



1-800-949-4232



9:00 - 4:00 M-F



The contents of this training were developed under a grant from the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR grant number 90DPAD0009-01-00). NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). The contents of this training do not necessarily represent the policy of NIDILRR, ACL, or HHS, and you should not assume endorsement by the Federal Government.