

# DISABILITY LEGISLATION: IDEA AND ADA

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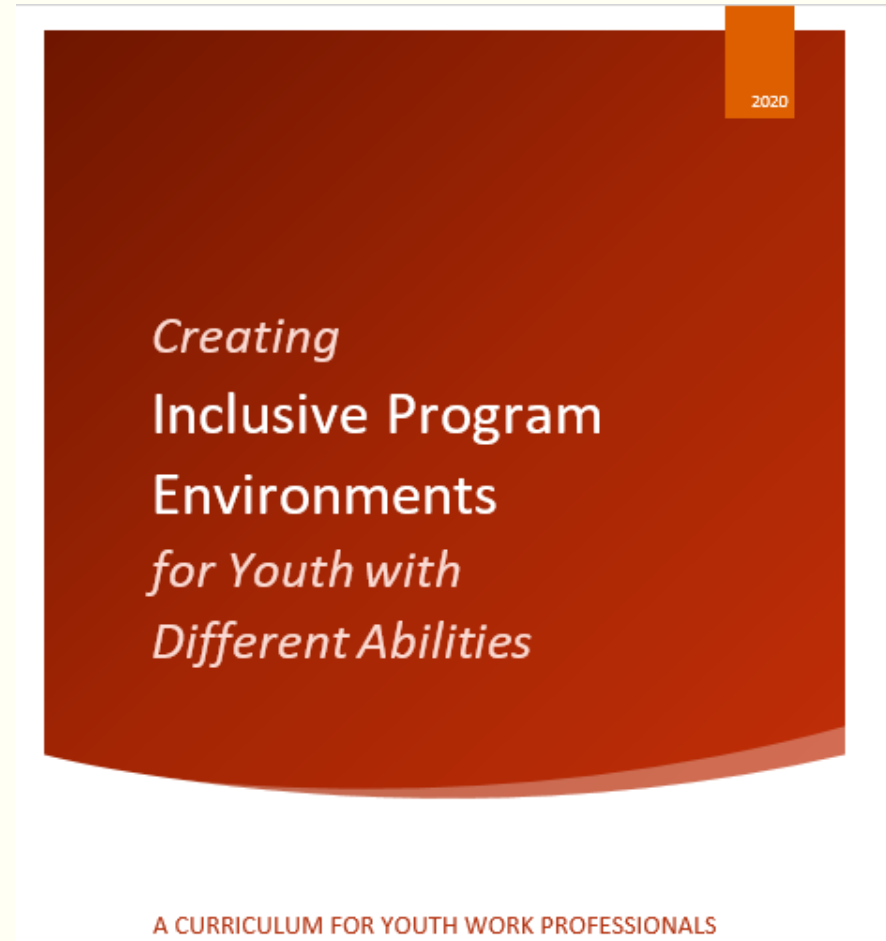


# Complementary to...

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Training manual:

<http://bit.ly/inclusive-program-environments>



# Presenter

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# Objectives

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- Why is it important to know about ADA and IDEA?
- Overview of IDEA and ADA legislation
- What are accommodations?
- Implications for youth programs
- Resources

WHY WOULD IT BE BENEFICIAL  
FOR YOUTH WORKERS TO KNOW  
ABOUT DISABILITY LEGISLATION?





# Benefits: Understanding legislation...

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- Fosters a new vision for creating inclusive environments for youth and recruiting a diverse population of youth.
- Prepares staff to accommodate youth. Youth with disabilities may participate in youth programs without disclosing their disability, but may need special support at times.
- Prepares program planners and staff with the knowledge that youth with disabilities have certain rights and can ask for accommodations.
- Identifies need for organizational self-assessments, revising program and organizational practices, and building staff capacity.



# Defining Disability

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A disability is any condition of the body or mind (impairment) that makes it more difficult for the person with the condition to do certain activities (activity limitation) and interact with the world around them (participation restrictions).

Disabilities can be

- Physical
- Sensory
- Developmental
- Intellectual
- Learning
- Mental health condition
- Health condition



# Important Disability Legislation

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Individuals with Disabilities  
Education Act (IDEA)

Americans with Disabilities  
Act (ADA)

**Protect**

- Discrimination
- Abuse

**Provide**

- Additional services
- Accommodations





# Accommodations

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An accommodation is essentially any strategy that overcomes or lessens the effect of a specific barrier. A barrier is an obstacle that may exist in school, at the workplace, in the community, or in one's own home.

Accommodations:

- Changes to facilities
- Special services
- Creative thinking and problem solving



# Individuals with Disabilities Education Act (IDEA)

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Ages: Birth – 21

Thirteen Categories:

Autism, Deaf-blindness, Deafness, Emotional Disturbance, Hearing impairment, Mental retardation, Multiple disabilities, Orthopedic impairment, Other health impairment, Specific learning disability, Traumatic brain injury, Speech or language impairment, Visual impairment



# IDEA Impact on Education

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## Free public education

- Quality instruction
- Testing to establish needs and services
- Individual education plan (IEP)
- Specialty support or accommodations

## Accommodations can include

- Verbal instructions
- Visuals
- Additional test time





# Committee on Special Education (CSE)

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CSE meetings to set goals and review progress

CSE Members:

- Teachers
- Parents
- Agency representatives knowledgeable of the young person
- Youth, especially when considering postsecondary goals



# Americans with Disabilities Act (ADA)

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- A person qualifies as having a disability if they meet one of the following:
- A physical or mental impairment that substantially limits one or more major life activities
  - A record of such impairment
  - A perception by others as having an impairment



# American with Disabilities Act (ADA)

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Prohibits discrimination on the basis of disability in:

- Private sector employment
- Activities of states and local governments
- Places of public accommodation
- Transportation
- Telecommunication services

ADA National Network - <https://adata.org/>  
<https://adata.org/factsheet/ADA-overview>



# Accommodations and Disclosure

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Accommodations are provided only when a person discloses his or her disability and requests accommodations

Disclosure is not mandatory, but needed when asking for accommodations

Decision to disclose belongs ***solely*** to the person with a disability



## Implications for Youth Programs

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Youth with disabilities participate in youth programs without staff knowing about their disabilities

OR

Youth participate in youth programs exhibiting behavior issues; youth/parents may or may not disclose disabilities and ask for accommodations

OR

Youth with physical/sensory/health disabilities want to participate in youth programs and ask for accommodations



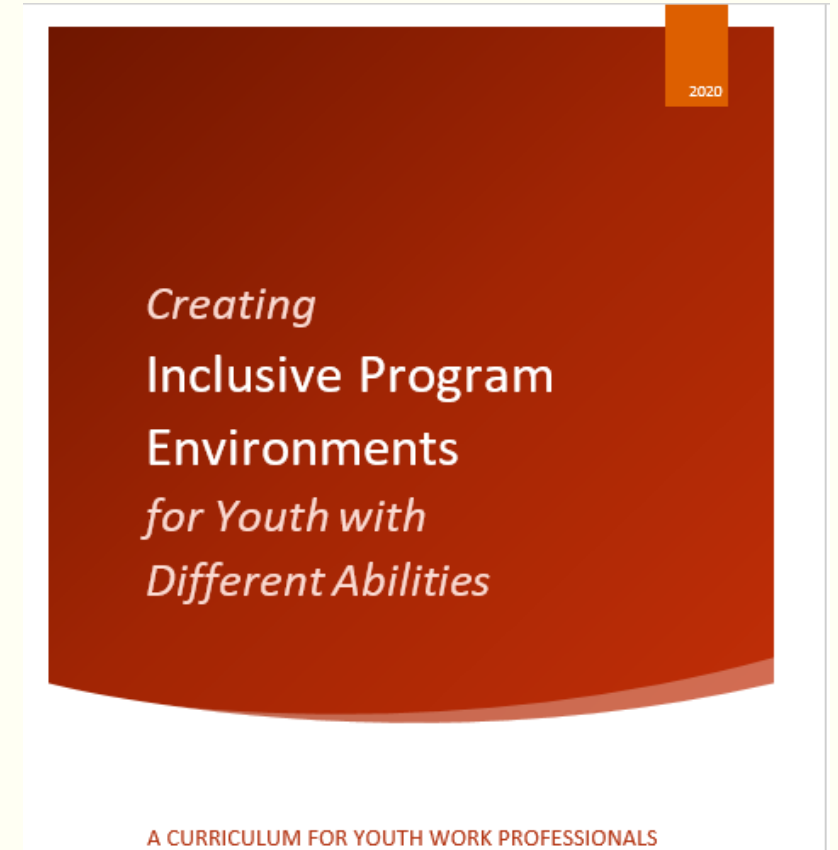


# Ways to Accommodate Young People

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- Create a structured, predictable environment
- Create a positive program climate
- Use universal design for learning (UDL)
- Reframe your behavior perspective

[www.actforyouth.net/youth\\_development/professionals/inclusive-environments.cfm](http://www.actforyouth.net/youth_development/professionals/inclusive-environments.cfm)





# Make Accommodations

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Youth with physical/sensory/health disabilities want to participate in youth programs and ask for accommodations

Steps to consider:

- ✓ Organizational assessment
- ✓ Organizational commitment
- ✓ Facility/program modifications





# Reasonable Accommodations

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(Reasonable) accommodations are modifications to policy, rules, or the physical environment that enables individuals to enjoy equal benefits of program, work or services.

They are not considered reasonable if they represent “*undue burden*” or fundamentally alter the program



# Resources

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IDEA - <https://sites.ed.gov/idea/>

National Council on Disabilities: IDEA reports

<https://ncd.gov/publications/2018/individuals-disabilities-education-act-report-series-5-report-briefs>

US Department of Justice: Information and Technical Assistance on the Americans with Disabilities Act - <https://www.ada.gov>

ADA National Network - <https://adata.org>

The 411 on Disability Disclosure Workbook - <http://www.ncwd-youth.info/411-on-disability-disclosure>

National Consortium on Leadership and Disability for Youth (NCLD-Youth)  
<http://www.nclld-youth.info/index.php?id=01>



# NYS Resources

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Northeast ADA Center (at Cornell University) - <http://www.northeastada.org/>

NYS Special Education - <http://www.p12.nysed.gov/specialed/>

NYS Justice Center for the Protection of People with Special Needs -  
<http://www.justicecenter.ny.gov/>

NYS Disability Services Council - <http://www.nysdsc.org/>

Office for People with Developmental Disabilities - <https://opwdd.ny.gov/>

Independent Living Centers Directory, NY - <http://www.ilru.org/projects/cil-net/cil-center-and-association-directory-results/NY>

YOUTH POWER! - <http://www.youthpowerny.org/>

# History of Disability Advocacy

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National Consortium on  
Leadership and Disability for  
Youth.

Disability History Timeline:  
[http://www.ncl-youth.info/Downloads/disability\\_history  
\\_timeline.pdf](http://www.ncl-youth.info/Downloads/disability_history_timeline.pdf)

Museum of disAbility History  
Buffalo, NY

<http://museumofdisability.org/>

