



Americans with Disabilities Act: A Guide for Parents

Presented by
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KNOWLEDGE IS POWER

- To invoke rights, you need first to know and understand them
- Knowledge is a tool – in and out of court
- Few people know of ADA rights; most need to be educated
- Equip your child to be a self-advocate

IMPORTANT LAWS TO KNOW

- Individuals with Disabilities Education Act
- Rehabilitation Act of 1973 (Section 504)
- Americans with Disabilities Act (ADA)
- Fair Housing Amendments Act (FHAA)
- Telecommunications Act
- 21st Century Communications and Video Act (CVAA)
- Affordable Care Act (ACA)

SECTION 504/ADA TITLES II AND III

- Apply to nearly every aspect of public life:
 - Programs and activities receiving federal financial assistance (Section 504)
 - State/local governments and all their programs, services, and activities (Title II)
 - Places of public accommodation (Title III)
- Must show you're "qualified":
 - Meet essential eligibility requirements
 - With or without reasonable accommodations

EMPLOYMENT: SECTION 501/ADA TITLE I

- **Covered entities:**
 - All federal employers, including internships (Section 501)
 - Private employers with 15+ employees
 - Includes labor unions and employment agencies
- **Covered activities:**
 - All “terms, conditions and and privileges of employment”
 - Everything from interviews and internships to discharge

EFFECTIVE COMMUNICATION

- Required under both ADA and Section 504
- Must communicate as effectively with D/HH as with others.
- Must provide auxiliary aids and services, such as
 - Qualified interpreters
 - Real-time captioning (CART),
 - Assistive listening devices, or
 - Other auxiliary aids or services, when necessary to communicate effectively with people who are deaf or hard of hearing
 - Both Title II and Title III expect the provider to consult with the deaf or hard of hearing person
- Cannot charge a deaf/HOH person for the costs of auxiliary aids and services

ADDITIONAL FEDERAL LAWS

- **Affordable Care Act**
 - Section 1557 requires “effective communication” in healthcare settings
 - Healthcare provider must give “primary consideration” to d/hh person’s requests.
- **CVAA**
 - Programs first shown on TV and later on the Internet must be captioned

HYPOTHETICAL #1

Your 8th Grader has a doctor appointment. As a teenager, s/he does not want to have a parent accompany him/her. The doctor's office refuses to provide any auxiliary aids or services (interpreter, CART, etc.).

Resource: NAD Advocacy Letter for Medical Offices

HYPOTHETICAL #2

Your child wants to order pizza through the phone. The pizza parlor refuses to accept his relay calls.

Resource: NAD Advocacy Letter for Relay Calls

HYPOTHETICAL #3

A homework assignment requires your child to view an online video, which is not captioned.

Resource: Described and Captioned Media Program (<https://dcmp.org/>)

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National Association of the Deaf
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Advocacy Letters

- <https://www.nad.org/resources/advocacy-letters/>
- Or search “NAD Advocacy Letters”

Other NAD Resources

- <https://www.nad.org/parents/>
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