



# Administrator's Overview of the Americans with Disabilities Act (ADA)

# Disclaimer

We are not attorneys. The ADA is complex, and if you have specific questions or situations, we urge you to contact an attorney.



**Contact the ADA Information  
Line at 1-800-514-0301 (Voice)  
or 1-800-514-0383 (TTY)**



# At the end of this workshop you will be able to...

1. Describe a purpose of the ADA.
2. Name two major life activities considered when defining a disability.
3. Name two essential eligibility criteria for your program.
4. Name one instance in which a person with a disability can be denied enrollment.

# The Americans With Disabilities Act (ADA)







# When Did The ADA Become Law?

A. 1964

B. 1979

C. 1990

# Passed by Congress in 1990





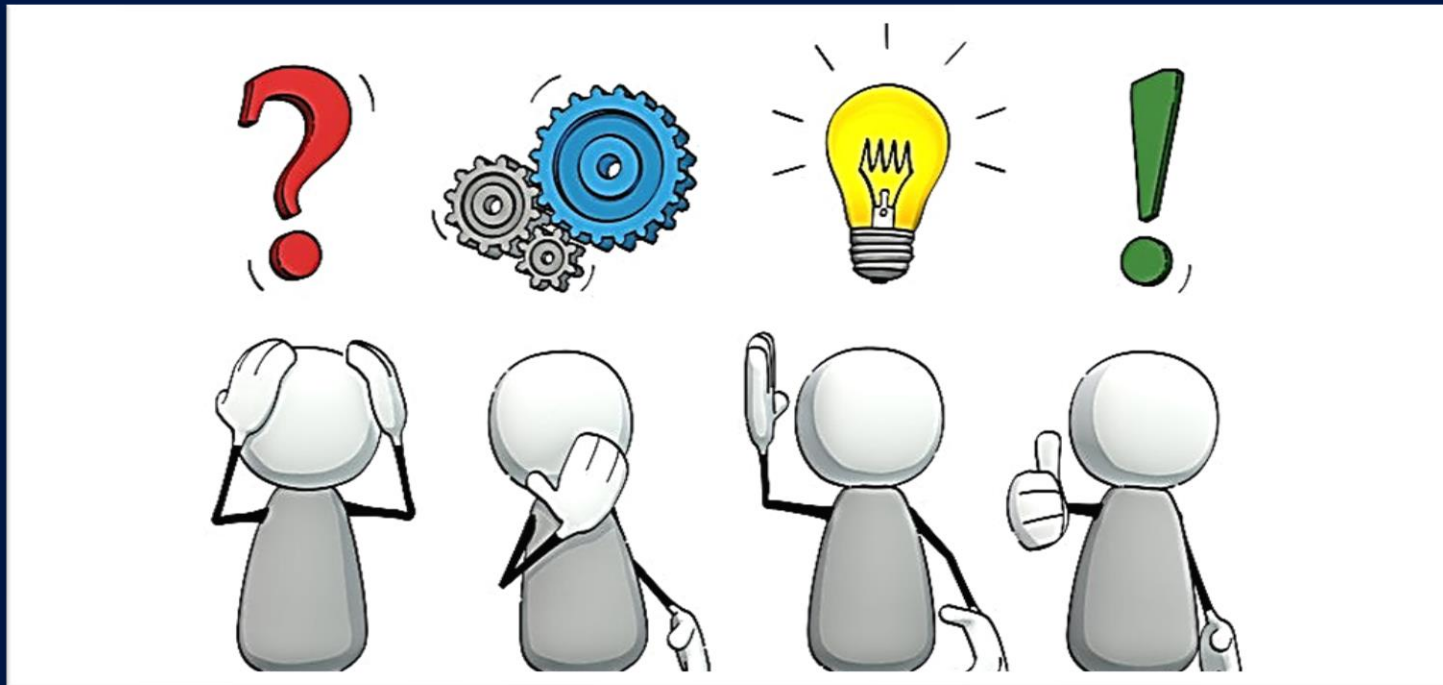
# President George H. Bush Signing the ADA Law



# Why Does It Matter?

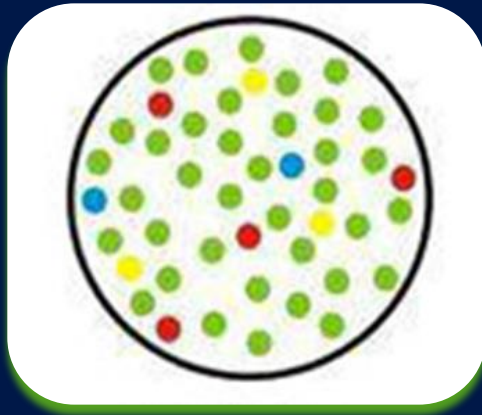


# What Does Inclusion Look Like?

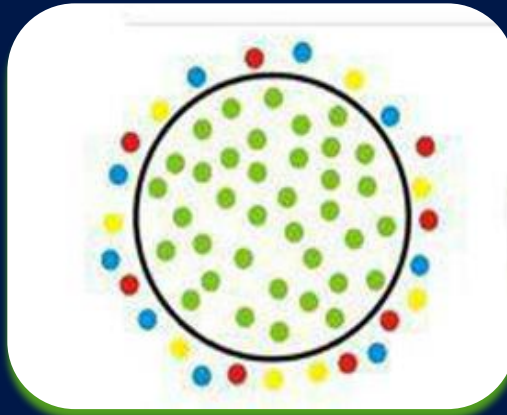


# What Do You Think “Inclusion” Looks Like?

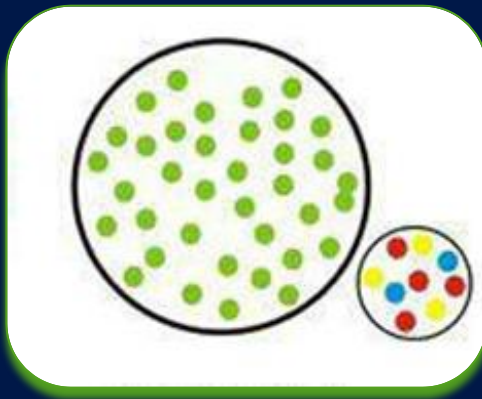
A.



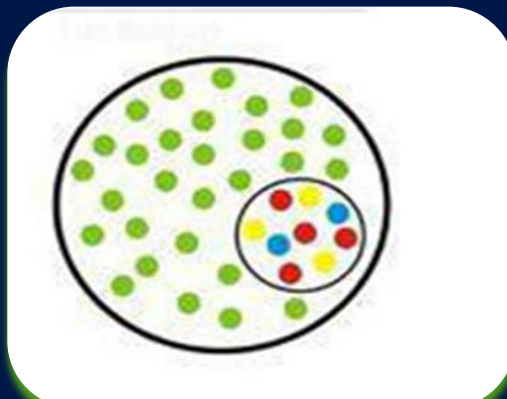
C.



B.



D.







Inclusion is when all people, regardless of their diverse abilities, actively participate together in all aspects of community life.





# What Does the ADA Have to Do With My Program for Children and Youth?



# You Fall Under Title III of the ADA Which Addresses Public Accommodations



# This Includes Programs That Receive Public Funds



# Are There Any Exceptions?



# Under the ADA . . .

A person with a disability  
is someone who has a condition  
such as

ADHD

CANCER

HIV/AIDS

CEREBRAL PALSY

EPILEPSY

LEARNING  
DISABILITY

DIABETES

INTELLECTUAL  
DISABILITY



**THERE IS NO  
EXHAUSTIVE LIST**

That substantially limits  
**one or more** major life  
activities...

# “Think” About It





OR...

Has a record of such  
an impairment

OR...

Is “regarded”  
as having  
such a condition



**F**  
**A**  
**F** **I** **C** **T** **I** **O** **N**  
**T**

To be covered under the ADA,  
an individual must have  
documentation that they have a  
disability.

Does your program  
accept Children with  
Disabilities?

Yes, would you like an  
appointment to  
complete registration?



# Damian's ADA Story





# BREAK TIME





# ADA and Program Enrollment



Enrollment

Under the Law, you  
**MUST** enroll a child  
who...

**Meets Your Program's  
Essential Eligibility Requirements**

**AND THEY MUST BE THE  
SAME FOR EVERYONE**

# Meets Essential Eligibility Requirements?

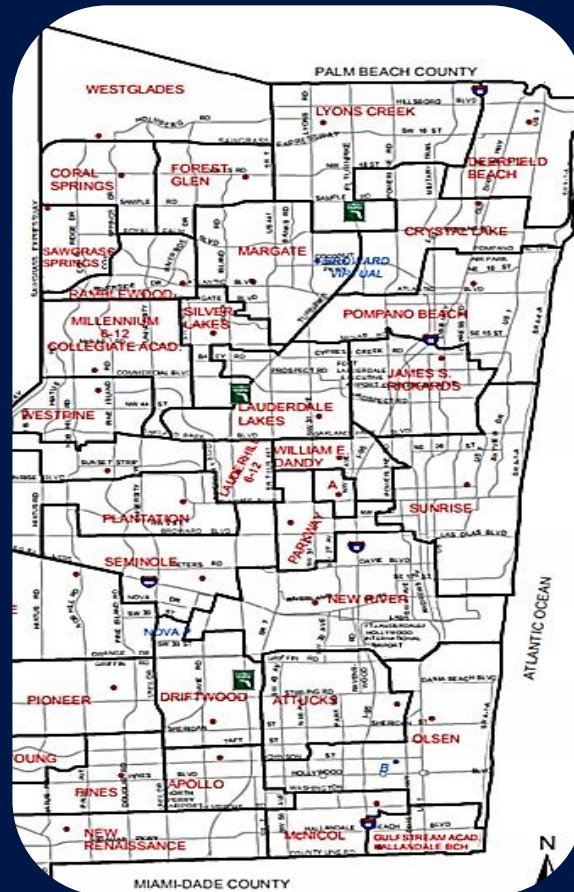


**ENROLL**

The ADA prohibits denying enrollment simply because a child has a disability.

# Essential Eligibility Requirements May Include

AGE  
PROGRAM FEE  
TRANSPORTATION  
GEOGRAPHICAL  
LOCATION/SCHOOL





Conduct an **Individual Assessment** to determine if **accommodations** are needed.

# Accommodations

A change to the way things are usually done that allows an individual with a disability to fully participate.





If the **Individual Assessment** indicates reasonable accommodations are needed, it becomes the basis for the **Individual Inclusion Plan**.





# Sample Individual Student Assessment and Inclusion Plan Forms Can Be Found on Our Website.



[www.advocacynetwork.org](http://www.advocacynetwork.org) → Training → Student Assessment

# Individual Inclusion Plan Addresses...



Sets forth the accommodations required to fully participate and how to implement them.

OR...

**Determine & Document**  
**WHY a child cannot be accommodated**

# The ADA Lists 4 Primary Types of Accommodations

# 1. Admissions Policies



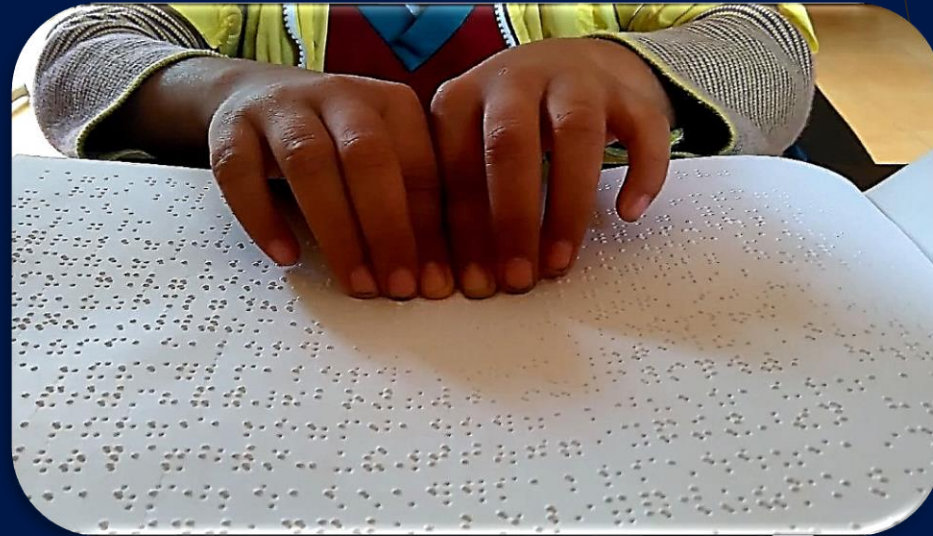
Make sure you have a  
Non-Discrimination policy protecting  
people with disabilities.

## 2. Other Policies, Practices and Procedures





### 3. Aids and Services



Provision of aids and services to insure effective communication.

## 4. Removal of Physical Barriers



Which child with a Disability  
am I Not Required to Serve?

A child who does not meet the  
essential eligibility requirements

OR

after an individualized assessment,  
who requires accommodations that...

# Causes an Undue Financial Burden

For example,  
cost of installing an elevator.





# Causes an Undue Administrative Burden



You have made arrangements for extra staffing for a child during a field trip. On the morning of the field trip, the person does not show up, and no one else is available.



# Requires a Fundamental Alteration to the Program

**A Fundamental Alteration**  
is a change so significant it alters  
the essential nature of the program.

# Poses a Direct Threat to Self or Others



Must be based on actual risk, not assumptions, hearsay, or stereotypes.

# What Do You Think?



Is a program allowed to charge parents of children with disabilities for the cost of providing reasonable accommodations such as transportation to a field trip?





Are there circumstances  
when a program does not have to serve  
a child with a disability under the ADA?



# Upcoming Polls





# Keep or Revise This Policy?



Children can only eat at designated meal/snack times.

# Keep or Revise This Policy?



Children that take medication cannot participate.

# Keep or Revise This Policy?

Can you terminate a child after three behavior incidents if it is stated in your handbook?



# Documentation in Case of Refusal or Termination

The actions the organization took to provide reasonable and appropriate accommodations:

1. Communication with the family.
2. Any outside assistance sought.

# Now You Should be Able to...

1. Describe a purpose of the ADA.
2. Name 2 major life activities considered when defining a disability.
3. Name 2 essential eligibility criteria for your program.
4. Name one instance in which a person with a disability can be denied enrollment.



Thank You



