



Americans with Disabilities Act: A Guide for Parents

Presented by
Howard Rosenblum, Esq. and
Caroline Jackson, Esq.

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

MYTHS

- ✘ “There aren’t interpreters everywhere”
- ✘ “If your child does not speak, s/he cannot be independent.”
- ✘ “If your child does not sign, s/he cannot receive auxiliary aids and services.”
- ✘ “If your child cannot hear the sounds of the world, s/he will be lost forever.”

- ✘ These statements do not need to be true and, thanks to federal law, they are all FALSE.

IMPORTANT LAWS TO KNOW

- Individuals with Disabilities Education Act (IDEA)
- 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)

“COVERED ENTITIES”

- Individuals with Disabilities Education Act (IDEA)
 - Public and private schools for K-12 students.
 - Other services for students ages 0-5.
- Rehabilitation Act of 1973
 - All recipients of federal financial assistance (504).
 - Federal employers (501)
 - Federal websites (508)
- Americans with Disabilities Act (ADA)
 - Employers with 15 or more employees (Title I)
 - Any arm of state or local governments (Title II)
 - Any place of public accommodation (Title III)
 - Telecommunications (telephones) (Title IV)

“COVERED ENTITIES”

- Fair Housing Amendments Act (FHAA)
 - Housing rentals with 4+ units
- Telecommunications Act
 - All television broadcasters
- 21st Century Communications and Video Act (CVAA)
 - Videos first played on TV then on the internet.
- In English: basically everything.

“COVERED” PEOPLE

- ✘ Any “qualified person with a disability”
 - With or without reasonable modifications, auxiliary aids and services, etc.
 - Meets essential eligibility requirements of the program, job, or service
- ✘ In English: if hearing kids have access, your child has a right to access.

THE RIGHT (FOR D/HH)

✦ Effective Communication

- + Covered entities must ensure that its communications with people with disabilities is as effective as its communications with others.
- + To do so: must provide auxiliary aids and services.

AUXILIARY AIDS AND SERVICES

- Qualified interpreters;
 - Sign language, cued-speech, oral
- Real-time captioning (CART);
- Assistive listening devices;
- Accessible phones (VP, etc.);
- Exchange of written notes;
- Other auxiliary aids or services, when necessary to communicate effectively with people who are deaf or hard of hearing.
- Selected in consultation with the deaf and hard of hearing person.

HYPOTHETICAL #1

Your 8th-grader has a doctor appointment. She would like to participate in the appointment by asking her own questions and getting answers directly from the doctor. The doctor's office refuses to provide any auxiliary aids or services (interpreter, CART, etc.).

HYPOTHETICAL #2

Your son wants to open a bank account through the phone. The bank refuses to accept his relay calls.

HYPOTHETICAL #3

Your daughter would like to watch her favorite show or movie on Amazon Prime. The video is not captioned.

HYPOTHETICAL #4

You have enrolled your son in the Boy Scouts. They refuse to provide auxiliary aids and services (interpreter, CART, etc.) for him to participate.

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National Association of the Deaf
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