

Know Your Rights: Understanding Youth ADA Protections



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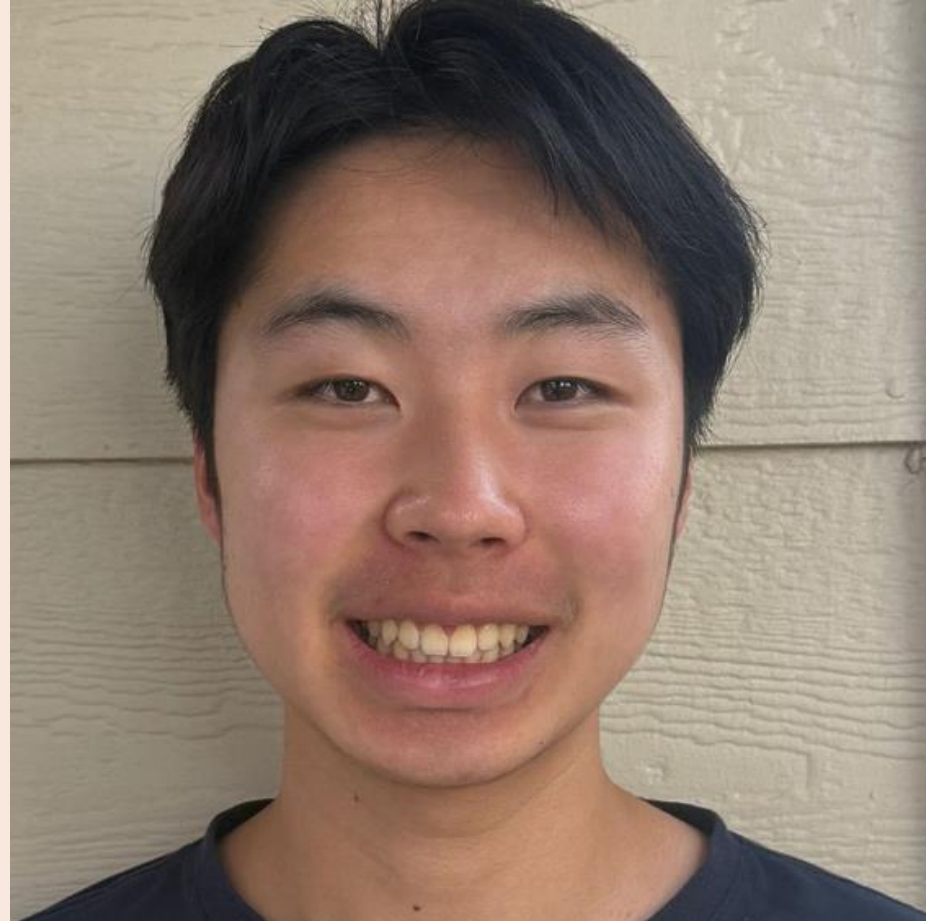
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Activity!

Who Am I?



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Works to empower all youth with
disabilities and promote disability rights
across Nevada.



Foundations: How Does the ADA Protect Youth?



ADA Overview

- Americans with Disabilities Act (1990) - prohibits discrimination on the basis of disability
- Amended in 2008, broadening definition of disability
- Relevant sections to youth:
 - **Title II:** covers public schools and programs (government entities)
 - **Title III:** public accommodations (such as summer camps)
- Roots in Section 504 of the Rehabilitation Act of 1973



504s and IEPs: Side by Side

504s	IEPs
From Rehabilitation Act (1973)	From EHA/IDEA Act (1975)
Free	Free
Legally binding document	Legally binding document
Broader definition of disability	More narrow definition of disability; must fall into 13 IDEA disability categories (e.g. autism, hearing-related, intellectual, orthopedic, speech/language, visual)
For specialized instruction (more robust)	For accommodations only
Frequent meetings to review plan; includes goals, progress tracking, etc	Generally reviewed annually



How Do Accommodations Work?

- Key principles: individualized, collaborative, dynamic, proactive
- Instructional:
 - Ex: extended time on assignments, regular check-ins, visual aids, ASL, Braille
- Assessment:
 - Ex: extended testing time, quiet/small group testing, preferential seating, verbal testing, regular breaks
- Environmental:
 - Ex: accessible restrooms, elevator/ramp access, sensory support, wheelchair tray
- Organizational:
 - Ex: modified homework pacing, staff notetaking support, planners, early access to materials
- Assistive technology:
 - Ex: adaptive keyboards/mice, text-to-speech, screen readers, closed captioning

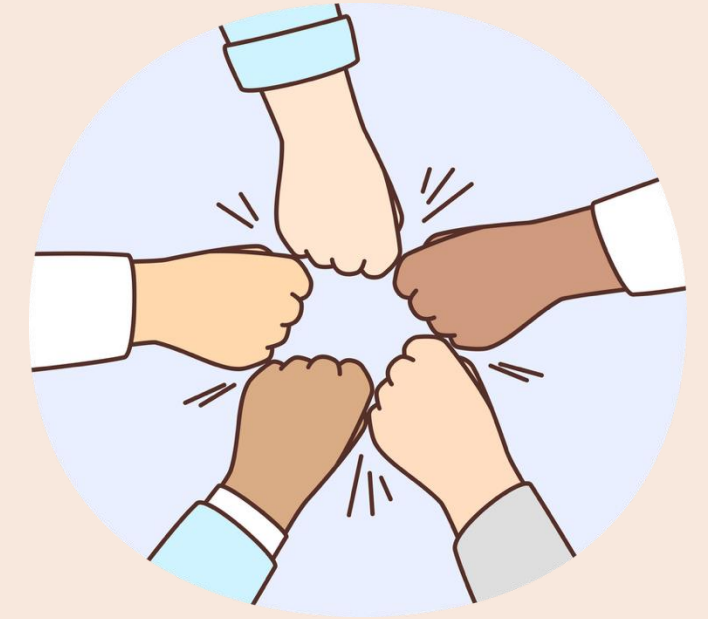
College ADA Accommodations

- Reach out to Disability Resource Center (DRC) with documentation
- Contact professors to arrange specific accommodations for each class
- Accessible housing/dorms
- No individualized instruction
- Requires greater self-advocacy and independence; no parental involvement



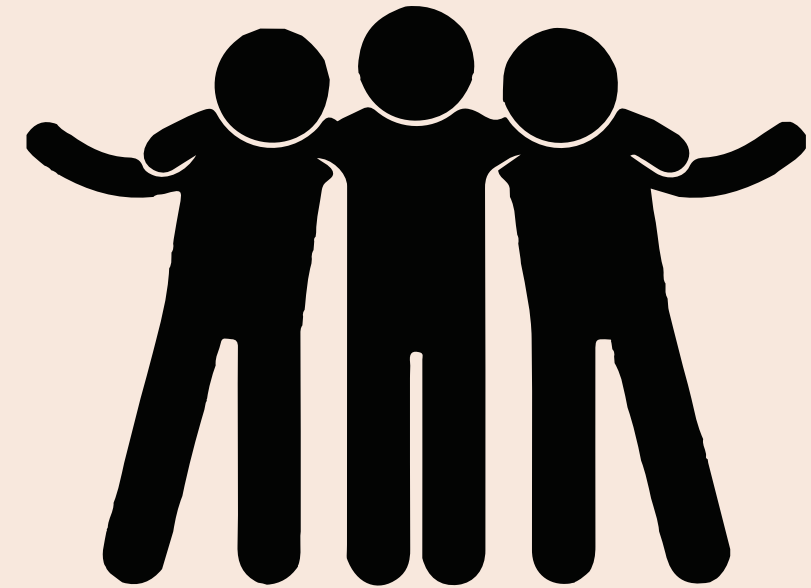
H.R. 3939 - RISE Act

- Currently in Committee
- Makes accessing disability accommodations easier when transitioning to college
- Transparency in accommodation policies
- Authorizes \$10 million for National Center



Political Activism:

- QR code for govtrack.us page
- Contact your representative and express your support
- Encourage people in your community to do the same



Disability and Marginalized Communities

- Disability intersects with race, gender, income, etc.
- Students of color less likely to receive early intervention, but more likely to be suspended or expelled (Black students 3x)
 - More likely to be identified in special ed and placed in restrictive settings
- Language barriers for immigrant families
 - Cultural stigma
- Lack of resources for low-income families



Disability and Equity Outcomes

- Represent 17% of enrollment, but account for 2% of AP students, 4% of dual-enrolled students
 - ~15% HS dropout rate, compared to ~5% national average
 - Around half as likely as national average to hold bachelor's degree
 - Less than half of students with disabilities request accommodations in college



Disability and Discipline

- Represent 17% of enrollment but 29% of those suspended, 21% of those expelled, 27% of those referred to law enforcement
- Should not be punished for behavior caused by disability
- Removal \geq 10 days: change in placement
- Parental notice and informed of rights
- Dept. of Education has repeatedly found frequent violations of discipline rules
- Special cases: weapons, drugs



Disability and Juvenile Justice

- Up to 70% of youth in JJ network have a disability
- Lack of compliance with IDEA in juvenile facilities
- “School-to-prison” pipeline: lack of support, missed early intervention
- Undiagnosed learning/emotional disabilities or disorders
- Ensure behavioral issues addressed through supports, screenings, restorative justice



Access to Public Programs and Services

- Titles II and III of ADA ensure participation in all public programs, not just school
 - Ex: recreation, libraries, parks, camps, transportation
 - Need to comply with ADA Accessible Design standards, reasonable accommodations
 - Participation must be the same as non-disabled individuals



Self-Advocacy Tips

- Advocate early!
- In case of conflict with school, reach out to third parties or local advocates.
- Know your rights (ADA, 504/IEPs, IDEA)!
- Document everything in writing.
- Speak up beyond school!
- Be firm, but respectful.
- Know your needs and ideal accommodations!



It's Your Turn: The Advocacy Lab!



- Break into groups and discuss each of the three student profiles on the handout - what accommodations will help them most? How can they self-advocate for themselves?
- Take turns sharing your ideas!

Thanks!

Do you have any questions?

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CREDITS: This presentation template was created by [Slidesgo](https://www.slidesgo.com/), and includes information from the [PIHE Advocacy Workshop](#) and [adl.org](https://www.adl.org/)

