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## **DISABILITY DEFINITIONS**

### **ADA Definitions of Qualified Disability**

An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered. (Definition downloaded from the U.S. Department of Justice, Civil Rights Division, Disability Rights Section: [www.ada.gov/cguide.htm](http://www.ada.gov/cguide.htm))

### **Intellectual Disability**

Intellectual disability is a disability characterized by significant limitations both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior, which covers a range of everyday social and practical skills. This disability originates before the age of 18. (Definition downloaded from the American Association of Intellectual and Developmental Disabilities: [www.aidd.org](http://www.aidd.org))

### **Developmental Disability**

Developmental disabilities are severe chronic disabilities that can be cognitive or physical or both. The disabilities appear before the age of 22 and are likely to be lifelong. Some developmental disabilities are largely physical issues, such as cerebral palsy or epilepsy. Some individuals may have a condition that includes a physical and intellectual disability, for example Down syndrome or fetal alcohol syndrome. (Definition downloaded from the American Association of Intellectual and Developmental Disabilities: [www.aidd.org](http://www.aidd.org))

## **Mental Illness and Psychiatric Disabilities**

Mental illness refers to a wide range of mental health conditions — disorders that affect your mood, thinking and behavior. Examples of mental illness include depression, anxiety disorders, schizophrenia, eating disorders and addictive behaviors. Many people have mental health concerns from time to time. But a mental health concern becomes a mental illness when ongoing signs and symptoms cause frequent stress and affect your ability to function. (Definition downloaded from the Mayo Clinic: [www.mayoclinic.org](http://www.mayoclinic.org))

## **Hearing Impairment**

A hearing impairment or hearing loss is a full or partial decrease in the ability to detect or understand sounds. Caused by a wide range of biological and environmental factors, loss of hearing can happen to any organism that perceives sound. (Definition downloaded from the Disabled Word: [www.disabled-world.com](http://www.disabled-world.com))

## **Speech Impairment**

Adult speech impairment includes any symptom that causes an adult to have difficulty with vocal communication. Such problems may include slurred, slowed, hoarse, stuttered, or rapid speech. Other symptoms may include stiff facial muscles, drooling, poor accessibility of words, and sudden contraction of vocal muscles. (Definition downloaded from the Healthline: [www.healthline.com](http://www.healthline.com))

## **Visual Impairment**

Visual impairment is often defined clinically as a visual acuity of 20/70 or worse in the better eye with best correction, or a total field loss of 140 degrees. Additional factors influencing visual impairment might be contrast sensitivity, light sensitivity, glare sensitivity, and light/dark adaptation. (Definition downloaded from American Foundation for the Blind: [www.afb.org](http://www.afb.org))

# **SUMMARY OF DISABILITY LAWS**

## **Americans with Disabilities Act of 1990**

The ADA prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities. The ADA also establishes requirements for telecommunications relay services.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

## **Telecommunications Act of 1996**

Section 255 and Section 251(a)(2) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, require manufacturers of telecommunications equipment and providers of telecommunications services to ensure that their equipment and services are accessible to and usable by persons with disabilities.

## **Fair Housing Act of 1968, as amended in 1988**

The Fair Housing Act, as amended in 1988, protects people from discrimination when they are renting, buying, or securing financing for any housing. The prohibitions specifically cover discrimination because of race, color, national origin, religion, sex, disability and the presence of children. The Fair Housing Act requires owners of housing facilities to make reasonable exceptions in their policies and operations to afford people with disabilities equal housing opportunities.

## **Air Carrier Access Act of 1986**

The Air Carrier Access Act prohibits discrimination in air transportation by domestic and foreign air carriers against qualified individuals with physical or mental impairments. It applies only to air carriers that provide regularly scheduled services for hire to the public.

## **Voting Accessibility for the Elderly and Handicapped Act of 1984**

The Voting Accessibility for the Elderly and Handicapped Act of 1984 generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections. Where no accessible location is available to serve as a polling place, a political subdivision must provide an alternate means of casting a ballot on the day of the election. This law also requires states to make available registration and voting aids for disabled and elderly voters, including information by TTYs (also known as TDDs) or similar devices.

## **National Voter Registration Act of 1993**

The National Voter Registration Act of 1993, also known as the "Motor Voter Act," makes it easier for all Americans to exercise their fundamental right to vote. The Motor Voter Act requires all offices of State-funded programs that are primarily engaged in providing services to persons with disabilities to provide all program applicants with voter registration forms, to assist them in completing the forms, and to transmit completed forms to the appropriate State official.

## **Civil Rights of Institutionalized Persons Act of 1980**

The Civil Rights of Institutionalized Persons Act (CRIPA) authorizes the U.S. Attorney General to investigate conditions of confinement at State and local government institutions such as prisons, jails, pretrial detention centers, juvenile correctional facilities, publicly operated nursing homes, and institutions for people with psychiatric or developmental disabilities. Its purpose is to allow the Attorney General to uncover and correct widespread deficiencies that seriously

jeopardize the health and safety of residents of institutions. The Attorney General does not have authority under CRIPA to investigate isolated incidents or to represent individual institutionalized persons.

### **Rehabilitation Act (Section 504) of 1973**

Section 504 of the Rehabilitation Act of 1973 protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency, including the U.S. Department of Health and Human Services (DHHS). These organizations and employers include many hospitals, nursing homes, mental health centers and human service programs. Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

### **Rehabilitation Act (Section 508) of 1973**

Section 508 of the Rehabilitation Act of 1973, applies to electronic and information technology procured by the federal government, including computer hardware and software, websites, phone systems, and copiers. It requires access for both members of the public and federal employees to such technologies when developed, procured, maintained, or used by federal agencies. The Section 508 standards are part of the Federal Acquisition Regulation (FAR) and address access for people with physical, sensory, or cognitive disabilities.

### **Architectural Barriers Act of 1968**

The Architectural Barriers Act (ABA) requires that buildings and facilities that are designed, constructed, or altered with Federal funds, or leased by a Federal agency, comply with Federal standards for physical accessibility. ABA requirements are limited to architectural standards in new and altered buildings and in newly leased facilities. ABA does not address the activities conducted in those buildings and facilities.