

Disability Rights in Today's World: Celebrating 34 Years of the ADA & 25 Years of Olmstead

Part 2 Of 3-Part 2024 Webinar
Series
Thursday, July 18, 2024



Disability Rights in
Today's World:
Celebrating 34 Years
of the ADA &
25 Years of
Olmstead

July 18th

3:00 - 4:30 PM

ada 34
YEARS

Live On
Zoom

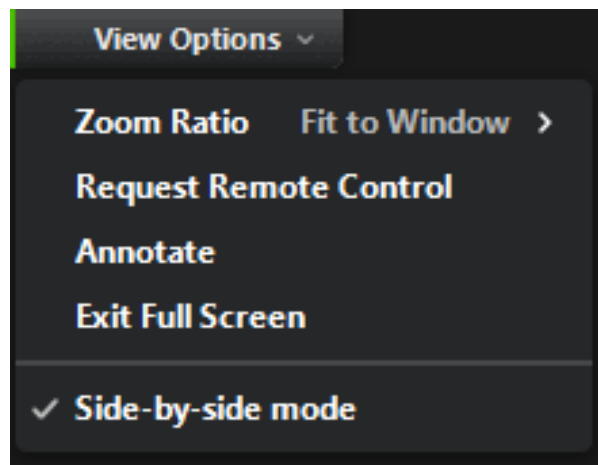
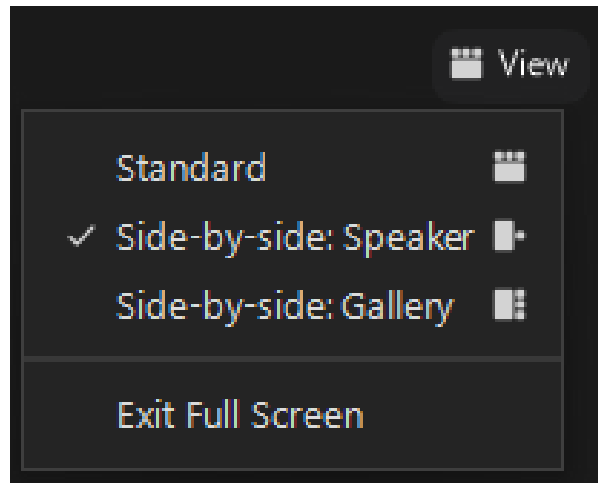
Part 2 of
a 3-Part
Series



Housekeeping

- Please keep your audio muted during the webinar.
- Please use the Q&A feature to post questions.
- Chat feature is distracting for people with vision disabilities who use screen reading software.

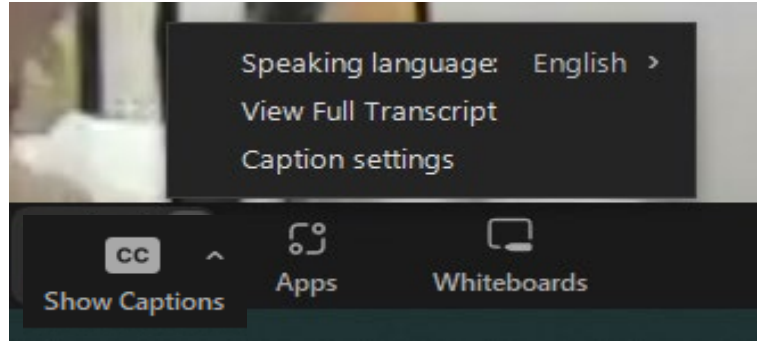
Zoom Viewing Options



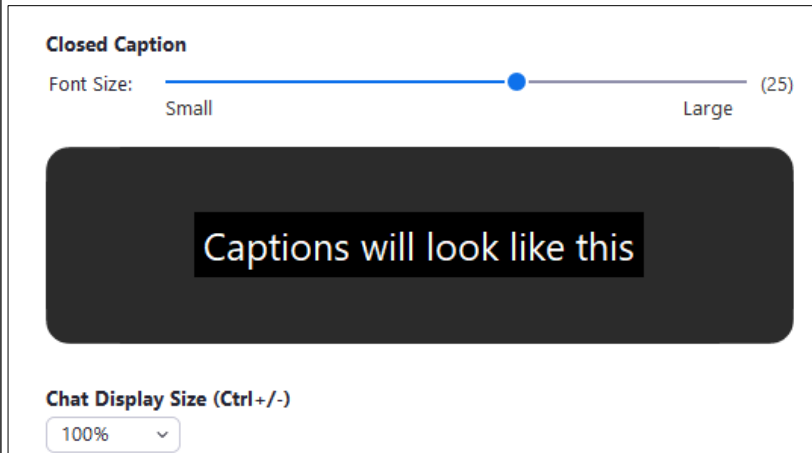
View options:

- Upper right-hand corner, select “View” for “Speaker” or “Gallery” views and with screen share: Standard and Side-by-side options.
- During PowerPoint: “View Options” menu at top of screen to adjust zoom ratio and other features.
- During PowerPoint: use the slider between the shared screen and participants and slide to your preference.

Zoom Live Captions



- Turn on captions by selecting the CC icon (show captions) on the menu bar
- Change the size of captions by selecting the up arrow next to the CC and choose the “Caption settings”
- Move captions by hovering over captions and dragging them to the preferred location.
- Turn off captions by selecting the CC icon (hide captions)



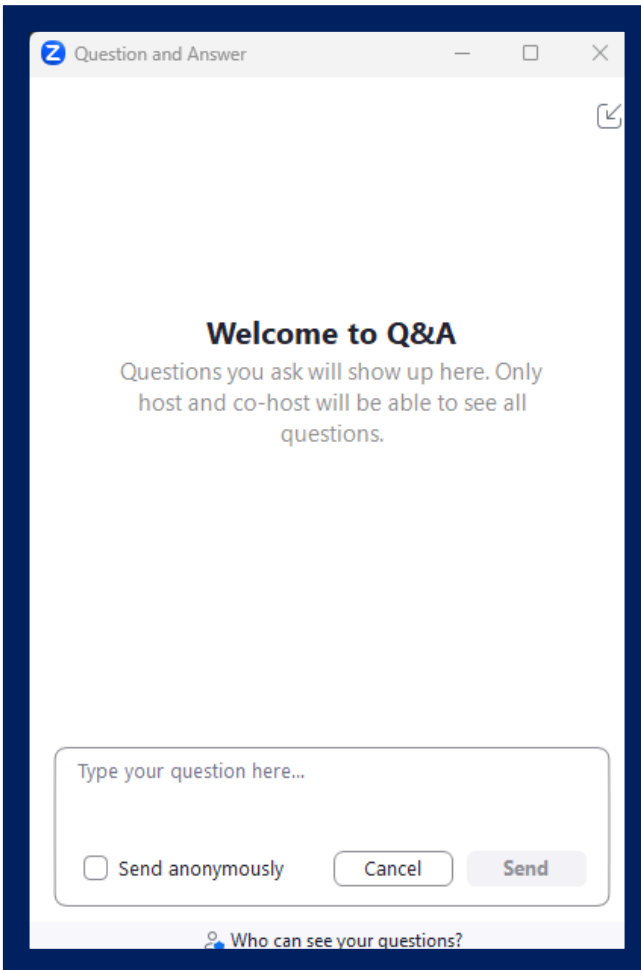
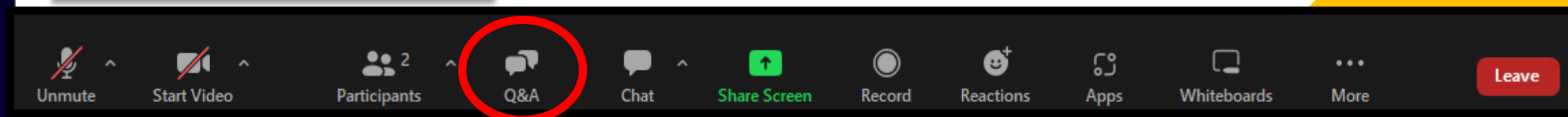
Q&A Session

To Ask a Question:

- Select “Q&A” at the bottom of your screen
- A box shown to the left will pop up, input your questions throughout the webinar

Q&A Session:

- Will be at the end of the presentation
- Selected questions will be answered

A screenshot of the Zoom 'Question and Answer' window. The window has a title bar with a 'Z' icon and the text 'Question and Answer'. The main content area says 'Welcome to Q&A' and 'Questions you ask will show up here. Only host and co-host will be able to see all questions.' At the bottom, there is a text input field with the placeholder 'Type your question here...', a checkbox labeled 'Send anonymously', and 'Cancel' and 'Send' buttons. Below the input field, it says 'Who can see your questions?' with a dropdown arrow.

Disability Rights in Today's World: Celebrating 34 Years of ADA and 25 Years of Olmstead Agenda

1. Introductions:

- a. April Dawson Rawlings, Executive
Director California Commission on
Disability Access
- b. Jan Garrett, Deputy Director of ADA
Programs, Pacific ADA Center

2. History of Disability Rights Laws

- a. Section 504 of the Rehabilitation Act
(1973)
 - b. ADA Anniversary July 26th, 1990
-

Agenda Continued

3. Disability Rights Laws Evolving Over the Years

- a. 25th Anniversary of Olmstead v. L.C. (1999)
- b. Acheson Hotels, LLC v. Laufer (2023)
- c. Section 1557 of the Affordable Care Act (ACA)
- d. DOJ Website Rule under Title II of ADA

4. ADA in the Future - Panel Discussion

5. Question and Answer

6. Available Resources



What the Pacific ADA Center Offers

- Technical Assistance
- Trainings
- Webinars
- Materials
- Conferences



What the California Commission on Disability Access Offers

- Small Business Education and Outreach
- Technical Materials and Trainings
- Listening Forums and Webinars
- Disability Access Litigation Data Tracking
- Annual Report to State Legislature

Section 504 of the Rehabilitation Act (1973)

- One of the first federal civil rights protections for individuals with disabilities
- Ensures individuals with disabilities have equal access to education, employment, and public services
- Applies to businesses & organizations that receive federal funding or contracts
- Mandates accessible facilities and services for customers with disabilities

The 1977 504 Sit-In



San Francisco Examiner Archive. Courtesy of the Bancroft Library, University of California, Berkeley

- Individuals with disabilities demanded action to implement and enforce Section 504 protections
- Longest non-violent occupation of a federal building in U.S.
 - April 5 – April 30, 1977, lasting 25 days
 - San Francisco, CA
- Set a precedent for future activism and legislation, including the Americans with Disabilities Act (ADA) in 1990

ADA Anniversary July 26th, 1990



Americans with Disabilities Act
July 26, 1990

- President George H.W. Bush signed the ADA into law
- Prohibit discrimination against individuals with disabilities
- Ensure equal opportunity and access to employment, education, transportation, and all public and private places open to the public

Americans with Disabilities Act Titles



Title I. Employment

Title II. Public Entities

Part A - State and Local
Government

Part B - Public Transportation

Title III. Public Accommodations

Title IV. Telecommunications

Title V. Miscellaneous

Disabilities Protected By the ADA

- ADA Amendments Act (ADAAA) of 2008 broadens the definition of disability
- Under the ADA, an individual with a disability is a person who either:
 - Has a physical or mental impairment that substantially limits one or more major life activities;
 - Has a record of such an impairment; or
 - Is regarded as having such an impairment.

ADA Impact on Businesses

- Increased accessibility in retail stores, restaurants & other public businesses
- Legal requirements for modifying existing facilities & new compliant construction
- Process to Compliance –
 - Implement necessary modifications (e.g. installing ramps, widening doorways, accessible restrooms)
 - Provide staff training on ADA compliance and disability awareness

25th Anniversary of Olmstead v. L.C. (1999)



- Landmark Supreme Court case addressing the rights of individuals with disabilities
- Ruled by the U.S. Supreme Court on June 22, 1999
- Held that the unjustified segregation of people with disabilities violates the Americans with Disabilities Act (ADA)

Acheson Hotels, LLC v. Laufer (2023)

- Addresses the rights of individuals with disabilities to access information about hotel accommodations
- Whether individuals with disabilities have standing to sue hotels for non-compliance with ADA website accessibility
- Whether “testers” who investigate compliance with ADA, can sue businesses for discrimination when their rights under the ADA are violated

Acheson Impact on Businesses

- Reinforces the need for businesses to provide accessible information online
- Ensures that customers with disabilities have equal access to information and services

Section 1557 of the Affordable Care Act (ACA)



- Prohibits discrimination based on race, color, national origin, sex, age, or disability in health programs or activities receiving federal financial assistance
- Promotes health equity and ensures equal access to healthcare services

Section 1557 Impact

- Applies nondiscrimination protections to telehealth and patient care decision support tools
- Requires modifications to policies and practices to accommodate individuals with disabilities

DOJ Website Rule under Title II of ADA

- Attorney General Merrick B. Garland signed a final rule to ensure accessibility of digital content
- Web and mobile apps are crucial for accessing public services
- Inaccessible technologies can exclude individuals with disabilities from critical services

Website Rule Impact

- Establishes accessibility standards to prevent discrimination against individuals with disabilities in accessing government services
- Mandates specific technical standards to ensure web and mobile app accessibility
- Implement necessary changes to meet ADA web accessibility standards (e.g., WCAG)

ADA in the Future – Panel Discussion

1. How has the ADA impacted your life?

2. What impact has the Olmstead decision had on your ability to live independently and participate in community activities?

Panel Discussion (cont.)

3. What are your favorite apps or tools for accessibility?

4. How can businesses, schools, and local governments better address barriers to support people with disabilities?

Panel Discussion (end)

5. What role do you think social media plays in the disability rights movement for your generation?

6. What will disability rights look like in 10 years?

Questions and Answers



Disability Rights Laws Resources

- U.S. Department of Health & Human Services - <https://www.hhs.gov/>
- Olmstead Rights - <https://www.olmsteadrights.org/about-olmstead/>
- California Civil Rights Office - <https://calcivilrights.ca.gov/accommodation/>
- U.S. Department of Justice | Office of Public Affairs - <https://www.justice.gov/opa/pr/justice-department-publish-final-rule-strengthen-web-and-mobile-app-access-people>
- ADA National Network – <https://adata.org/>
 - (800) 949-4232

Business Resources

- ADA Update: A Primer for Small Business - <https://www.ada.gov/resources/title-iii-primer/>
- ADA Requirements: Effective Communication – <https://www.ada.gov/resources/effective-communication/>
- ADA Quick Tips: Tax Incentives – <https://adata.org/factsheet/quicktips-tax>
- Certified Access Specialist (CASp) Inspection - <https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Certified-Access-Specialist-Property-Inspection>

Stay Connected with the California Commission on Disability Access

Department of General Services

California Commission on Disability Access

400 R Street, Suite 310

Sacramento, CA 95811

Email: ccda@dgs.ca.gov

Phone: (916) 319-9974

eFax: (916) 376-4216

Website: <https://www.dgs.ca.gov/CCDA>



Stay Connected with Pacific ADA Center!

Subscribe to our newsletter:
<https://www.adapacific.org/subscribe/>

Pacific ADA Center

P.O. Box 665

Concord, CA 94522

Phone: (800) 949-4232 (Voice/Relay)

Email: info@adapacific.org

Website: <https://adapacific.org>

