



# Equity and Inclusion for Individuals with Disabilities

## What are the federal laws?

### Section 504 of the Rehabilitation Act of 1973

#### Civil Rights Law

**Section 504 prohibits discrimination based on disability**

- **Applies to any agency receiving federal funds**
- **Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services**
- **Defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services**



### The Americans with Disabilities Act (ADA) of 1990

#### Civil Rights Law

**ADA prohibits discrimination based on disability**

- **Applies to any agency regardless of how funding is received**
- **Prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public**
- **The purpose of the law is to make sure that people with disabilities have equitable rights and opportunities**

# 504 & ADA Definition of Disability

- **Physical or Mental Impairment that substantially limits one major life activity**
- **Record/History of disability**
- **Perceived as having a disability**

## Major Life Activities:

**The list of major life activities under Section 504 includes, but is not limited to, the activities listed below:**

- **Caring for oneself**
- **Learning**
- **Speaking**
- **Communicating**
- **Lifting**
- **Standing**
- **Concentrating**
- **Reading**
- **Thinking**
- **Bending**
- **Seeing**
- **Walking**
- **Breathing**
- **Sleeping**
- **Working**
- **Eating**
- **Performing manual tasks**
- **Hearing**



**Examples of disabilities could include:**

**Obsessive Compulsive Disorder (OCD), peanut allergy, asthma, Bipolar Disorder, Autism, Attention Deficit Hyperactivity Disorder (ADHA), Cerebral Palsy, Blind, Lupus, Anxiety, Deaf**

**The determining factor: Does it limit one major life activity?**

## What does this mean?

**Individuals with disabilities have the right to equal access and full participation; just the same as individuals without disabilities.**

**Each of us plays a role in equality and inclusion for individuals with disabilities across all life domains.**

**Examples:**

**In the community, where we work and play, with peers, and in services and programs we access**



**The effects of disabilities can vary from person to person. Individualized consideration and access opportunities need to be a core part of equal and inclusive access and participation for individuals with disabilities.**

## Reasonable Accommodation

**A reasonable accommodation is any change/modification that allows a person with a disability the opportunity to access and participate the same as an individual without a disability. Accommodations are considered "reasonable" if they do not create an undue hardship or a direct threat.**

Check out [KY-SPIN's Supporting and Serving Individuals with Disabilities Infographic](https://tinyurl.com/58zc6xw8)  
(<https://tinyurl.com/58zc6xw8>)



# What can we do?

- **Recognize the role we all play & the laws that apply to us**
- **Be intentional that individuals with disabilities are always considered and included regarding equity, inclusion and disparities within special populations**
- **Have honest conversations at all levels of your organization/agency by examining the following:**
  - **What biases do we have?**
  - **What barriers exist?**
  - **Do we include individuals with disabilities in our equity statement and work?**
  - **Who can help us?**
  - **When surveying and in data evaluation do we include disabilities in special populations?**

## Data Collection

- **Do you currently collect any disability data?**
- **Examine current disability data**
- **Locate existing gaps**
- **What are the disparities for individuals with disabilities compared to those without disabilities?**
- **Share your disability data in your public reporting**
- **Establish disability in your demographic data collection**
  - **Adopt ADA/Section 504 Definition for disability**
  - **Define access and accommodation**
  - **Adding disability to demographic data collection does not change any disability policies or eligibility criteria for specific programs/services you may offer through your agency. This is in addition to, not replacing.**
  - **Example questions to ask:**
    - **"Would you like to disclose a disability?"**
    - **"Do you have any access or accommodation needs you would like us to be aware of?"**



