Your Right to AT

An overview of laws that guarantee access to AT

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Americans with Disabilities Act (ADA)

- Civil rights law to protect qualified individuals with disabilities from discrimination and provides for equal access and opportunity
- Five titles/areas
  I. Employment
  II. State and local government
  III. Public accommodations (includes private schools, childcare centers)
  IV. Telecommunications (re-numbered Title 47, chapter 5)
  V. Transportation and miscellaneous
- 2010 ADA Standards for Accessible Design
- Students who do not qualify for services under IDEA may qualify for assistive technology under Title II.

http://www.ada.gov/
http://www.adabasics.org/
http://adasoutheast.org/
Individuals with Disabilities Education Act (IDEA)

- Free appropriate public education for all children (FAPE)
- Least restrictive environment (LRE)
- Defines assistive technology
  - The term ‘assistive technology device’ means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability.
- Identifies AT exception
  - The term does not include a medical device that is surgically implanted, or the replacement of such device.
- Identifies assistive technology services
  - (A) the evaluation of the needs of such child, including a functional evaluation of the child in the child’s customary environment;
  - (B) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by such child;
  - (C) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
  - (D) coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
  - (E) training or technical assistance for such child, or, where appropriate, the family of such child; and
  - (F) training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of such child.
- For all students with IEPs, the IEP Team **must** consider whether the child needs assistive technology devices and services. 34 CFR 300.324 (2) (v)

Section 504 of the Rehabilitation Act of 1973

- Federal civil rights law
- No individual with a disability can be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- Applies to public schools (students who may not need IEP)
- Includes any assistive technology necessary to access program or activity.

http://www2.ed.gov/policy/speced/reg/narrative.html
http://webaim.org/articles/laws/usa/rehab

Section 508 of the Rehabilitation Act of 1973

- All electronic and information technologies developed and used by any Federal government agency must be accessible to people with disabilities.
- Includes websites, video and audio tapes, electronic books, televised programs, and other such media. Individuals with disabilities may still have to use special hardware and/or software to access the resources.
- Does not apply to the private sector or to organizations that receive Federal funds

http://www.section508.gov/

Assistive Technology Act

- Improve the provision of AT to individuals with disabilities with comprehensive statewide programs of technology-related assistance
- Financial assistance/Federal funds to each state for programs designed to maximize abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to obtain assistive technology devices and assistive technology services.
- Program components and requirements:
  - Advisory council
  - Alternative finance program
  - Device reutilization programs
  - Device loan programs
  - Device demonstrations
  - Training & technical assistance
  - Public awareness

http://www.nichcy.org/laws/ata
http://www.ataporg.org/
Carl D. Perkins Vocational and Technical Education Act Amendments of 1998

- Creation of vocational-technical education.
- States are required to report how individuals with disabilities engaged in vocational education are faring relative to states’ performance goals.

http://www2.ed.gov/offices/OVAE/CTE/legis.html

Fair Housing Act Amendments of 1998

- Cannot be discriminated for housing (rental or sell) based on disability
- Discrimination includes
  - Refusing to permit, at the expense of the individual with the disability, reasonable modifications of existing premises except in case of rental where landlord may require renter to restore interior.
  - Refusing to make reasonable accommodations in rules, policies, practices, or services

http://www.huduser.org/

http://www.hud.gov/offices/fheo/FHLaws/yourrights.cfm

www.hud.gov/fairhousing

Telecommunications Act of 1996

- Telecommunications equipment and services must be accessible to and usable by persons with disabilities.
- Closed captioning and video descriptions of video programming

http://transition.fcc.gov/telecom.html
References & Resources

Family Center for Information- Family Guides, Fact Sheets, Resource Reviews
http://www.fctd.info/

STAR Training Online Learning & Resources (content created by T.A.S.C.)
http://www.StarTraining.org

Wright’s Special Education Law & Advocacy
http://www.wrightslaw.com/info/atech.index.htm

Texas Assistive Technology Network
http://www.texasat.net

Assistive Technology Training Online Project (ATTO) from the University at Buffalo
http://atto.buffalo.edu/

PowerPoint/Millionaire Game Information

“Who Wants To Be A Millionaire”
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