

# Federal Legislation and Disability Rights

1920

- The **Smith-Fess Act** established a federal program to provide vocational assistance to Americans with physical disabilities.

1935

- President Franklin Delano Roosevelt signed the **Social Security Act**, establishing a program of permanent assistance for adults with disabilities.

1963

- President John F. Kennedy signed the **Community Mental Health Act**. The Act changed the delivery of mental health services and inspired a new era of optimism in mental healthcare.

1965

- Title XIX (19)** of the **Social Security Act** created Medicaid, a cooperative federal-state program that pays medical costs for certain individuals with disabilities and families with low incomes.

1968

- The **Architectural Barriers Act** of 1968 mandated that all buildings designed, constructed, altered, or leased with federal funds be made accessible.

1973

- The **Rehabilitation Act** of 1973 prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment, and in employment practices of federal contractors. The Act didn't go into effect immediately—it took the longest sit-in in U.S. history to make it happen. Institutions that receive federal funding must adhere to **Section 504** of the Act, which:
  - ◇ prohibits discrimination against people with disabilities in programs that receive federal financial assistance;
  - ◇ requires federally funded institutions to provide reasonable accommodation for employees with disabilities; program accessibility; effective communication with people with hearing or vision disabilities; and accessible new construction and alterations.

1975

- The **Developmental Disabilities Assistance and Bill of Rights Act** was enacted. It was amended in 1993 to recognize disability as a natural part of the human experience.
- The **Education for Handicapped Children Act** of 1975 became law. The Act guarantees free, appropriate, public education for all children with disabilities in the least restrictive environment. It was later renamed the Individuals with Disabilities Education Act (IDEA).

1990

- President George H. W. Bush signed the **Americans with Disabilities Act (ADA)** into law. As the most comprehensive disability rights legislation in history, the ADA prohibits discrimination against people with disabilities in all areas of public life: employment, education, transportation, and all places that are open to the general public. Under the ADA, persons with disabilities have civil rights protections similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion.

- The Education for All Handicapped Children Act was renamed the **Individuals with Disabilities Education Act (IDEA)**, and amended to require that students with disabilities be involved in developing transition plans, which consider their interests and preferences.

1996

- The **Federal Telecommunications Act** was enacted. It requires computers, telephones, closed captioning and other telecommunication devices and equipment to be accessible and usable by individuals with disabilities.
- The **Small Business Job Protection Act** of 1996 created a federal tax credit to companies that hire workers from populations facing high rates of unemployment, including people with certain disabilities.
- The **Mental Health Parity Act** of 1996 required group health plans and health insurance issuers to provide dollar limits on mental health benefits on par with such limits on medical and surgical benefits. It applies to employers with more than 50 employees. The scope of the law was expanded in 2008.

1998

- The **Assistive Technology Act** expanded the Technology-Related Assistance for Individuals with Disabilities Act of 1989.
- The **Workforce Investment Act** of 1998 (WIA) integrated various federal education, training, and employment services. The Act had a number of disability-related provisions, one of which prohibited discrimination based on disability related to participation in, or employment, with WIA-funded activities and services. WIA also expanded the Rehabilitation Act to ensure that federal departments and agencies procure and use accessible technology.
- Amendments to the **Rehabilitation Act of 1973** required federal agencies to make their information technology accessible to people with disabilities. Under Section 508 of the Act, as amended, agencies must provide members of the public, as well as employees with disabilities, access to information comparable to that given to people without disabilities.



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1999

- The **Ticket to Work and Work Incentives Improvement Act** aimed to help people receiving government aid move toward financial independence without fear of losing needed support. It applies to those who receive Social Security Disability Insurance and Supplemental Security Income.

2000

- The **Developmental Disabilities Assistance and Bill of Rights Act** of 2000 built upon existing laws to improve services for people with developmental disabilities in a number of areas, including employment. Specifically, its employment-related provisions support people with developmental disabilities in pursuing paid work in integrated, community-based settings and acknowledges the importance of technology in increasing such opportunities.

2004

- The **Assistive Technology Act** of 2004, signed by President George W. Bush, amended a previous version of the Act to reflect developments in technology in all aspects of life, including employment. The Act requires states to provide direct aid to people with disabilities to ensure they have access to the technology they need at home and at work.

2008

- The **Americans with Disabilities Act Amendments Act** of 2008 made important changes to the definition of the term “disability,” reversing previous U.S. Supreme Court decisions in favor of a broad and inclusive interpretation. These changes made it easier for people to establish their eligibility for protection under the law, and required courts to focus more on assessing the extent of discriminatory practices.

2010

- The U.S. Department of Justice published new regulations for the Americans with Disabilities Act (ADA), adopting enforceable accessibility standards called the **2010 ADA Standards for Accessible Design**. These set minimum accessibility requirements for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities.

2014

- The **Workforce Innovation and Opportunity Act (WIOA)** reauthorized and amended crucial programs to help job seekers access services they need to succeed in employment and match employers with skilled workers. Under the WIOA, state vocational rehabilitation agencies and other service providers must ensure individuals with disabilities have equal opportunity to participate in services and receive appropriate accommodations.
- The **Achieving a Better Life Experience (ABLE) Act** improved financial stability and employment options for persons with disabilities by authorizing tax-advantaged savings accounts. Assets in “ABLE” accounts can be used for any qualified disability-related expenses and are not counted when determining eligibility for federal means-tested benefits, such as Supplemental Security Income and Medicaid. As a result, people with disabilities can save their employment earnings without jeopardizing their eligibility for necessary benefits.

2018

- The **21st Century Integrated Digital Experience Act** (21st Century IDEA) passed, requiring federal agencies to modernize their websites and digital services to be accessible for people with disabilities, among other criteria. Federal agencies already had to meet accessibility standards of the Rehabilitation Act of 1973; this Act re-emphasized those requirements and set a deadline for compliance. It also required adequate funding and resources to meet its requirements.

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