

Module 3

Applicable Laws and Concepts

OVC Can Help You Put the Pieces Together



OVCTTAC

Learning Objectives

- ❖ **Cite the laws that apply to victims of crime and people with disabilities.**
- ❖ **Describe the purpose of Titles II and III of the ADA.**
- ❖ **Explain the concepts of universal design and universal access.**

Brown vs. Board of Education

- ❖ **1954 landmark decision of U.S. Supreme Court.**
- ❖ **Established that state laws establishing separate schools for black students and white students were unconstitutional.**
- ❖ **Overtured 1896 *Plessy vs. Ferguson*.**

Legislation Impacting Victim Rights

- ❖ **Victims of Crime Act (VOCA) – 1984**
- ❖ **Justice for All Act – 2004**
- ❖ **Violence Against Women Act (VAWA) – 1994**

Legislation Impacting People With Disabilities

- ❖ **Civil Rights Act – 1964**
- ❖ **Americans with Disabilities Act (ADA) – 1990**
- ❖ **Rehabilitation Act – 1973**
- ❖ **Civil Rights of Institutionalized Persons Act - 1980**
- ❖ **Crime Victims with Disabilities Awareness Act – 1998**
- ❖ **Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act – 2009**

Activity

Applicable Laws

Worksheet 3.1A – 3.1I

- ❖ **Read the descriptions of all the laws.**
- ❖ **Identify the law associated with your note card.**
- ❖ **Place the card on the timeline.**
- ❖ **Be prepared to explain when the law was created, why the law was created (if known), who the law affects and the impact of the law.**

ADA Title II

- ❖ **Prohibits discrimination against individuals with disabilities in state and local government public entities such as:**
 - **Town meetings.**
 - **Police and fire departments.**
 - **State legislatures.**
- ❖ **Defines structural accessibility requirements for public entities like courtrooms.**

ADA Title III

Prohibits discrimination in public accommodations, commercial facilities, and certain private entities such as:

- ❖ Hotels, restaurants, theaters.**
- ❖ Sales and service establishments.**
- ❖ Museums, art galleries, amusement parks.**
- ❖ Places of education.**
- ❖ Social service establishments.**
- ❖ Places of exercise or recreation.**

Requirements Under Title II and Title III

- ❖ **Cannot refuse to allow a person with a disability to participate.**
- ❖ **Must provide programs and services in integrated setting.**
- ❖ **Must make reasonable modifications to allow access.**
- ❖ **Must furnish auxiliary aids and services to ensure communication.**
- ❖ **Do not need to remove physical barriers if programs/services are otherwise accessible.**

State and Local Government Obligations Under Title II

Auxiliary aids:

- ❖ Qualified interpreters
- ❖ Videophones
- ❖ Assistive listening headsets
- ❖ Text-to-speech (TTS) software
- ❖ Foot-operated computer mouse
- ❖ Computer keyboards with multifunctional keys
- ❖ Vehicles with adjustable height suspensions or lifts
- ❖ Screen readers, video magnifiers



Accessible Courtrooms

- ❖ **Victims of crime need access to public areas and the ability to communicate within those areas.**
- ❖ **Many courtrooms are not fully accessible.**
- ❖ **You can advocate for reasonable accommodations and assistive devices within courtrooms.**

Accessible Courtrooms



Gate eliminated



Wheelchair space



Ramps



Captioned monitors

Accessible Courtrooms



Videophones



Assistive listening devices



Translation equipment

Difficulties in Everyday Life

- ❖ **All of us find some things difficult to do in certain environments.**
- ❖ **People with disabilities experience these same challenges, and may experience others as well.**

What Would You Do?

- ❖ Annual picnic honors volunteers, board members, and staff.
- ❖ Held at the same park for 10 years.
- ❖ New staff member uses a wheelchair.
- ❖ Accessible toilet is on the other side of the park, some distance away over rough ground.



Concepts That Benefit Everyone

Several concepts evolving from laws affecting people with disabilities benefit everyone else as well.



Rubber jar opener



Wide, automatic doorways



Skid-resistant flooring

Activity

Accessible or Not?

- ❖ **Review slides.**
- ❖ **For each slide, identify features that would make access difficult for a person with a disability.**
- ❖ **Identify features that provide universal access.**

Accessible or Not?



A

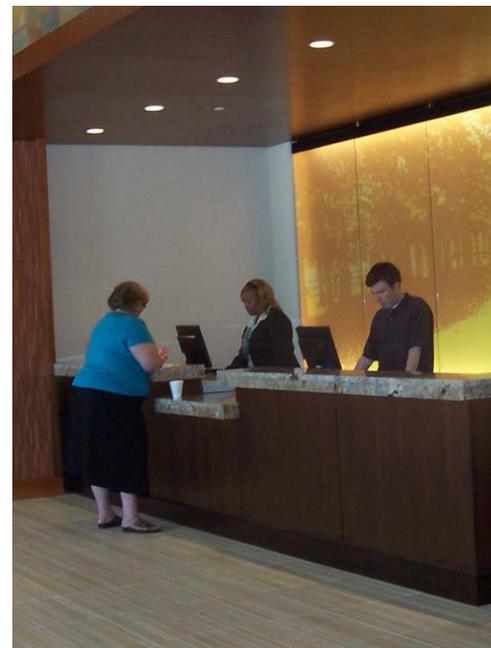


B

Accessible or Not?



A



B

Accessible or Not?



A



B

Accessible or Not?



A

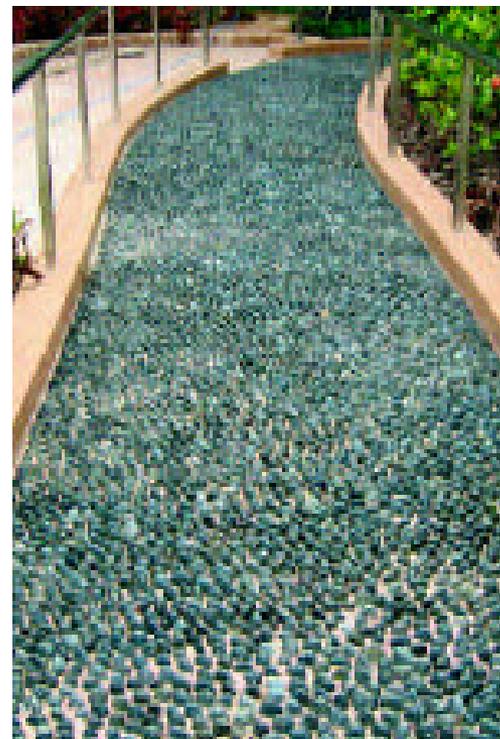


B

Accessible or Not?



A



B

Accessible or Not?



A



B

Universal Design

- ❖ **The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.”**

(North Carolina State University
Center for Universal Design, 2011)

- ❖ **Recognizes the importance of how things look.**
- ❖ **Rather than being created for the “average” user, universal design creates for all users.**

Universal Design

For example, some companies are producing larger, easy-to-grip handles that appeal to a wide range of consumers.



Universal Access

- ❖ **Refers to the ability of all people to have equal opportunity and access to a service or product from which they can benefit.**
- ❖ **The concept spans many fields, such as transportation, education, public facilities, and healthcare.**
- ❖ **It is strongly tied to the concept of human rights.**

Everyone Benefits

- ❖ **Curb cuts make life easier for anyone pulling or pushing or riding something with wheels.**
- ❖ **Open captioning on monitors in airports and restaurants would improve the ability of everyone to hear in a noisy environment.**



Review of Learning Objectives

- ❖ **Cite the laws that apply to victims of crime and people with disabilities.**
- ❖ **Describe the purpose of Titles II and III of the ADA.**
- ❖ **Explain the concepts of universal design and universal access.**

End of Module 3

- ❖ **Questions?**
- ❖ **Comments?**