

# The Americans with Disabilities Act:

## Understanding Title II and Communication Access

The Americans with Disabilities Act (ADA) is a civil rights law that was passed in 1990 to protect people with disabilities from discrimination. This important law makes sure that people with disabilities have the same rights and opportunities as everyone else. The ADA has five sections, called titles, that cover different areas of public life. Title II specifically focuses on state and local government services, requiring them to be accessible to people with disabilities.

### Keywords:

- Civil rights
- Discrimination
- Titles
- Accessible

### Reasoning Question with Two Choices:

- When the ADA prevents unfair treatment of people with disabilities, is it addressing equality or entertainment? (equality)

### Reasoning Question with a Predictable Answer:

- The Americans with Disabilities Act helps protect people with disabilities from unfair treatment or \_\_\_\_\_. (Expected completions: discrimination (75%), bias (20%), exclusion (5%))

### Reasoning Question with a Range of Responses:

- The ADA is a civil rights law. Can you name another civil rights law?

### Open-Ended Question:

- How might your school or community change if it became more accessible for people with disabilities?

Title II of the ADA requires that all state and local government programs, services, and activities be accessible to people with disabilities. This includes places like public schools, city halls, police stations, and public transportation. Under Title II, governments cannot refuse to allow a person with a disability to participate in a service or program. They must make reasonable modifications to their policies and procedures to avoid discrimination based on disability.

**Keywords:**

- Government
- Programs
- Modifications
- Procedures

**Reasoning Question with Two Choices:**

- When a city bus adds a wheelchair ramp, is this an example of removing a barrier or creating a barrier? (removing a barrier)

**Reasoning Question with a Predictable Answer:**

- Under Title II of the ADA, public buildings like schools and libraries must be accessible to people with \_\_\_\_\_. (Expected completions: disabilities (85%), wheelchairs (10%), impairments (5%))

**Reasoning Question with a Range of Responses:**

- A city hall is a government building covered by Title II. What is another government building that would need to be accessible?

**Open-Ended Question:**

- What challenges might someone with a disability face when trying to use public transportation?

Communication access is a crucial part of Title II requirements. This means that government agencies must ensure that people with disabilities can communicate effectively with them. For someone who is nonspeaking or has a speech disability, communication access might mean having access to alternative methods of communication. These alternatives could include picture boards, letter boards, typing devices, or speech-generating devices.

**Keywords:**

- Alternative
- Agencies
- Effectively
- Devices

**Reasoning Question with Two Choices:**

- When a nonspeaking person uses a communication device to express their thoughts, is this an example of accommodation or isolation?  
(accommodation)

**Reasoning Question with a Predictable Answer:**

- For people who cannot speak, communication devices help them express their thoughts and \_\_\_\_\_. (Expected completions: needs (65%), feelings (25%), ideas (10%))

**Reasoning Question with a Range of Responses:**

- A speech-generating device is one type of communication tool. What is another tool someone might use to communicate?

**Open-Ended Question:**

- How might your day be different if you could only communicate using pictures instead of speaking?

The ADA recognizes that people have the right to their preferred method of communication. This means that if a person with a disability has a specific way they communicate best, government agencies should honor that preference when possible. For example, if a nonspeaking student communicates most effectively using a tablet with a communication app, schools should allow and support the use of this device. This right to preferred communication helps ensure that people with disabilities can express themselves fully and participate meaningfully in public services.

**Keywords:**

- Preference
- Honor
- Express
- Meaningfully

**Reasoning Question with Two Choices:**

- When a school allows a student to use their communication device in class, is the school promoting inclusion or separation? (inclusion)

**Reasoning Question with a Predictable Answer:**

- When people can use their preferred communication method, they can better share their thoughts and \_\_\_\_\_. (Expected completions: opinions (60%), ideas (25%), feelings (15%))

**Reasoning Question with a Range of Responses:**

- A tablet with a communication app is one preferred communication method. What might be another preferred communication method someone could use?

**Open-Ended Question:**

- Why do you think it's important for people to be able to choose how they communicate?

Government agencies must provide what are called "auxiliary aids and services" to ensure effective communication. These aids and services might include qualified interpreters, assistive listening devices, captioning, or materials in alternative formats like Braille or large print. For nonspeaking individuals, these aids might include communication boards, electronic communication devices, or trained communication assistants. The goal is to make sure that communication is as effective for people with disabilities as it is for people without disabilities.

**Keywords:**

- Auxiliary
- Interpreters
- Assistants
- Formats

**Reasoning Question with Two Choices:**

- When a government office provides materials in Braille for someone who is blind, is this an example of communication access or communication restriction? (communication access)

**Reasoning Question with a Predictable Answer:**

- Providing captions on videos helps people who are deaf or hard of hearing understand the \_\_\_\_\_. (Expected completions: content (70%), information (20%), message (10%))

**Reasoning Question with a Range of Responses:**

- Braille is an alternative format for written information. What is another alternative format that might help someone access information?

**Open-Ended Question:**

- How might your learning experience change if you needed to use auxiliary aids to communicate in school?

When determining what type of auxiliary aid or service to provide, the government agency must consider the person's preferred method of communication. The ADA requires that primary consideration be given to the request of the individual with a disability. This means that if a person requests a specific type of communication aid, the agency should provide it unless they can demonstrate that another effective means of communication exists or that providing the requested aid would fundamentally alter the service or create an undue burden.

**Keywords:**

- Consideration
- Request
- Demonstrate
- Burden

**Reasoning Question with Two Choices:**

- When a government agency listens to what communication method works best for someone, are they showing respect or disregard? (respect)

**Reasoning Question with a Predictable Answer:**

- The ADA requires agencies to give primary consideration to the individual's communication \_\_\_\_\_. (Expected completions: preferences (75%), needs (15%), requests (10%))

**Reasoning Question with a Range of Responses:**

- Respecting someone's communication preference is one way to show respect. What is another way to show respect to people with disabilities?

**Open-Ended Question:**

- Why might it be challenging for some organizations to provide the exact communication method that someone prefers?

For children in public schools, both the ADA and another law called the Individuals with Disabilities Education Act (IDEA) protect their communication rights. Schools must ensure that students with disabilities, including those who are nonspeaking, have access to the communication methods they need. This might include providing speech-generating devices, training teachers and staff on how to support alternative communication, or creating an environment where all forms of communication are respected and valued.

**Keywords:**

- IDEA
- Students
- Training
- Environment

**Reasoning Question with Two Choices:**

- When teachers learn how to support students who use communication devices, is this an example of professional development or professional limitation? (professional development)

**Reasoning Question with a Predictable Answer:**

- In schools, teachers need training to effectively support students with communication \_\_\_\_\_. (Expected completions: needs (70%), disabilities (20%), differences (10%))

**Reasoning Question with a Range of Responses:**

- A speech-generating device is one tool that might help a nonspeaking student in school. What is another accommodation that might help students with disabilities in the classroom?

**Open-Ended Question:**

- How might a classroom change if all students and teachers learned different ways to communicate?

The right to effective communication extends to all aspects of government services, including emergency services. Police departments, fire departments, and emergency medical services must be prepared to communicate effectively with people who have communication disabilities. This might mean having access to picture communication boards, text-to-911 services, or trained personnel who can recognize and accommodate different communication methods. In emergency situations, effective communication can be especially critical for safety and well-being.

**Keywords:**

- Emergency
- Safety
- Accommodate
- Critical

**Reasoning Question with Two Choices:**

- When emergency services have picture boards to communicate with nonspeaking individuals, is this preparation helping with safety or decoration? (safety)

**Reasoning Question with a Predictable Answer:**

- During emergencies, effective communication can help save lives and prevent \_\_\_\_\_. (Expected completions: injuries (65%), confusion (25%), panic (10%))

**Reasoning Question with a Range of Responses:**

- A police department is one type of emergency service that needs to provide communication access. What is another emergency service that would need to communicate with people who have disabilities?

**Open-Ended Question:**

- What challenges might someone who cannot speak face during an emergency situation?

If a person with a disability believes their right to effective communication has been violated, they can file a complaint. Complaints about Title II violations can be filed with the Department of Justice or with the specific federal agency that provides funding to the state or local government program. For example, complaints about schools might go to the Department of Education. People can also file private lawsuits in federal court. These enforcement mechanisms help ensure that government agencies take their responsibilities under the ADA seriously and make necessary changes to improve accessibility.

**Keywords:**

- Complaint
- Violations
- Enforcement
- Lawsuit

**Reasoning Question with Two Choices:**

- When someone files a complaint about lack of communication access, are they seeking improvement or punishment? (improvement)

**Reasoning Question with a Predictable Answer:**

- Filing a complaint about ADA violations can help create positive change for people with \_\_\_\_\_. (Expected completions: disabilities (80%), impairments (10%), challenges (10%))

**Reasoning Question with a Range of Responses:**

- The Department of Justice is one agency that handles ADA complaints. What is another government agency that might be involved in protecting people's rights?

**Open-Ended Question:**

- Why might it be difficult for someone to speak up when their rights are not being respected?

The ADA has helped improve access to communication for many people with disabilities, but challenges still remain. Some government agencies may not fully understand their obligations or may lack resources to provide all necessary accommodations. Technology continues to evolve, creating new opportunities for communication access but also new questions about what constitutes effective communication. Advocacy by people with disabilities and their allies continues to be important in ensuring that the promise of the ADA is fully realized, particularly in the area of preferred communication methods.

**Keywords:**

- Challenges
- Obligations
- Technology
- Advocacy

**Reasoning Question with Two Choices:**

- When people with disabilities advocate for better communication access, are they working toward equality or special treatment? (equality)

**Reasoning Question with a Predictable Answer:**

- Even though the ADA has existed for decades, many people with disabilities still face communication \_\_\_\_\_. (Expected completions: barriers (75%), challenges (15%), difficulties (10%))

**Reasoning Question with a Range of Responses:**

- Advocacy is one way to create change for people with disabilities. What is another way that positive changes can happen in society?

**Open-Ended Question:**

- How do you think communication access might change in the future with new technologies?

## SOURCES:

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