


Special Needs Inclusion Project (SNIP)

TIPSHEET #9: Legal Protections

An Inclusion Resource Sponsored by: 

You probably know that including children with disabilities in your program is “the right thing to do.” You might not know that state and federal laws protect children with disabilities, and that these protections are an important civil right.

THE LAWS

Americans with Disabilities Act (“ADA” - federal law)

Prohibits public entities and places of public accommodation from discriminating against persons simply because they have disabilities.

- A person with a disability is someone whose mental or physical impairment “substantially limits one or more major life activities,” including learning.
- Discrimination includes denying or limiting participating, segregating participants, charging fees for participation, and unnecessarily asking about disability.

Individuals with Disabilities Act (IDEA - federal law)

Guarantees children with disabilities the same access to education as that of children without disabilities. This is a complex law, but one important aspect for out-of-school-time providers to know is that children with disabilities at school are protected by IDEA, and often have an Individualized Education Plan (IEP). This confidential document includes accommodations.

Section 504 of the Rehabilitation Act (federal law)

Prohibits all entities receiving federal financial assistance (including school districts) from discriminating on the basis of disability. Some students with disabilities have a special plan or accommodations that is often referred to as a “504 plan.”

Unruh Civil Rights Act (state law)

Prohibits all California business establishments from discriminating on the basis of disability.

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What does all this mean for my program?

The program must make case-by-case assessments of what a person with a disability needs to be fully integrated into the program. Based on that assessment, providers assess whether those needs can be met with reasonable accommodations. [Determining Accommodations Tip Sheet](#).

<< Quick Tip >>

All agencies should have an easy, obvious way for families to request reasonable accommodations (e.g., a question on a registration form):

Example: "Do you or your child need a reasonable accommodation to enjoy this program? Circle YES or NO."

These laws are clear that accommodations must be reasonable, and they are not intended to cause hardships for agencies or their hard-working staff. The laws are in place because in the past, children with disabilities were often excluded or poorly treated.

<< Quick Tip >>

Include a line item in your budget for reasonable accommodations. Remember that these can include activities - like making visual supports ([Visual Support Toolkit](#)) or staff training in positive behavior supports ([Rethinking Behavior Tipsheet](#)) - that benefit **all** students

This Tip Sheet is a very brief introduction to these laws. To learn more, visit SNIP www.snipsf.org or www.dredef.org and always consult with a lawyer.

Find additional Tip Sheets and more information about the Special Needs Inclusion Project (SNIP) at:
www.SNIPSF.org

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