

Rights for People with Disabilities

Made by the Student Legal Lounge



**** By connecting with us, you acknowledge we are not attorneys. Speaking to us does not form an attorney-client relationship. Any information we provide is for education and to assist in your understanding. Any legal decisions you make are yours alone. ****

The goal of this Talk

- To define “Disability”
- To address societal stigmas
- Explain the rights for PWD
- Provide resources both on and off the HSU Campus
 - For Mental and Physical disabilities

What is a Disability?

A disability is a condition of the body or mind that makes it more difficult for the person to do certain activities or participate in society.

15% of the population will have a disability at some point in their life.

The Invisibility of Disability: Why Disability Statistics Matter

The United Nations (2016):

- > **1 Billion** people worldwide live with a disability
- > **1 out of 7** people in the world have a disability

United States:

Disabled people make up the largest minority group with ~19% of population (Brault, 2012)

Humboldt State University:

1 in 10 students at HSU utilizes the Student Disability Resource Center (SDRC)

“The lack of data and statistics on disabilities contributes to the invisibility of persons with disabilities. This presents an obstacle to achieving development planning and implementation of person with disabilities.” (UN, 2016)

<https://www.un.org/development/desa/disabilities/resources/monitoring-and-evaluation-of-inclusive-development.html>



The Three Disability Elements

- Impairment
- Activity Limitations
- Participation restrictions

The Societal Aspect of Disabilities

Corresponding Difficulties

Negative Assumptions

Judgments from others.

A lack of support, this will be address by Alicia near the end of the talk.

Every person is affected differently by their disability and may wish for different forms of assistance.

What is Ableism?

Ableism refers to attitudes in society that devalue and limit the potential of persons with disabilities.

How does ableism affect language towards People With Disabilities (PWD)?

It pushes a mindset of limitations on people with disabilities by an outside perspective.

What is Stigma?

Stigma is a perceived mark of difference that sets a person apart from others.

Stigma = stereotyping → prejudice → discrimination

Effects of Disability Stigma:

Social Avoidance

Stereotyping

Discrimination

Condescension

Internalization

Hate Crimes and Violence

Intersectionality: Disability and Incarceration

Most American prisoners have at least one disability.

PWDs make up one of the many marginalized groups facing disproportionate rates of incarceration.

America's biggest Mental Health treatment centers are jails

How can we change the language and improve conversations around disability?

Person First Language: Referring to the person first and disability second.

Identity First Language: Some people see their disability as an essential part of who they are and prefer to be identified with their disability first

Empower each other by pointing out our capabilities and ability to overcome personal challenges.

What are your rights as a PWD?

Federal Legislation: Americans with Disabilities Act (ADA) of 1990

- "a physical or mental impairment that substantially limits one or more of the major life activities of the individual"
- "a record of such impairment"
- "being regarded as having such an impairment."

State Legislation: California's Fair Employment and Housing Act" (FEHA)

Which holds higher authority?

Both state and federal laws are required to be obeyed simultaneously.

Legal Responses to Discrimination

If you feel as though you have been discriminated against by an employer or similar large entity you may pursue the following.

- Exhaust all internal means of finding a possible solution or accommodation to the unfair treatment.
- If you want to pursue legal action an individual can file a discrimination complaint directly to either of the two agencies.
- The Federal Employment Opportunity Commission (EEOC)
 - which oversees federal ADA laws,
 - Complaints must be filed within 300 days of the incident
- Or to the California Department of Fair Employment and Housing (DFEH)
 - Stands as the corresponding state agency
 - Complaints must be filed within 3 years of the incident of discrimination.

Rights and Protections

Disability Rights Education & Defense Fund

Section 504 of the 1973 Rehabilitation Act

Americans with Disabilities Act (ADA)

Now moving on to Resources Provided for every
HSU student on Campus and with in the
Surrounding community

On Campus

The [HSU Disability center](#): Student Disability Resource Center (SDRC)

Resources for Specific Disabilities:

Acquired Brain Injury

Asperger Syndrome (Autism Spectrum Disorder)

Blind / Visually Impaired

Communication

Deaf / Hard of Hearing

Learning Disability

Mobility Limitations

Other Functional Disabilities

Psychological Disabilities

How can YOU use these Services?

STEP 1: Obtain Disability Documentation

STEP 2: Submit Documentation to SDRC

STEP 3: Schedule Intake Appointment with SDRC

Mental Help Resources for all HSU members:

HSU offers [Counseling and Psychological Services \(CAPS\)](#)

- Crisis support 24/7, (707) 826-3236
 - Zoom and phone
 - FREE

Humboldt Community Resources

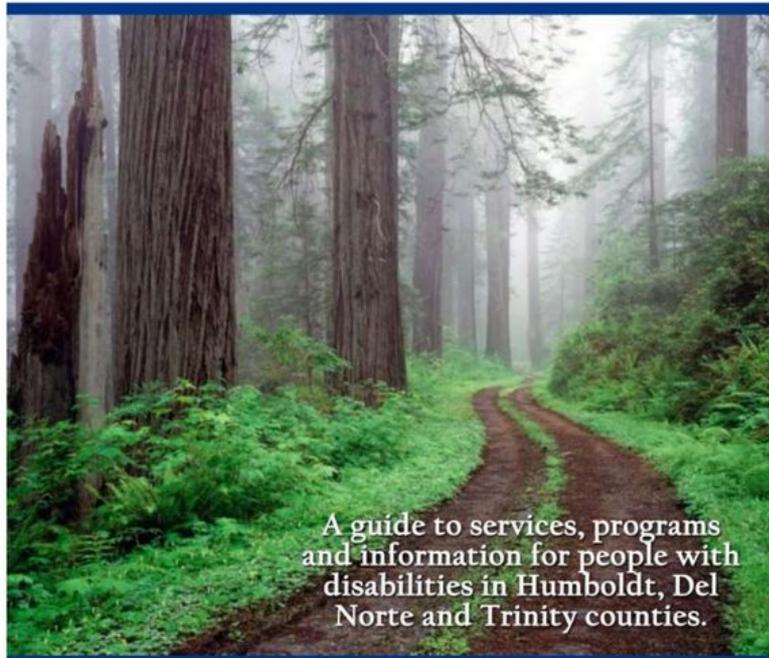
[Open Door Community Health Centers](#)

- Body and Mind resources

[Humboldt Family Service Center \(HFSC\)](#)

- Therapy for Children to Adults Call (707) 443-7358

Community Disability Resource Guide



A SERVICE OF:  **Tri-County**
Independent Living

16 Page Resource Book

Covering Resources for
every possible need in the
disability community.

Jocelyn

PTSD Services

Evolve Teen Dual Diagnosis Treatment

Dual Diagnosis Treatment at Evolve Agoura Hills

Resources off Campus

Deaf and Disabled Telecommunications Program (**DDTP**)

Department of Rehabilitation (**DOR**)

Disabled Person Parking Placards & Plates (**DMV**)

Resources off Campus

Social Security Administration (SSA),

Tri County Independent Living (TCIL),

Disability Disaster Access & Resources (DDARC),

Northwest Committee for Employment of People with Disabilities (NCEPD)

Medical and Medicare

SDRC Speaker: Linda Parker

Alicia Martin's Club:

ADAPTABLE

Thank you for coming :)

Questions?

Sources:

Humboldt University has an expansive system of resources intended for students with disabilities. Adequate accommodations are provided throughout campus including sufficient accommodations provided in class. A more detailed description of these resources can be found on the University website “disability” page provided below.

<https://humboldt.gov.org/2336/ADA-Compliance>

https://www.law.cornell.edu/wex/disability_law

<https://www.dfeh.ca.gov/peoplewithdisabilities/>

<https://disability.humboldt.edu/>

Resource Links

[HSU Disability Center \(SDRC\)](#)

[Counseling and Psychological Services \(CAPS\)](#)

PTSD service: [Humboldt Family Service Center](#)

[Open Door Community Health Centers](#)

[Community Disability Resource Guide, \(16 Page Document\)](#)