

Americans with Disabilities Act Definitions and Acronyms

The following is a summary of many definitions found in the ADA, EEOC Guidance, and other reference materials. Please refer to the Americans Disabilities Act for the full text of definitions and explanations (<http://www.ada.gov/>).

1.1 ACCESS BOARD

An independent Federal agency devoted to accessibility for people with disabilities. The Access Board developed the accessibility guidelines for the ADA and provides technical assistance and training on these guidelines. The agency also is referred to as the Architectural and Transportation Barriers Compliance Board.

1.2 ACCESSIBLE

Refers to a site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or use safely and with dignity by a person with a disability.

1.3 AMERICANS WITH DISABILITIES ACT (ADA)

A comprehensive, federal civil rights law that prohibits discrimination on the basis of disabilities in employment, state and local government programs and activities, public accommodations, transportation, and telecommunications.

1.4 AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG)

Scoping and technical requirements to be applied during the design, construction and alteration of buildings and facilities covered by titles II and III of the ADA to the extent required by regulations issued by Federal agencies, including the Department of Justice and The Department of Transportation.

1.5 AUXILIARY AIDS AND SERVICES

The term *auxiliary aids* and services include:

1. Computer-aided transcription, assistive listening systems, closed caption decoders, open and closed captioning, qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments;
2. Brailled materials, large print materials, qualified readers, taped texts, audio recordings, or other effective methods of making visually delivered materials available to individuals with visual impairments; and
3. Acquisition or modification of equipment or devices; and other similar services and actions.

1.6 COMPLAINT

A *complaint* is a claimed violation of the ADA.

1.7 DIRECT THREAT

A significant risk to the health or safety of a person with a disability or to other that cannot be eliminated by reasonable accommodation.

1.8 DISABILITY

The term *disability* means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
2. A record of such impairment; or
3. Being regarded as having such impairment.

1.9 DISCRIMINATION ON THE BASIS OF DISABILITY

Discrimination on the basis of disability means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
- Participate in a contract that could subject a qualified citizen with a disability to discrimination;
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;
- Deny equal benefits because of a disability;
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations;
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

1.10 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

The federal agency charged with enforcing Title I of the ADA

1.11 HAVING A RECORD OF IMPAIRMENT

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

1.12 PHYSICAL OR MENTAL IMPAIRMENTS

Physical or mental impairments may include, but are not limited to: vision, speech, and hearing impairments; physiological disorder or condition; cosmetic disfigurement; anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, seizure disorders, respiratory (including speech organs), cardiovascular, orthopedic disabilities, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; or any mental or psychological disorder, such as an intellectual disability (formerly “mental retardation”), organic brain syndrome, emotional or mental illness, specific learning disabilities; and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

1.13 QUALIFIED INDIVIDUAL WITH A DISABILITY

A *qualified individual* with a disability means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

1.14 REASONABLE PROGRAM MODIFICATIONS

If the individual’s disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable an individual to perform the essential functions of the program or activity.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

1. To a registration or application process to enable an individual with a disability to be considered for the program or activity;
2. To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and

3. That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability;
- It creates a hazardous situation;
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability; or
- It poses an undue burden on the City.

1.15 REGARDED AS HAVING A DISABILITY

An individual is *disabled* if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

1.16 SUBSTANTIAL LIMITATIONS OF MAJOR LIFE ACTIVITIES

An individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

1. The nature and severity of the impairment;
2. The duration or expected duration of the impairment; and
3. The permanent or long-term impact (or expected impact) of or resulting from the impairment

1.17 UNDUE BURDEN

The City of Las Vegas shall not provide an accommodation that imposes an undue burden on the operation of the City's business.

Undue burden means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the City.

Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden to the City of Las Vegas, the City shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the City must consider whether funding for the modification is available from an outside source. If no such funding is available, the City must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

The following factors shall be considered in determining whether a program modification would create an undue burden: the nature and cost of the modification; the financial resources of the City available to make the modification; the impact the expense of the accommodation will have on the affected City operation; and the permanence of the alterations affecting the site.

Contacts and Resources

Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:

U.S. Department of Justice	www.ada.gov
Civil Rights Division	(800) 514-0301 (voice)
950 Pennsylvania Avenue, N.W.	(800) 514-0383 (TTY)
Disability Rights Section - NYAV	
Washington, D.C. 20530	

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the Department of Justice (DOJ) or any other Federal agency, or to receive a "right-to-sue" letter, before going to court.

1.18 TELECOMMUNICATIONS ACT

Section 255 and Section 251(a)(2) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, require manufacturers of telecommunications equipment and providers of telecommunications services to ensure that such equipment and services are accessible to and usable by persons with disabilities, if readily achievable. These amendments ensure that people with disabilities will have access to a broad range of products and services such as telephones, cell phones, pagers, call-waiting, and operator services that were often inaccessible to many users with disabilities. For more information, contact:

Federal Communications Commission	www.fcc.gov/cgb/dro
445 12th Street, S.W.	(888) 225-5322 (Voice)
Washington, D.C. 20554	(888) 835-5322 (TTY)

1.19 REHABILITATION ACT

The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in title I of the Americans with Disabilities Act.

1.20 SECTION 504

Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service.

Each Federal agency has its own set of section 504 regulations that apply to its own programs. Agencies that provide Federal financial assistance also have section 504 regulations covering entities that receive Federal aid. Requirements common to these regulations include reasonable accommodation for employees with disabilities; program accessibility; effective communication with people who have hearing or vision disabilities; and accessible new construction and alterations. Each agency is responsible for enforcing its own regulations. Section 504 may also be enforced through private lawsuits. It is not necessary to file a complaint with a Federal agency or to receive a "right-to-sue" letter before going to court.

For information on how to file 504 complaints with the appropriate agency, contact:

U.S. Department of Justice	www.ada.gov
Civil Rights Division	(800) 514-0301 (voice)
950 Pennsylvania Avenue, N.W.	(800) 514-0383 (TTY)
Disability Rights Section - NYAV	
Washington, D.C. 20530	

1.21 ARCHITECTURAL BARRIERS ACT

The Architectural Barriers Act (ABA) requires that buildings and facilities that are designed, constructed, or altered with Federal funds, or leased by a Federal agency, comply with Federal standards for physical accessibility. ABA requirements are limited to architectural standards in new and altered buildings and in newly leased facilities. They do not address the activities conducted in those buildings and facilities. Facilities of the U.S. Postal Service are covered by the ABA. For more information or to file a complaint, contact:

U.S. Architectural and Transportation Barriers Compliance Board

1331 F Street, N.W., Suite 1000	www.access-board.gov
Washington, D.C. 20004-1111	(800) 872-2253 (voice)
	(800) 993-2822 (TTY)

1.22 STATUTE CITATIONS

Section 504 of the Rehabilitation Act of 1973, as amended
29 U.S.C. § 794

Over 20 Implementing Regulations for federally assisted programs, including:

34 CFR Part 104 (Department of Education)
45 CFR Part 84 (Department of Health and Human Services)
28 CFR §§ 42.501 et seq.

Over 95 Implementing Regulations for federally conducted programs, including:

28 CFR Part 39 (Department of Justice)

1.23 ADA ACRONYMS AND ABBREVIATIONS

A

- **AAPD** – [American Association of People with Disabilities](#)
- **ABA** – [Architectural Barriers Act](#)
- **ADA** – [Americans with Disabilities Act](#)
- **ADAAA** – [ADA Amendments Act of 2008](#)
- **ADAAG** – [Americans with Disabilities Act Accessibility Guidelines](#)
- **ADR** – Alternative Dispute Resolution
- **AIM** – [Accessible Instructional Materials Center](#); see also [NIMAS](#)
- **ANSI 117** – [American National Standards Institute](#)
- **APH** – [American Printing House for the Blind](#)
- **APS** – [Accessible Pedestrian Signals](#)
- **ASCII** – American Standard Code for Information Interchange
- **ASL** – American Sign Language
- **AT** – Assistive Technology

C

- **CAST** – [Center for Applied Special Technology](#)

D

- **DOE** – [U.S. Department of Education](#) or [U.S. Department of Energy](#)
- **DOI** – [U.S. Department of the Interior](#)
- **DOJ** – [U.S. Department of Justice](#)
- **DOL** – [U.S. Department of Labor](#)
- **DOT** – [U.S. Department of Transportation](#)
- **DREDF** – [Disability Rights Education and Defense Fund](#)
- **DSL** – Digital Subscriber Line

E

- **E&IT** – Electronic and Information Technology
- **ED** – [U.S. Department of Education](#)
- **EEO** – Equal Employment Opportunity
- **EEOC** – [Equal Employment Opportunity Commission](#)

F

- **FAQs** – Frequently Asked Questions
- **FCC** – [Federal Communications Commission](#)
- **FMLA** – [Family Medical Leave Act](#)

H

- **HCO** – Hearing Carry-Over
- **HOH** – Hard-of-Hearing
- **HR** – Human Resources
- **HTML** – HyperText Markup Language
- **HUD** – [U.S. Department of Housing and Urban Development](#)

I

- **IDEA** – [Individuals with Disabilities Education Act](#)
- **IT** – Information Technology

K

- **K-12** – Kindergarten through 12th Grade (United States)

L

- **LEA** – Local Educational Agency

M

- **MUTCD** – [Manual on Uniform Traffic Control Devices](#)

N

- **NCA** – [National Center on Accessibility](#)
- **NCAC** – National Center on Accessing the General Curriculum
- **NCD** – [National Council on Disability](#)
- **NIDRR** – [National Institute on Disability and Rehabilitation Research](#)
- **NIMAC** – [National Instructional Materials Access Center](#)
- **NIMAS** – [National Instructional Materials Accessibility Standard](#); see also [AIM](#)

O

- **ODEP** – [Office of Disability Employment Policy](#)
- **OFCCP** – [Office of Federal Contract Compliance Programs](#)

P

- **PDF** – Portable Document Format
- **PSA** – Public Service Announcement

R

- **RESNA** – [Rehabilitation Engineering and Assistive Technology Society of North America](#)

S

- **SEA** – State Educational Agency
- **SMIL** – Synchronized Multimedia Integration Language
- **STS** – Speech-To-Speech

T

- **TDD** – Telecommunications Device for the Deaf
- **TRS** – [Telecommunications Relay Services](#)
- **TTY** – Teletype writer or text telephone (telecommunications device for the hearing impaired)

U

- **UD** – Universal Design
- **UDL** – Universal Design for Learning
- **US** or **U.S.** – United States

V

- **V** – Voice (commonly used in conjunction with TTY as V/TTY)
- **VCO** – Voice Carry-Over
- **VRS** – Video Relay Services

W

- **W3C** – [World Wide Web Consortium](#)
- **WAI** – [Web Accessibility Initiative](#)
- **WCAG** – [Web Content Accessibility Guidelines](#)