

# Major Laws and Legislation

## Education

### **1879 - Act to Promote the Education of the Blind**

- \* Allowed for funds to be given to the American Printing House for the Blind (APH).
- \* Provided adapted instructional materials to students with visual impairments.
- \* Accessed to appropriate tools in school.
- \* Allowed for school to become a more independent environment.

### **1965 - The Elementary and Secondary Education Act**

- \* Amended to provide support for the education of children with disabilities in state-operated and supported schools, including residential schools for children who were blind.

### **1975 - Education for All Handicapped Children Act**

- \* Developed due to the growing number of students with severe multiple disabilities who had been denied education.
- \* Required school teachers to make accommodations in lessons and facilities.
- \* Created the “least restrictive environment possible” (LRE).
- \* Entitled all children with disabilities to a free appropriate public education (FAPE).
- \* Paved the way for accessible education.

### **1986 - Amendment of the Education for All Handicapped Children Act**

- \* Provided funds to states to develop services for infants and toddlers with disabilities.
- \* Mandated special education services to be provided to infants and toddlers starting at age 3.
- \* Started early intervention services for children with disabilities and a risk for developmental delays.
- \* Establishment of Individualized Family Service Plan (IFSP).

### **1990 - Individuals with Disabilities Education Act (IDEA)**

- \* Renamed and amended the Education for All Handicapped Children Act of 1975.
- \* Included the following components:
  - \* Comprehensive and appropriate assessments.
  - \* Individualized Education Program (IEP) required for every child with a disability.
  - \* Process of services (identification, assessment, development of an IEP, placement).
  - \* Treat parents as equal partners with teachers in educational planning.
  - \* Due-process procedure to mediate differences between schools and parents.

## **1997 - Amendment of the IDEA**

- \* Strengthened the IDEA for children with visual impairments.
- \* Listed Orientation & Mobility as a related service.
- \* Provided braille instruction for children with a visual impairment unless the IEP team decides otherwise.
- \* Support of braille as equal to print for instruction in reading and writing.
- \* Mandated consideration of assistive technology devices and services in IEP.
- \* Continuum of placement options.
- \* Participation of children with disabilities in the general education curriculum.
- \* Required general education teachers to participate in the IEP team process.
- \* Established disciplinary procedures for students with disabilities.

## **2001 - No Child Left Behind Act**

- \* Mandated that regular education teachers provide instruction to all students, including those with special learning needs.

## **2004 - Amendment of the IDEA**

- \* Added new criteria for the IFSP.
- \* Added new provisions for early childhood transition.
- \* Added assertional dispute resolution options under *Procedural Safeguards*.

## **Glossary**

Free and Appropriate Public Education (FAPE): What every child is guaranteed under the Education for All Handicapped Children Act.

Least Restrictive Environment (LRE): The amount of time in which a student spends in a classroom with classmates who do not have disabilities.

# Rehabilitation

## **1920 - Federal Civilian Vocational Rehabilitation Act (Smith-Fess Act)**

- \* Beginning of vocational rehabilitation programs for Americans with disabilities.
- \* Rehabilitation facilities, training rehabilitation personnel, rehabilitation services.

## **1935 - Social Security Act**

- \* Defined eligibility criteria for legal blindness.
- \* Central visual acuity of 20/200 or less in the better eye with corrective glasses or central visual acuity of more than 20/200 if there is a visual field defect in which the peripheral field is contracted to such an extent that the widest diameter of the visual field subtends an angular distance no greater than 20 degrees in the better eye.

## **1936 - Randolph-Sheppard Act**

- \* Strengthened employment opportunities for the blind community.
- \* Provided individuals with visual impairments with employment and support through the operation of vending on federal and other property.
- \* Individuals who are blind were recruited, trained, and licensed as operators.
- \* Supported the foundations of VRT profession to guide individuals with tasks to increase their independence.

## **1963 - Personnel Preparation**

- \* Provided fundings to colleges and universities for personnel preparation in education and rehabilitation.

## **1973 - Section 504 of the Vocational Rehabilitation Act**

- \* Granted basic civil rights protection to people with disabilities.
- \* "No individual can be discriminated against or denied benefits solely by reason of his handicap by any organization that received federal funds".

## **1978 - Amendment of Smith-Fess Act**

- \* Prior to the amendment, services were limited to those who had significant potential for return to gainful employment.
- \* The amendment expanded these services to individuals with nonvocational goals.
- \* Created the foundations for two important programs: Vocational Rehabilitation Program and Independent Living Program.

## **1990 - Americans with Disability Act (ADA)**

- \* Title I: Employment
  - \* Employers of 15 or more employees are required to provide reasonable accommodations to qualified applicants and employees.

- \* Title II: Public Services
  - \* States and local governments require that public entities make their programs, services and activities accessible to individuals with disabilities.
- \* Title III: Public Accommodations and Services Operated by Private Entities
  - \* Required that business take step necessary to communicate effectively with customers with vision, hearing and speech disabilities.
- \* Title IV: Telecommunications
  - \* Required telephone and internet companies to provide a nationwide system of interstate and intrastate telecommunication relay services that allows individuals with hearing and speech disabilities to communicate over the telephone.
  - \* Required closed-captioning of federally funded public service announcements.
- \* Title V: Miscellaneous Provisions
  - \* Variety of provisions related to ADA, including relationship to other laws, state immunity, impact on insurance providers and benefits.

### **2003 - Medicare Vision Rehabilitation Services Act**

- \* Provided coverage of outpatient vision rehabilitation services under the Medicare program.

### **2004 - Consolidated Appropriations Act**

- \* Project that permitted vision rehabilitation professionals to provide services in patients' homes.
- \* Recognized vision rehabilitation professionals in Medicare legislation.

### **2004 - Workforce Innovation and Opportunity Act (WIOA)**

- \* The Vocational Rehabilitation Act of 1973 has been reauthorized and included as Title IV of the WIOA.
- \* Added that state agencies must devote at least 15% of the federal funds for Pre-ETS (Pre-Employment and Transition Services).

### **Glossary**

Assistive technology: Products that enhance learning and working for people with disabilities. Products used to maintain, increase or improve functional capabilities of a child with a disability (IDEA).

Reasonable accommodations: Changes that accommodates employees with disabilities, so they can do the job. Accommodations include acquisition or modification of equipments or devices, appropriate adjustment or modification of examination, training materials or policies, job restructuring, part-time, modified work schedule or reassignment to a vacant position.

# **Assistive Technology**

## **1973 - Section 504 of the Vocational Rehabilitation Act**

- \* Forbade organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services.

## **1973 - Section 506 of the Vocational Rehabilitation Act**

- \* Referred to accessible communication and technology.

## **1975 - Section 300.105 of Education of All Handicapped Children Act**

- \* Used of school-purchased assistive technology devices in the child's home or other settings is required if the IEP team determines that the child needs access to the devices.

## **1996 - Chafee Amendment**

- \* Gave permission to authorized entities to produce copyrighted materials in alternative formats for individuals who are visually impaired or have print disabilities.

## **1998 - Assistive Technology Act**

- \* Provided funding for each state to establish programs and services for exploration and acquisition of assistive technology for all ages and disabilities.

## **2008 - The 21st Century Communication and Video Accessibility Act (CCVAA)**

- \* Updated federal communication laws to increase access to persons with disabilities to modern communications.
- \* Made sure that accessibility laws enacted in the 80s and 90s are brought up to date with 21st century technologies.

## **2013 - Marrakesh Treaty**

- \* Ratified by the US in 2019.
- \* Intended to reduce the global shortage of print materials in accessible formats for people who are blind, visually impaired or have print disabilities.