

THE AMERICANS WITH DISABILITIES ACT COMPLIANCE AND ACADEMIC LIBRARIES IN THE SOUTHEASTERN UNITED STATES

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Introduction

Individuals with disabilities are one of the fastest-growing segments of United States society. In 1970, 11.7% of the United States population was limited in activity, a major factor in measuring and identifying people with disabilities. In 1990, because of the aging of America, 13.7 % of the population could be so identified. By 1994, 15% of the population fell into this group. During this latter period, the older population stayed fairly stable but children and younger adults with disabilities increased greatly. Many different figures, depending upon the method of counting, e.g., age groups included, or whether residence was in a nursing home or not, are available. No matter what the figures or how they are compiled, the same trend is clear: the number of individuals that are recognized as having disabilities has greatly increased over the past few years (Kaye 1998). Today it is estimated that of the 281 million people in the United States more than 56.3 million individuals have some form of disability.

To assist this considerable segment of the U.S. population, several federal laws have come into being. The most important of these laws are the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). Section 504 of the Rehabilitation Act of 1973 was designed to eliminate discrimination against individuals with disabilities in activities and programs that received federal funds. The act stressed "Program Accessibility." The Americans with Disabilities Act of 1990 and its subsequent amendments prohibited discrimination in employment (Title I), government programs and services (Title II) and public accommodations (Title III). This act built upon and broadened the provisions of the previous act to encompass "a physical or mental impairment that substantially limits one or more of the major life activities of the individual," "a record of such impairment" or "being regarded as having such an impairment" (Americans with Disabilities Act, U.S. Code 1994). The following are

considered valid disabilities under the law, and reasonable accommodation may be appropriate for individuals in these cases.

- Medical conditions that cause disabilities - Many illnesses and the medications prescribed as treatment can cause permanent or temporary disabilities such as chronic fatigue, memory and speech impairments, severe physical discomfort and other effects.
- Mobility impairments - In addition to overall mobility problems, these can include such limitations as coordination, limited reach, and difficulty in manipulating materials (paper, pen, keyboard).
- Sensory impairments - Impairments include visual and hearing impairments.
- Learning disabilities - Disabilities include a diverse group of academic and perceptual disorders, i.e., dyslexia, autism, minimal brain dysfunction and aphasia
- Attention Deficit Hyperactive Disorder (ADHD) - ADHD is characterized by impulsiveness, distractiveness, and restlessness.
- Psychological disorders - Disorders include a variety of psychological conditions that can affect the general population, i.e., major depression, bipolar disorder, schizophrenia.
- Speech Impairments - These impairments can be the result of numerous conditions and include lisping, stuttering, chronic hoarseness and more.
- Traumatic Brain Injury (TBI) - Individuals with TBI may have one or more impairments requiring accommodation such as seizures, cognitive impairment, some degree of paralysis, etc. (Florida Atlantic University ADA Task Force 1999).

Libraries have played an important role in making resources available to people with any type of disability. The challenge of fulfilling the spirit of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 continues to require new or improved facilities, equipment and services. How far have these requirements led libraries in their quest to meet the challenge? What still needs to be accomplished? At what level of compliance do libraries fall?

Literature Review

Library-related literature about the Americans with Disabilities Act reveals articles and publications beginning shortly after passage of the law in 1990. The majority of these early publications provide overviews and interpretations of the ADA and its requirements. Others focus on recommended procedures and actions libraries needed to take to begin the process of compliance. Over the past few years, reports describing actions taken by individual libraries or groups of libraries have begun to appear. These reports of "jobs well done" describe goals, implementation plans, actions, results and ongoing activities. Although valuable as examples of how to implement ADA effectively, do they accurately reflect what is taking place generally?

Two initial studies, conducted in Ohio, reported on the extent to which libraries are meeting the standards mandated by the ADA. While there is some compliance, there is still much to accomplish. In 1994, Albert Scheimann's study of 104 small-to-medium-

sized public libraries in Ohio concluded that physical access to buildings and the provision of materials in alternative formats represented the greatest level of compliance. Areas identified as concerns by the study included:

- the perception that the library's community does not include any individuals with disabilities,
- a lack of an ADA coordinator,
- attitudes of librarians toward this mandated compliance, and
- funding (Scheimann 1994).

Scott A. Carpenter's study of 134 Ohio college and university libraries in October 1995 also shows the "greatest accommodation generally made is in the area of physical access" (Carpenter 1996) The greatest differentiating factor in this study was the type of institution, public or private. Public institutions showed the probability of greater compliance. Both Scheimann and Carpenter advocate further studies and research into the degrees of accommodation over time and across types of libraries.

Purpose And Method

This exploratory study of academic libraries in the Southeastern United States and their compliance to the Americans with Disabilities Act began as a result of discussions and questions raised by the challenge of becoming ADA compliant at Florida Atlantic University (FAU) Libraries. Perceptions of what "being in compliance" meant were mixed. Looking at similar libraries within the region was one method used to determine a relative level of compliance and future actions that might be appropriate at FAU Libraries. The investigation was not intended as a formal research study but rather a search for practical definitions and solutions to the problems of ADA compliance.

Survey Responses

Of 551 Academic Libraries Receiving the Survey, 136 Completed the Form: 24.68%

Surveys were mailed to the directors of 551 academic library members of the Southeastern Library Network (SOLINET). A total of 136 community college, college, university, and special academic libraries, in both the private and public sector, completed the form for a response rate of 24.68%. Despite the low return of completed forms, the results of the current study appear to be valid. They are supported by the conclusions of two previous studies which reported on the extent libraries met the ADA standards (Scheiman 1994 and Carpenter 1996).

The survey sought to ascertain:

- whether the library was hiring and/or making accommodations for employees with disabilities,
- how library users with disabilities were identified,
- how many library users with disabilities were being served, and how often,
- whether an employee was assigned full time or on a regular basis to assist individuals with disabilities,
- whether the library had a written policy covering assistance to individuals with disabilities,
- what administrative unit provided funding for compliance with the Americans with Disabilities Act,
- what steps had been taken to make reasonable accommodations to comply with the American with Disabilities Act,
- what types of special equipment had been purchased,
- the relationship between the library and its institution's office responsible for assistance to individuals with disabilities,
- any legal action involving the library and ADA compliance,
- whether the library believed it met the ADA accessibility codes.

Analysis

Do you have any employees with disabilities?

Employment

Employed Workers with Disabilities: 24%

Made Changes in Assignment and/or Work Environment if They

Reported Employing Workers with Disabilities: 62%

Twenty-four percent of the libraries responding indicated that they currently employed individuals with disabilities. The numbers of employed individuals ranged from one to seven with identified disabilities such as deafness, blindness, wheelchair use, carpal tunnel syndrome and obesity. Sixty-two percent of the libraries hiring individuals with disabilities reported making some type of accommodation for these employees including building modifications, special furniture and equipment, adjustments to work schedules and work requirements, counseling, and use of a sick leave bank. Being part of a public or private institution did not appear to be a factor with respect to accommodation.

The low percentage of positive responses (24%) to this question does raise the concern that employees with disabilities are not being hired in libraries or are not being identified. This might be happening for several reasons:

- *the individual chooses not to reveal a disability,*
- *the disability does not affect fulfillment of the work requirements,*
- *the employer does not view the individual as disabled, or certain conditions may not be perceived as being disabilities.*

A 1998 survey by the National Organization on Disability found that employment for adults with disabilities in the general population continued to lag behind the rate of employment for those individuals that did not have disabilities. Forty-two percent of the adults with disabilities felt that they were not working due to attitudinal barriers. (National Organization on Disability 1998) Libraries need to take note of what is happening in the general population, beware of assuming that applicants and/or employees with disabilities cannot do the job and to realize that reasonable accommodation, i.e., one that would not impose an excessive hardship, is necessary under the ADA.

How do you identify individuals with disabilities?

Responding libraries most often identified those individuals with disabilities through observation by the library staff (29%). The other common methods were through the University/College office responsible for providing assistance to these individuals (26%), and self-identification (28%). Other lesser used methods, often in some form of combination, were faculty input, Registrar's Office, Learning Resources, Admissions, Administration, Student Academic Services, and counseling programs.

Except for the most obvious disabilities a more organized form of identification is often needed to identify and assist people with disabilities. This action, however, is dependent upon the cooperation of the individuals with disabilities and the library staff. Both groups have an obligation to inform each other about disabilities and the available services for people with those disabilities.

How many individuals with disabilities do you serve/have you served?

Staff

Served Varying Numbers of Library Users with Disabilities: None to Several Hundred

Infrequently Provided Service to People with Disabilities: 25%

Identified Library Users with Disabilities Through Several Sources:

- University/College Office Responsible for Providing Assistance to Persons with Disabilities, 26%
- Self-identification, 28%
- Observation by Library Staff, 29%
- Combination of These Items, 17%

Had Group or Person Assisting Library Users with Disabilities:

- Public Service Staff, 16%
 - All Staff, 36%
 - Other, 48%
- Had an Individual Assigned Full Time or on a Regular Basis to Assist Library
- Users with Disabilities:
No, 98%
- Have a Relationship with University/College-Wide Aid Office:
64%-- of These Respondents, 11% Had a less than Positive Relationship

The number of patrons with disabilities that libraries reported serving ranged from none to several hundred; however, the majority served ten or fewer individuals with disabilities. Most libraries reported providing some service on a weekly if not daily basis. A notable number (25%) said they seldom provided service to individuals with disabilities. The size of the institution was definitely a factor here, with smaller institutions serving fewer individuals with disabilities and at a lesser frequency. No significantly discernible difference was found between libraries affiliated with public or private institutions.

Some libraries may be operating on the assumption that there are few or no individuals with disabilities in their user community. The reality may be that some individuals with disabilities are just not using the library. The cause may be access and services deficiencies, or it might simply be that they are unaware of what services the library has to offer. Others may not be recognized because their disability is not readily apparent, e.g., a learning disability or a medical condition.

Do you have someone who is assigned full-time or on a regular basis to assist individuals with disabilities?

The overwhelming majority (98%) of libraries surveyed reported that they had no one assigned regularly or on a full-time basis to assist those individuals with disabilities. Responses as to who did perform this function ranged widely and included: all staff, "anyone available," student workers, another university department, college assigned "helpers," public service staff, media specialist, library administrator, and/or the human resources director.

Assistance appears to be handled on an "ad hoc" basis in a significant number of cases. Two areas of concern are: whether libraries include staff training in the use of assistive technologies and whether staff is aware of the special challenges access to library services poses for library users with disabilities. Are in-service and workshop opportunities being provided, as well as awareness programs offered? Are staff members uncomfortable with or hesitant to work with people with disabilities? If a library relies on adaptive technology to provide access, the library must assume the responsibility of

training or assisting the library user with disabilities in the use of that technology. An essential component of ADA compliance is staff awareness of the variety of disabilities they may encounter and staff training in the most effective ways of serving individuals with disabilities (Oliver 1997).

What is your relationship with the university/college-wide office responsible for providing assistance to individuals with disabilities?

The libraries' relationship with the university/college office responsible for providing assistance to individuals with disabilities was in 64% of the cases a positive one. Libraries and these offices appear to be communicating and working together to provide the needed services. However, a few libraries (11%) reported that there was no such office on their campus or that there was minimal or no contact. Those affiliated with private institutions reported this situation twice as often as public entities.

Are those in charge of ADA compliance on the institutional level overtly active in carrying out their duties and sufficiently vocal about their responsibilities? Having an office or individual responsible for ADA compliance within the institution could result in more consistent and effective compliance with the ADA requirements, greater recognition of the problems that individuals with disabilities face, and allow for a better distribution of funds.

Do you have a written policy covering the assistance to individuals with disabilities?

Policy and Funding

Had a Written Policy on Covering the Assistance to Library Users with Disabilities:

Yes, 9%

In process, 5.1%

Used a Variety of Funding Sources to Bring their Library into ADA

Compliance:

- College/University, 21%
- Library, 20%
- Physical Affairs Department, 11%
- ADA Office, 2%
- Combination of These Items or Alternative Sources, 46%

Only 9% of the libraries reported having a written policy in place; 84% of these were public institutions. Slightly over 5% of the libraries stated that they were in the process of writing policies or adding statements to existing policies.

The lack of written policies is surprising in light of the fact that much of the library literature on the topic recommends evaluation and review of current library policies as a primary step in the process of compliance. Additionally, the ADA required that by January 26, 1993 public entities have completed a self-evaluation of current programs, facilities and services, and reviewed policies and practices that govern these in order to begin to make the necessary changes (Scheimann 1994). Does this lack indicate that libraries are taking a reactive stance rather than a pro-active one? Will librarians only write or adapt policies as a result of an incident or complaint?

Who funds changes made in the library to assist individuals with disabilities?

Funding for changes made in the library to accommodate the ADA reportedly came from various sources. Most often, funds were received from the budgets of a combination of sources such as the Library, the College/University, the ADA Office or the Physical Affairs Department. The origination of funding varied depending on what accommodation was being made, e.g. building modification, equipment, or services.

Library administrators need to include ADA compliance in financial planning. A library's claiming undue financial burden requires federal agencies and the courts to take into account all of the library's available financial resources and how they were spent (Duston and Provan 1995). In cases of limited budgets, creative and collaborative endeavors for raising and allocating funds need to be explored. The law has been in place for almost a decade. Is it realistic to believe that a scarcity of funds and prioritizing funds so that other services and demands are more important will be regarded as legitimate defenses?

What are the two most important actions you have taken to comply with the Americans with Disabilities Act?

Actions

Have Taken Actions to Comply with the ADA:

- New Construction or Building Modifications, 75%
- Equipment and Furnishings Purchases, 33%
- Services, 27%

Have Special Equipment to Assist Library Users with Disabilities:

50% Have Equipment to Assist People with Hearing, Visual or Physical Disabilities

Have Future Actions Contemplated to Comply with the ADA:

No Plans, 60%

Responses to this question on the two most important actions the library had taken to comply with the ADA fell into three broad categories:

- new construction and building modifications which incorporate ADA requirements,
- equipment and furnishings purchases,
- services.

The majority of respondents (75%) reported making some type of modification to improve access to the physical building and areas within the building such as parking spaces, ramps, power doors, elevators, bathrooms, railings, redesigning the stacks area, and signage. Some actions were as simple as making the elevator accessible to the public and putting a bell at the entrance to summon staff for assistance. Eight percent of the libraries reporting were planning for a new library or addition, or a major renovation to existing facilities.

One third (33.3%) of the libraries reported purchasing furniture and equipment as an important step. These included wheelchair accessible workstations and tables, computers with large screens and assistive technologies, telephones and telephone devices for the deaf (TDD machines), magnifying equipment, large print material, and a Braille dictionary.

Twenty-seven percent of those libraries responding reported actions in areas of service, with public academic libraries representing more than half of that group. These actions included:

- staff training,
- providing assistance,
- adding a retrieval service,
- providing individualized service,
- writing a formal policy,
- providing rooms for testing, and
- providing rooms with listening and viewing equipment.

Also, in this category were such statements as:

- "listen carefully and be flexible,"
- "assure those with disabilities that assistance is available,"
- "pleaded for funds," and
- "posted services to the Web page."

Actions taken by libraries at private institutions fell mostly in the construction and building modification category with fewer activities in the areas of purchases or services. For those libraries affiliated with public entities, actions were more evenly distributed among the three categories.

This division of actions supports the conclusions of the Scheimann and Carpenter studies. It also makes an excellent starting place for evaluating a library's level of compliance

with the ADA. New construction or remodeling, purchasing equipment and furnishings, and service are the keys to ADA compliance.

Do you have special equipment to assist individuals with disabilities?

More than half (50%) the libraries responded that they did have special equipment to assist individuals with disabilities. Some responses were very general, such as computer equipment, furniture and adaptive devices. Others designated such items as elevators, restrooms, water fountains, power doors and special rooms as the special equipment they had in place. The assistive tools most frequently identified were those for the visually impaired:

- magnifiers for print materials and computer screens,
- scanners and readers,
- large monitors,
- materials in Braille,
- Braille keyboards, etc.

Equipment intended to help individuals with other types of disabilities included:

- telephone devices for the deaf (TDD machines),
- trackballs,
- special keyboard/mouse,
- telecaption decoder,
- book grabber, and a
- personal amplifier.

Interestingly, one library identified a quiet room provided for students with learning disabilities.

Perhaps because of the traditionally visual nature of library material, the visually impaired are seen as those who would find libraries most difficult to use. However, the changing character of libraries with the trend toward virtual resources mandates a closer examination of barriers to access. Are library users with disabilities considered when librarians make decisions to subscribe to e-journals and to purchase e-books? Are libraries investigating whether CD-ROM products and online databases work well with the assistive technology? Are libraries including the needs of individuals with disabilities in the planning of Web pages? The World Wide Web does offer the individuals with disabilities opportunities for greater independence, but poorly designed Web pages can be so frustrating as to cause users with disabilities to surrender and continue to rely on outside help (Young 1998).

Do you have any further actions you still need to complete or would like to take beyond those already planned?

In order to identify perceived needs, the survey asked if there were still actions planned for the future and if there were desired steps beyond those already planned. Less than 40% responded that there were any future plans. The majority of the actions were again in the areas of construction and building modification. Only 3% reported some type of action in the service category, such as developing a policy, training and public relations, and assigning staff to assist the individuals with disabilities. The remainder planned on purchasing various types of materials designed for improving access--scanners, materials in alternative formats, assistive technology for computers, furniture, etc. Again, actions planned by public institutions were more evenly distributed among the three categories in comparison with private entities where the majority of actions were once more in the area of construction or building modifications.

More than 13 percent of the libraries responded that there were desired actions beyond those already planned. In addition to physical access modifications, responses included:

- upgrading and improving equipment,
- identifying new needs,
- increasing use by the community,
- training staff on available equipment,
- investigating assistive technology,
- planning for the evacuation of individuals with disabilities in an emergency, and
- writing a policy regarding assistance.

Libraries appear to have a start on their long journey to ADA compliance. A review of the results of the current actions can be seen as the next step. Have libraries done as good a job as possible or is there more that needs to be done?

Has your library had any legal actions taken against it by individuals with disabilities?

Only 2 % of the libraries reported any type of legal action taken by individuals with disabilities. One action was filed because of a lack of access to an elevator on each floor, and another reported a complaint that a ramp was too steep. Another library was involved in litigation only to the degree that the university was sued because of lack of facilities at football games. That suit then extended to all campuses and resulted in many changes throughout the institution, including the library.

Despite the minimal legal actions in Southeastern academic libraries, recent legal actions elsewhere have made the ADA's definition of disability more restrictive than originally thought, and a substantial number of the people with mental and physical disabilities that the ADA was intended to assist are not being included under the law. A 1998 review by the American Bar Association's Commission on Mental and Physical Disability Law of more than 1,200 ADA Title I (employment) cases and all the ADA-related statistics compiled by the Equal Employment Opportunity Commission (EEOC) between 1992 and 1997 found "employers won in 92 percent of the cases decided by a judge and in 86 percent of administrative complaints resolved by the EEOC" (Porter 1998). Interpretation of the concepts of "substantial limitation," "otherwise qualified,"

"burden of proof," and "undue burden" makes the ADA work in favor of the employers. Employers complain of unfair treatment, but the employees are the victims of the act (Porter 1998).

For college students with disabilities, the failure to supply the "burden of proof" and the often unmet obligation to provide timely and clear notice of the disability and the accommodation being requested have resulted in more cases being found in favor of the colleges and universities than the students (Abram 1999). Reasonable accommodation has not been the problem. Rather it is legitimate and well-grounded cases that are correctly and competently put forward that will induce colleges and universities to observe the law (Weber 1998). Conversely, more diligence and attention to the legal requirements and the spirit of the law, which is reasonable accommodation, will afford protection from legal action for libraries.

It is interesting to note that in claims of discrimination on the basis of disability filed against colleges and universities the library is often included. For example, as a result of a total university review, the Perkins Library of Duke University was listed in a Department of Justice disabilities settlement. This settlement required the library to maintain access for individuals with disabilities all the hours that it is open. (U.S. Dept. of Justice 2000). Is this inclusion an indication of a widespread noncompliance by libraries? Are these discrimination claims isolated cases? Or, are libraries doing a good job of compliance in one or more areas, but the institution is not? An example is the case at California State University/Los Angeles which may have resulted because the library was in the forefront of assisted technology measures, but the efforts were not campus-wide (Flagg 1997). For more information, a comprehensive survey of the disabilities law and cases can be found on the Cornell Law School, Legal Information Institute's disability law page <http://www.secure.law.cornell.edu/topics/disability.html> and on the U.S. Department of Justice, Americans with Disabilities Act, ADA Home Page <http://www.usdoj.gov/crt/ada/adahom1.htm>.

Do you believe that your library building meets ADA accessibility codes?

ADA Compliance

Have Had Legal Actions Taken Against the Library by Library Users with Disabilities: 2%

Believe That Library Complies with the ADA: Yes, 60%

More than half (60%) the respondents felt that their library met the ADA accessibility codes. Nineteen percent of the libraries responded that they did not meet codes and 12 percent responded that they were partially in compliance. Identified areas of non-compliance were all in the area of physical access to the building or areas within the building.

This response may demonstrate the belief that physical access is most often identified as the area of concern for ADA compliance. Lack of materials, resources and special services may not be perceived as non-compliance. Are libraries aware that they are obligated to make materials and services that are available to the general users accessible to users with disabilities?

Conclusions

Libraries highly desire ADA compliance, but the actions taken by libraries thus far to come into compliance have not always brought about this expected end. The following statements which summarize the results of the survey might form a basis for a better understanding of the ADA and compliance with its requirements.

- While libraries have a legal obligation to provide equal access to their buildings and services, it is also important to change attitudinal barriers toward individuals with disabilities.
- Organized and vocal staff are needed. At present individuals with disabilities are often not recognized. When they are, they are handled in an "ad hoc" manner by staff having very little training with assisting individuals with disabilities.
- Basic policy and funding is imperative. The lack of policy statements and the need for creative and collaborative endeavors in raising and allocating funds for ADA compliance at many libraries only support the observation that library service is tenuous.
- For the most part, public institutions have made plans or taken actions in the three areas that usually bring libraries into compliance: new construction or building modifications, equipment and furnishings purchases, and services. While most private institutions have plans or have taken action in the area of new construction or building modification, a large number have yet to address purchases or services.
- Actions need reevaluation. Actions have most often benefitted the visually impaired which, with the libraries past emphasis on books and reading, is understandable. As the character of libraries changes from books to virtual resources a new assessment of needs may be in order.
- Public institutions are twice as likely to have a specific office that works with individuals with disabilities or to have the libraries work with such an office, as do private institutions.
- Sixty percent of the libraries surveyed believed that they were in compliance with ADA regulations. Compliance to the spirit of the law is yet to come.

Each of these statements shows a need for further action and a better understanding of the spirit of the Americans with Disabilities Act. While this survey answered a number of questions about the state of compliance in the libraries that responded, those libraries represent only a small percentage of the total library world. More research needs to take place before a total picture of ADA compliance can be shown. The survey also raises questions about the perception in libraries of disabilities, discrimination, compliance and the libraries' understanding of the spirit of the law. Libraries with their intellectual resources and dedication to service should be in the forefront of assisting those

individuals with disabilities. At present this aim is not always being met. Are libraries up to the challenge?

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Americans with Disabilities Act defined and explained with examples. The ADA is legislation prohibiting discrimination against people with disabilities.Â Class Action Lawsuit â€“ A lawsuit filed by one person, on behalf of a larger group of people with a common interest in the matter. Coercion â€“ The act of using force or intimidation to ensure compliance. Discrimination â€“ The practice of unfairly treating different categories of people, especially on the grounds of ethnicity, national origin, gender, race, religion, and sexual orientation. Government Assistance Programs â€“ Any government program, service, project, or activity that directly assists people or organizations in areas of education, health, public safety, public welfare, or public works The Americans with Disabilities Act Amendments Act of 2008 clarified that the definition of disability was meant to be interpreted broadly and expanded the list of life activities to include reading, concentrating, standing, lifting, bending and others. The amendments also made it clear that the term â€œsubstantially limitsâ€ must be interpreted broadly. Disabilities such as depression, diabetes, asthma or anxiety, or digestive disorders with symptoms that are episodic or in remission must be considered as if they are active.Â This includes all state and local government programs; activities of state legislatures and courts; town meetings; police and fire departments; motor vehicle licensing bureaus; civic centers; state and local parks; community education and recreation programs; and employment. Since the Americans with Disabilities Act was signed into law in 1990, its provisions, enforcement measures, and effectiveness have all come under scrutiny. Supporters have credited the ADA with improving the quality of life of millions of disabled citizens and opening new economic opportunities for disabled workers across the nation.Â The Americans with Disabilities Act-Title II Technical Assistance Manual. n.d. Schwartz, Robert H. et. al. "The ADA and the Mentally Disabled: What Must Firms Do?"Â The Americans with Disabilities Act (ADA) was a bill passed by the United States Congress signed into law by President George Bush on July 26, 1990. Description. The purpose of the ADA was to make society more accessible to people with disabilities.