54.3.2 Library Services for People with Disabilities

The American Library Association recognizes that people with disabilities are a large and neglected minority in the community and are severely underrepresented in the library profession. Disabilities cause many personal challenges. In addition, many people with disabilities face economic inequity, illiteracy, cultural isolation, and discrimination in education, employment and the broad range of societal activities.

Libraries play a catalytic role in the lives of people with disabilities by facilitating their full participation in society. Libraries should use strategies based upon the principles of universal design to ensure that library policy, resources and services meet the needs of all people.

ALA, through its divisions, offices and units and through collaborations with outside associations and agencies, is dedicated to eradicating inequities and improving attitudes toward and services and opportunities for people with disabilities.

For the purposes of this policy, "must" means "mandated by law and/or within ALA's control" and "should" means "it is strongly recommended that libraries make every effort to . . ." Please see http://www.ala.org/acsla/accesspolicy.html for the complete text of the policy, which includes explanatory examples.

1) The Scope of Disability Law. Providing equitable access for persons with disabilities to library facilities and services is required by Section 504 of the Rehabilitation Act of 1973, applicable state and local statutes, and the Americans with Disabilities Act of 1990 (ADA).

2) Library Services. Libraries must not discriminate against individuals with disabilities and shall ensure that individuals with disabilities have equal access to library resources. Libraries should include persons with disabilities as participants in the planning, implementing, and evaluating of library services, programs, and facilities.

3) Facilities. The ADA requires that both architectural barriers in existing facilities and communication barriers that are structural in nature be removed as long as such removal is "readily achievable." (I.e., easily accomplished and able to be carried out without much difficulty or expense.)

4) Collections. Library materials must be accessible to all patrons including people with disabilities. Materials must be available to individuals with disabilities in a variety of formats and with accommodations, as long as the modified formats and accommodations are "reasonable," do not "fundamentally alter" the library's services, and do not place an "undue burden" on the library. Within the framework of the library's mission and collection policies, public, school, and academic library collections should include materials with accurate and up-to-date information on the spectrum of disabilities, disability issues, and services for people with disabilities, their families, and other concerned persons.

5) Assistive Technology. Well-planned technological solutions and access points, based on the concepts of universal design, are essential for effective use of information and other library services by all people. Libraries should work with people with disabilities, agencies, organizations and vendors to integrate assistive technology into their facilities and services to meet the needs of people with a broad range of disabilities, including learning, mobility, sensory and developmental disabilities. Library staff should be aware of how available technologies address disabilities and know how to assist all users with library technology.

6) Employment. ALA must work with employers in the public and private sectors to recruit people with disabilities into the library profession, first into library schools and then into employment at all levels within the profession. Libraries must provide reasonable accommodations for qualified individuals with disabilities unless the library can show that the accommodations would impose an "undue hardship" on its operations. Libraries must also ensure that their policies and procedures are consistent with the ADA and other laws.

7) Library Education, Training and Professional Development. All graduate programs in library and information studies should require students to learn about accessibility issues, assistive technology, the needs of people with disabilities both as users and employees, and laws applicable to the rights of people with disabilities as they impact library services. Libraries should provide training opportunities for all library employees and volunteers in order to sensitize them to issues affecting people with disabilities and to teach effective techniques for providing services for users with disabilities and for working with colleagues with disabilities.

8) ALA Conferences. ALA conferences held at facilities that are "public accommodations" (e.g. hotels and convention centers) must be accessible to participants with disabilities. The association and its staff, members, exhibitors, and hospitality industry agents must consider the needs of conference participants with disabilities in the selection, planning, and layout of all conference facilities, especially meeting rooms and exhibit areas. ALA Conference Services Office and division offices offering conferences must make every effort to provide accessible accommodations as requested by individuals with special needs or alternative accessible arrangements must be made. Conference programs and meetings focusing on the needs of services to, or of particular interest to people with disabilities should have priority for central meeting locations in the convention/conference center or official conference hotels.

9) ALA Publications and Communications. All ALA publications, including books, journals, and correspondence, must be available in alternative formats including electronic text. The ALA website must conform to the currently accepted guidelines for accessibility such as those issued by the World Wide Web Consortium.

(See "Current Reference File": Library Services for People with Disabilities Policy, 2000-2001 CD #24)
Item 2. Based on CD#19.3, submitted by the ALA Intellectual Freedom Committee, approved by the consent of Council, the PMC recommends Policy 53.9 (Violence in the Media: A Joint Statement) be added:


(See "Current Reference File": Violence in the Media: A Joint Statement, 2000-2001 CD#19.3)

Item 3. Based on CD#24, "Library Services for People with Disabilities" Policy, submitted by Association of Specialized and Cooperative Library Agencies (ASCLA), approved by the consent of Council, the PMC recommends Policy 54.3.2 (Library Services For People with Disabilities)

The American Library Association recognizes that people with disabilities are a large and neglected minority in the community and are severely underrepresented in the library profession. Disabilities cause many personal challenges. In addition, many people with disabilities face economic inequity, illiteracy, cultural isolation, and discrimination in education, employment and the broad range of societal activities.

Libraries play a catalytic role in the lives of people with disabilities by facilitating their full participation in society. Libraries should use strategies based upon the principles of universal design to ensure that library policy, resources and services meet the needs of all people.

For the purposes of this policy, “must” means “mandated by law and/or within ALA’s control” and “should” means “it is strongly recommended that libraries make every effort to…” Please see http://www.ala.org/ascla/access_policy.html for the complete text of the policy, which includes explanatory examples.

1. The Scope of Disability Law

Providing equitable access for persons with disabilities to library facilities and services is required by Section 504 of the Rehabilitation Act of 1973, applicable state and local statutes and the Americans with Disabilities Act of 1990 (ADA).

2. Library Services

Libraries must not discriminate against individuals with disabilities and shall ensure that individuals with disabilities have equal access to library resources.

Libraries should include persons with disabilities as participants in the planning, implementing, and evaluating of library services, programs, and facilities.
In accordance with policy 5.6 of the *ALA Policy Handbook*, the Policy Monitoring Committee (PMC) has reviewed all actions taken by the ALA Council during the 2001 Midwinter Meeting for possible incorporation into, addition to, or changes to the *ALA Policy Handbook*. Based on Council action during the aforesaid meeting, the following additions and changes are recommended:

**ACTION ITEMS**

**Item 1.** Based on CD#38, submitted by the ALA Membership Committee, approved by the consent of Council, the PMC recommends Policy #12 (Organization Membership Dues and Perquisites) be amended to read:

The Bylaws, Article I, Section 2-B, C, and D, authorize Council to set the dues and perquisites of Chapters, Organization Members, and Corporate Members. The dues and perquisites established effective with the 2001 Membership Year are as follows:

**Organization Members**

- All organization member dues go to support the public awareness efforts of ALA through the Washington Office and the Public Information Office, specifically.
- Each Organization member may designate one Key Partner member. The Key Partner should be an individual who is in a position to support libraries and is not an employee of the library (e.g. mayor, city manager, superintendent, school principal, academic dean, library trustee, etc.).
- The Key Partner will receive briefing bulletins, either printed or electronic, on library issues.
- The Key Partner is a non-voting member of ALA and will not serve on ALA committees.

1. Library and Library School

<table>
<thead>
<tr>
<th>Library Budget:</th>
<th>Dues</th>
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<tr>
<td>Under $50,000</td>
<td>$110</td>
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<tr>
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<td>175</td>
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<tr>
<td>Over $1,000,000</td>
<td>1,415</td>
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2. All other Nonprofit Organization Members (Chapters, library associations, international libraries, and nonprofit organizations other than libraries and library schools) Dues $110. annually. For members joining ALA under Bylaw 1.2 B-C, the perquisites of membership shall be *American Libraries, ALA Handbook of Organization and Membership Directory*, eligibility for division and round table membership, eligibility for insurance, and discounts on library materials. *(See Current Reference File for details).*
3. Facilities

The ADA requires that both architectural barriers in existing facilities and communication barriers that are structural in nature be removed as long as such removal is “readily achievable.” (i.e., easily accomplished and able to be carried out without much difficulty or expense.)

4. Collections

Library materials must be accessible to all patrons including people with disabilities. Materials must be available to individuals with disabilities in a variety of formats and with accommodations, as long as the modified formats and accommodations are “reasonable,” do not “fundamentally alter” the library’s services, and do not place an “undue burden” on the library.

Within the framework of the library’s mission and collection policies, public, school, and academic library collections should include materials with accurate and up-to-date information on the spectrum of disabilities, disability issues, and services for people with disabilities, their families, and other concerned persons.

5. Assistive Technology

Well-planned technological solutions and access points, based on the concepts of universal design, are essential for effective use of information and other library services by all people. Libraries should work with people with disabilities, agencies, organizations and vendors to integrate assistive technology into their facilities and services to meet the needs of people with a broad range of disabilities, including learning, mobility, sensory and developmental disabilities. Library staff should be aware of how available technologies address disabilities and know how to assist all users with library technology.

6. Employment

ALA must work with employers in the public and private sectors to recruit people with disabilities into the library profession, first into library schools and then into employment at all levels within the profession.

Libraries must provide reasonable accommodations for qualified individuals with disabilities unless the library can show that the accommodations would impose an “undue hardship” on its operations. Libraries must also ensure that their policies and procedures are consistent with the ADA and other laws.

7. Library Education, Training and Professional Development

All graduate programs in library and information studies should require students to learn about accessibility issues, assistive technology, the needs of people with disabilities both as users and employees, and laws applicable to the rights of people with disabilities as they impact library services.

Libraries should provide training opportunities for all library employees and volunteers in order to sensitize them to issues affecting people with disabilities and to teach effective techniques for providing services for users with disabilities and for working with colleagues with disabilities.
8. ALA Conferences

ALA conferences held at facilities that are “public accommodations” (e.g. hotels and convention centers) must be accessible to participants with disabilities.

The association and its staff, members, exhibitors, and hospitality industry agents must consider the needs of conference participants with disabilities in the selection, planning, and layout of all conference facilities, especially meeting rooms and exhibit areas. ALA Conference Services Office and division offices offering conferences must make every effort to provide accessible accommodations as requested by individuals with special needs or alternative accessible arrangements must be made.

Conference programs and meetings focusing on the needs of, services to, or of particular interest to people with disabilities should have priority for central meeting locations in the convention/conference center or official conference hotels.

9. ALA Publications and Communications

All ALA publications, including books, journals, and correspondence, must be available in alternative formats including electronic text. The ALA Web site must conform to the currently accepted guidelines for accessibility, such as those issued by the World Wide Web Consortium. (See "Current Reference File": Library Services for People with Disabilities Policy, 2000-2001 CD#24,)
Memorandum

To: ALA Councilors
From: Donna Dziedzic, ASCLA President; Jan Ison, ASCLA Councilor
Date: 12/18/00
Re: "Library Services for People with Disabilities" Policy

The most recent revision of the "Library Services for People with Disabilities" Policy is attached for your consideration. We believe that the concerns expressed by Councilors at Annual Conference and other respondents have been addressed in a way that will enable this policy to be passed by Council at the 2001 Midwinter Meeting. We invite your comments and will respond to them before Midwinter if received by January 5.

For your convenience, a brief history of the revisions and reviews of the policy is also attached. We hope that it will make the process transparent and demonstrate the good faith efforts of ASCLA and the ADA Assembly to make this important policy a viable tool and rallying point for helping to ensure equity of access for all. To help put the policy in context, we are also attaching two fact sheets about the ADA disability policy and ADA and the Rehabilitation Act.

cc: Directors, ALA Offices
    Executive Directors, ALA Divisions
    Liaisons, ALA Committees and Round Tables
    Senior Management Team
    Donna Pontau, Chair, ADA Assembly
    Rhea Rubin, Ad-hoc Chair, "Library Services for People with Disabilities" Team
    Cathleen Bourdon, Executive Director, ASCLA
LIBRARY SERVICES FOR PEOPLE WITH DISABILITIES POLICY RESOLUTION

WHEREAS, The American Library Association promotes equal access to information for all people, and

WHEREAS, There are over 54 million Americans with disabilities, and

WHEREAS, Libraries play an important role in the lives of people with disabilities facilitating their full participation in society, therefore, be it

RESOLVED, That the American Library Association adopt the following policy on Library Services for People with Disabilities:

The American Library Association recognizes that people with disabilities are a large and neglected minority in the community and are severely underrepresented in the library profession. Disabilities cause many personal challenges. In addition, many people with disabilities face economic inequity, illiteracy, cultural isolation, and discrimination in education, employment and the broad range of societal activities.

Libraries play a catalytic role in the lives of people with disabilities by facilitating their full participation in society. Libraries should use strategies based upon the principles of universal design to ensure that library policy, resources and services meet the needs of all people.

ALA, through its divisions, offices and units and through collaborations with outside associations and agencies is dedicated to eradicating inequities and improving attitudes toward and services and opportunities for people with disabilities.

For the purposes of this policy, “must” means “mandated by law and/or within ALA’s control” and “should” means “it is strongly recommended that libraries make every effort to…”

1. The Scope of Disability Law

Providing equitable access for persons with disabilities to library facilities and services is required by Section 504 of the Rehabilitation Act of 1973, applicable state and local statutes and the Americans with Disabilities Act of 1990 (ADA). The ADA is the Civil Rights law affecting more Americans than any other. It was created to eliminate discrimination in many areas, including access to private and public services, employment, transportation and communication. Most libraries are covered by the ADA’s Title I (Employment), Title II (Government Programs and Services) and Title III (Public Accommodations). Most libraries are also obligated under Section 504 and some have responsibilities under Section 508 and other laws as well.

2. Library Services

Libraries must not discriminate against individuals with disabilities and shall ensure that individuals with disabilities have equal access to library resources. To ensure such access, libraries may provide individuals with disabilities with services such as extended loan periods,
waived late fines, extended reserve periods, library cards for proxies, books by mail, reference services by fax or email, home delivery service, remote access to the OPAC, remote electronic access to library resources, volunteer readers in the library, volunteer technology assistants in the library, American Sign Language (ASL) interpreter or realtime captioning at library programs, and radio reading services.

Libraries should include persons with disabilities as participants in the planning, implementing, and evaluating of library services, programs, and facilities.

3. Facilities

The ADA requires that both architectural barriers in existing facilities and communication barriers that are structural in nature be removed as long as such removal is “readily achievable.” (i.e., easily accomplished and able to be carried out without much difficulty or expense.)

The ADA regulations specify the following examples of reasonable structural modifications: accessible parking, clear paths of travel to and throughout the facility, entrances with adequate, clear openings or automatic doors, handrails, ramps and elevators, accessible tables and public service desks, and accessible public conveniences such as restrooms, drinking fountains, public telephones and TTYs. Other reasonable modifications may include visible alarms in rest rooms and general usage areas and signs that have Braille and easily visible character size, font, contrast and finish.

One way to accommodate barriers to communication, as listed in the ADA regulations, is to make print materials available in alternative formats such as large type, audio recording, Braille, and electronic formats. Other reasonable modifications to communications may include providing an interpreter or realtime captioning services for public programs and reference services through TTY or other alternative methods. The ADA requires that modifications to communications must be provided as long as they are “reasonable,” do not “fundamentally alter” the nature of the goods or services offered by the library, or result in an “undue burden” on the library.

4. Collections

Library materials must be accessible to all patrons including people with disabilities. Materials must be available to individuals with disabilities in a variety of formats and with accommodations, as long as the modified formats and accommodations are “reasonable,” do not “fundamentally alter” the library’s services, and do not place an “undue burden” on the library. Examples of accommodations include assistive technology, auxiliary devices and physical assistance.

Within the framework of the library’s mission and collection policies, public, school, and academic library collections should include materials with accurate and up-to-date information on the spectrum of disabilities, disability issues, and services for people with disabilities, their families, and other concerned persons. Depending on the community being served, libraries may
include related medical, health, and mental health information and information on legal rights, accommodations, and employment opportunities.

5. Assistive Technology

Well-planned technological solutions and access points, based on the concepts of universal design, are essential for effective use of information and other library services by all people. Libraries should work with people with disabilities, agencies, organizations and vendors to integrate assistive technology into their facilities and services to meet the needs of people with a broad range of disabilities, including learning, mobility, sensory and developmental disabilities. Library staff should be aware of how available technologies address disabilities and know how to assist all users with library technology.

6. Employment

ALA must work with employers in the public and private sectors to recruit people with disabilities into the library profession, first into library schools and then into employment at all levels within the professions.

Libraries must provide reasonable accommodations for qualified individuals with disabilities unless the library can show that the accommodations would impose an “undue hardship” on its operations. Libraries must also ensure that their policies and procedures are consistent with the ADA and other laws.

7. Library Education, Training and Professional Development

All graduate programs in library and information studies should require students to learn about accessibility issues, assistive technology, the needs of people with disabilities both as users and employees, and laws applicable to the rights of people with disabilities as they impact library services.

Libraries should provide training opportunities for all library employees and volunteers in order to sensitize them to issues affecting people with disabilities and to teach effective techniques for providing services for users with disabilities and for working with colleagues with disabilities.

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ALA conferences held at facilities that are “public accommodations” (e.g. hotels and convention centers) must be accessible to participants with disabilities.

The association and its staff, members, exhibitors, and hospitality industry agents must consider the needs of conference participants with disabilities in the selection, planning, and layout of all conference facilities, especially meeting rooms and exhibit areas. ALA Conference Services Office and division offices offering conferences must make every effort to provide accessible accommodations as requested by individuals with special needs or alternative accessible arrangements must be made.
Conference programs and meetings focusing on the needs of, services to, or of particular interest to people with disabilities should have priority for central meeting locations in the convention/conference center or official conference hotels.

9. ALA Publications and Communications

All ALA publications, including books, journals, and correspondence, must be available in alternative formats including electronic text. The ALA Web site must conform to the currently accepted guidelines for accessibility, such as those issued by the World Wide Web Consortium.

**ALA RESOLUTION FORM ATTACHMENT**

Title of Resolution: Library Services for People with Disabilities Policy

Background: *ALA does not have a policy statement on library services for people with disabilities although it does have statements about other minority groups. The Americans with Disabilities Act (ADA) Assembly, an assembly administered by ASCLA that has representatives from divisions and roundtables, drafted a statement to address this issue.*

Issue: *There are over 54 million people with disabilities today and that number is expected to rise as our population ages. The American Library Association needs to provide guidance to libraries on how to provide equitable and inclusive library services to this growing segment of the population.*

Action Proposed: *That the ALA Council adopts the Library Services for People with Disabilities policy.*

ALA Units and/or committees consulted (if any): *The policy was drafted by the ADA Assembly, which has representatives from divisions and round tables. This draft was sent to all division and round table leaders for comment. Following the 2000 Annual meeting, the policy was revised based on the comments from Councilors at that meeting. The revised policy was discussed at the October 2000 Executive Committees of the divisions and comments from those meetings were incorporated into this document. The policy was also reviewed by ALA legal counsel and her suggestions for changes have been incorporated.*

Endorsements by ALA Units and/or committees (if any): *The ASCLA Board of Directors endorsed the policy at the 2000 Midwinter meeting. The policy was reviewed in the spring of 2000 by the ALA Policy Monitoring Committee and committee chair Donald Sager reported (via email) that the committee reviewed the policy and does “not anticipate any conflicts with existing policies.”*

Fiscal Implications: *The policy will have fiscal implications for ALA in point 9: ALA publications and communications. ASCLA recommended that ALA include funding in the FY2001 budget for consultant services to advise the association on the best ways to produce publications in*
alternative formats. At their spring 2000 meeting, BARC reviewed the draft policy and noted that money for consultant services has been included in the OLOS budget. If Council approves the policy, OLOS, in conjunction with ASCLA and the ALA Diversity Officer, will be responsible for its implementation.

Policies and Positions:
1. If this resolution necessitates a change in existing policy, state the policy number and the change. This policy does not necessitate a change in existing policy.
2. If this resolution establishes policy, state the policy. The policy is included in the resolution and consists of opening paragraphs and nine paragraphs.
3. If this resolution conflicts with existing policy, state provisions for resolving the conflict. This policy does not conflict with existing policy.
4. If this resolution proposes an ALA position statement, indicate the position’s relationship to libraries and library services. This policy will provide a framework for libraries on delivering equitable library services for people with disabilities.

Initiating Committee or Unit: ADA Assembly/ ASCLA
Mover: Jan Beck Ison, ASCLA Councilor
Seconders: Don Sager, Betty Tsai, Alice Calabrese
Proposed ALA policy,  
"Library Services for People with Disabilities"  
*History as of December 2000*

2000 Midwinter Meeting  
The ADA Assembly presented the completed proposed policy to the ASCLA Board of Directors prior to the 2000 Midwinter Meeting. The ASCLA Board endorsed the policy at Midwinter meeting as presented by the Assembly.

Spring 2000  
The ALA Policy Monitoring Committee reviewed the policy in the spring of 2000. Committee chair Donald Sager reported (via email) that the committee does “not anticipate any conflicts with existing policies.” All divisions were provided the draft before Annual and had an opportunity to send their questions and comments to the ADA Assembly. BARC reviewed the policy for fiscal impact and noted that funding was included in the FY2001 OLOS budget to cover costs of implementing the policy.

2000 ALA Annual Conference  
Questions surfaced early at Annual Conference. The ADA Assembly took seriously all concerns that were presented to them. Each responding group was contacted and questions or requests were addressed. The most common difficulty was with the use of the word “must” throughout the proposed policy. After discussion, the ADA Assembly decided to retain the wording as it was. The thinking was that most of the instances of “must” reflected the obligations that libraries have to uphold federal disability rights law, including the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA). If was felt that the remaining occurrences of “must” were in keeping with the Library Bill of Rights and other cornerstone documents of the American Library Association.

At the 2000 ALA Annual Conference, Council directed ASCLA and the ADA Assembly as follows:  
VOTED, That CD#64, Resolution on Library Services for People with Disability Policy, be returned to ASCLA and that requirements be changed to strong recommendations in those sections not relating specifically to ALA meetings and publications.

Reviews and Rewrites after Annual Conference  
After Council referred the policy back to ASCLA and the ADA Assembly for revision, Council concerns, council debate, and unit concerns that emerged during Annual Conference were examined and methodically addressed. The process and redrafting extended through the summer and into September. The ADA Assembly particularly revisited the “must” language that was a concern of many Councilors, as evidenced in the Council transcript. Members of the rewrite team reviewed federal disability rights law and determined which items are required of libraries.
Fall Meeting of all Division Executive Committees
The revised proposed policy was brought before the division leadership at their fall meeting (October 5-8, 2000). There were no major questions or objections. The few minor questions that came up were addressed in a subsequent revision by the ADA Assembly revision team and reviewed by Assembly members via e-mail.

Review by ALA Legal Counsel
Paula Goedert, ALA Legal Counsel, reviewed the 11/17/2000 version of the policy. Her firm made a special effort to examine the policy in terms of compliance with federal disability rights law. We have incorporated all of her suggestions for changes. ASCLA and the ADA Assembly have been assured that everything in the current version is accurate in terms of federal law.
**Facts:**

**Why an ALA Disability Policy? Why now?**

**ALA’s Role**

ALA has strong policies regarding other underserved people. Both “Goals for Indian Library and Information Services” (60.3) and “Library and Information Services to Asian Americans” (60.6) contain “musts” directed at libraries. Ten years after the passage of the Americans with Disabilities Act, we’re lagging in the area of library services for people with disabilities. The time for a policy is now. We need to affirm our commitment to library service for all, including people with disabilities, then act accordingly.

**What is a disability?**

From Public Law 101-336 (ADA Statute): SEC. 3. DEFINITIONS

“Disability.--The term ‘disability’ means, with respect to an individual-- (A) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (8) a record of such an impairment; or (C) being regarded as having such an impairment.”

**The Numbers: They’re bigger than you might think!**

- In 1994, 54 million Americans (21%) had disabilities, according to the Survey of Income and Program Participation (SIPP) by the US Bureau of the Census. About half that number (26 million) have severe disabilities.
  - 10.1 million had hearing problems (19% of people with disabilities)
  - 8.8 million had vision problems (16%)
  - 1.8 million used wheelchairs (3%)
  - 1.6 million were blind (2.9%)
  - 1 million were deaf (1.9%)
- The National Institutes of Health now estimate that 39 million Americans (15%) have learning disabilities.
- The number and the percentage of people with disabilities are growing as the Baby Boomers age, at-risk babies are saved and diagnosis improves.

**The Law: There’s more than one!**

- The Americans with Disabilities Act (ADA, 1990): requires public facilities and public services to be accessible. This includes libraries. Equity of access to information is, or should be, at least as important as ramps, entry doors and bathrooms. The ADA is civil rights legislation.
- Section 504 of the Rehabilitation Act of 1973: no person with a disability shall “be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a public entity.” This too applies to libraries.
- Section 508, as revised in 1998: Requires federal agencies and certain federally funded services to make all of their communication and technology accessible.

There is a growing body of federal and state legislation and case law on disability issues.

Fact Sheet re proposed policy “Library Services for People with Disabilities”
Prepared for ALA Midwinter 2001, Washington, DC
by the ADA Assembly, Association of Specialized and Cooperative Library Agencies, 12/14/2000

Page 1 of 2
Facts: Why an ALA Disability Policy? Why now?

The Polls: Americans overwhelmingly support disability rights
Various Harris Polls have found that:
✓ Nine out of every ten people who have heard of the ADA support it.
✓ Between 85% and 95% of all adults, whether or not they have heard of the ADA, support the key provisions of the law. 83% of respondents support the argument that "if more people with disabilities had paid employment, it would reduce welfare payments, they would be productive taxpayers and everyone would benefit."
✓ Americans believe that without access to information and employment, people with disabilities will continue to be disproportionately underemployed, poor, and disenfranchised

Exploding myths: Some basic truths
- Many disabilities are invisible, including deafness, hearing problems, heart and breathing problems, and learning disabilities. Learning disabilities are overwhelmingly reading disabilities (80%). Don’t count on being able to identify people with disabilities. Aim to serve the largest number of people in the most situations.
- Many accessibility "fixes" are inexpensive. Wood blocks can raise a table’s height so wheelchairs can fit. Software and hardware costs have plummeted. Get the current facts about current solutions.
- Tools and solutions that are essential for people with disabilities also help others. Think about how everyone uses street curb cuts, including mothers with strollers and kids on skateboards. Imagine what “electronic curb cuts” can do for everyone.
- Equity of Access, intellectual Freedom, 21st Century Literacy, Lifelong Learning, and Diversity goals of ALA can’t be achieved without effective library service for people with disabilities.
- The digital divide won’t ever really be bridged if we don’t include people with disabilities along with everyone else. The cost of ignoring the issue is higher than the cost of seeking solutions.

The library community has no overall statistics on library service for people with disabilities. There are, of course, statistics on the network of the National Library Service for the Blind and Physically Handicapped. A few notable libraries of other types also report on such services. Otherwise, anecdotal information is what we have. It suggests that efforts are uneven and library staff want help in this area. At the same time, libraries are turning to ALA in rapidly increasing numbers for help, especially with regard to technology accessibility issues. This is an opportunity for ALA to lead significant improvement of library services in our communities.

ADA Title I: Employment

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities.

ADA Title II: State and Local Government Activities

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination.

ADA Title III: Public Accommodations

Title III covers businesses and nonprofit service providers that are public accommodations, privately operated entities offering certain types of courses and examinations, privately operated transportation, and commercial facilities.

Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment. They also must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements. Additionally, public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense.
ADA and Rehabilitation Act Sampler

Courses and examinations related to professional, educational, or trade-related applications, licensing, certifications, or credentialing must be provided in a place and manner accessible to people with disabilities, or alternative accessible arrangements must be offered.

*******************************************************************************

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.

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.

Section 508
Section 508 establishes requirements for electronic and information technology developed, maintained, procured, or used by the Federal government. Section 508 requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public.

An accessible information technology system is one that can be operated in a variety of ways and does not rely on a single sense or ability of the user. Some individuals with disabilities may need accessibility-related software or peripheral devices in order to use systems that comply with Section 508.

Obtained and disseminated by the Association of Specialized and Cooperative Library Agencies (ASCLA) 12/6/2000