

Vermont's Universal PreK
Professional Learning Module Series

The Americans with Disabilities Act (ADA)

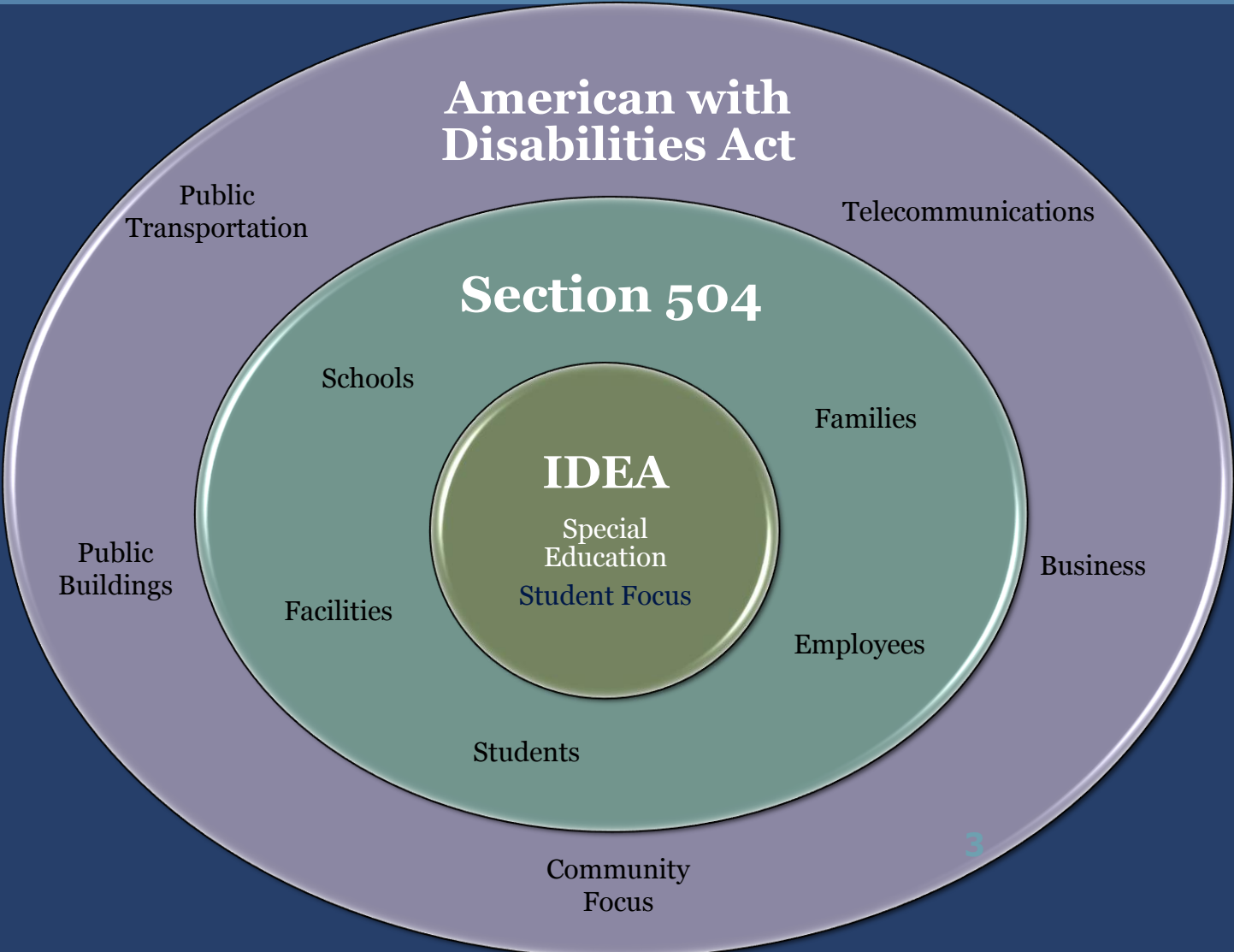


Objectives

- To identify how The Americans with Disabilities Act (ADA) applies to Universal PreK programs
- To understand the responsibilities of PreK programs to support each and every child's access and participation under the law



Federal Disability Laws



Who is eligible under ADA?

An individual who has a physical or mental impairment which:

1. substantially limits one or more major life activities;
2. has a record of such an impairment
3. is regarded as having such an impairment



Who is expected to comply with ADA?

- Public Schools
- Public/Private PreK Programs
- Childcare Centers
- Family Childcare homes

- Religious programs/organizations are exempt from ADA protections.



How are programs expected to comply with ADA?

Reasonable Modifications without causing a “fundamental alteration or “undue burden.”

Accessibility: PreK programs must make their facilities accessible to persons with disabilities.



How are programs expected to comply with ADA?

Programs cannot exclude children unless they pose a “direct threat.”

Direct threat is a substantial risk of serious harm to the health and safety of others.

Direct threat must be based on an individualized assessment that considers the particular activity as well as the abilities and disabilities of the child.

Compliance with Childcare Licensing Regulations

- 4.7 Communicating CBCCCPP Policies and procedures
- 5.9 Children with Special Health Care Needs and Disabilities
- 6.3 Supporting Children with Special Needs



Examples of what ADA means to Universal PreK Programs in Vermont

- Eligibility criteria that excludes children with disabilities must be eliminated
- Admissions criteria such as being “toilet trained” is not allowable under ADA
- Legitimate safety requirements may be imposed if necessary



Examples of what ADA means to Universal PreK Programs in Vermont

- Tuition Rates for children with and without disabilities must be the same
- Concerns about insurance increases are not valid
- Age appropriate placements



Toolkit Breakdown

In your toolkit you will find:

- A copy of PowerPoint
- Links to online resources for:
 - Educators
 - Parents
 - Providers of services

Thank you!

