

# The ADA and Hearing Loss

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Operated by:  
**MEETING  
THE CHALLENGE**  
A Disability Law Consulting Firm  
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# The Rocky Mountain ADA Center

Technical Assistance / ADA Information  
Referral & Networking with other Disability Organizations  
Research  
Training  
Material Dissemination

- NOT an investigative agency
- NOT an enforcement agency
- We provide informal guidance on the law, we are NOT attorneys.
- Referral and resources

- Operated by Meeting the Challenge, Inc. [www.mtc-inc.com](http://www.mtc-inc.com)
- Generates customized implementation services
- Offers guidance on various disability rights laws





# Regional ADA Centers

- 1-800-949-4232
- [www.adata.org](http://www.adata.org)



- Information, materials, and/or technical assistance are intended solely as informal guidance, and are neither a determination of your legal rights or responsibilities under the ADA, nor binding on any agency with enforcement responsibility under the ADA.
- ADA Center authorized by NIDILRR (Grant Award #90DP0094-01-00) to provide information, materials, and technical assistance to individuals and entities that are covered by the ADA.

**ADA =  
Civil Rights**



# 5 Titles in ADA

- I – Employment
- II – State & Local Government
- III – Private Entities –  
(For Profit & Non Profits)
- IV – Relay Services
- V – Miscellaneous



# Definition of Disability

(from Rehab. Act 1973)

- Mental or physical condition **that substantially limits** one or more of life's major functions
- Record of impairment which substantially limits
- Regarded by others as having



# Major Life Activities

- ✓ Working
- ✓ Speaking
- ✓ Breathing
- ✓ Doing Manual Tasks
- ✓ Walking
- ✓ Seeing
- ✓ Self Care
- ✓ Hearing
- ✓ Learning



# Main Categories

1. Employment
2. Barrier Removal – **includes** physical, programmatic & communication barriers





# Title I

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Employment



# Title II:

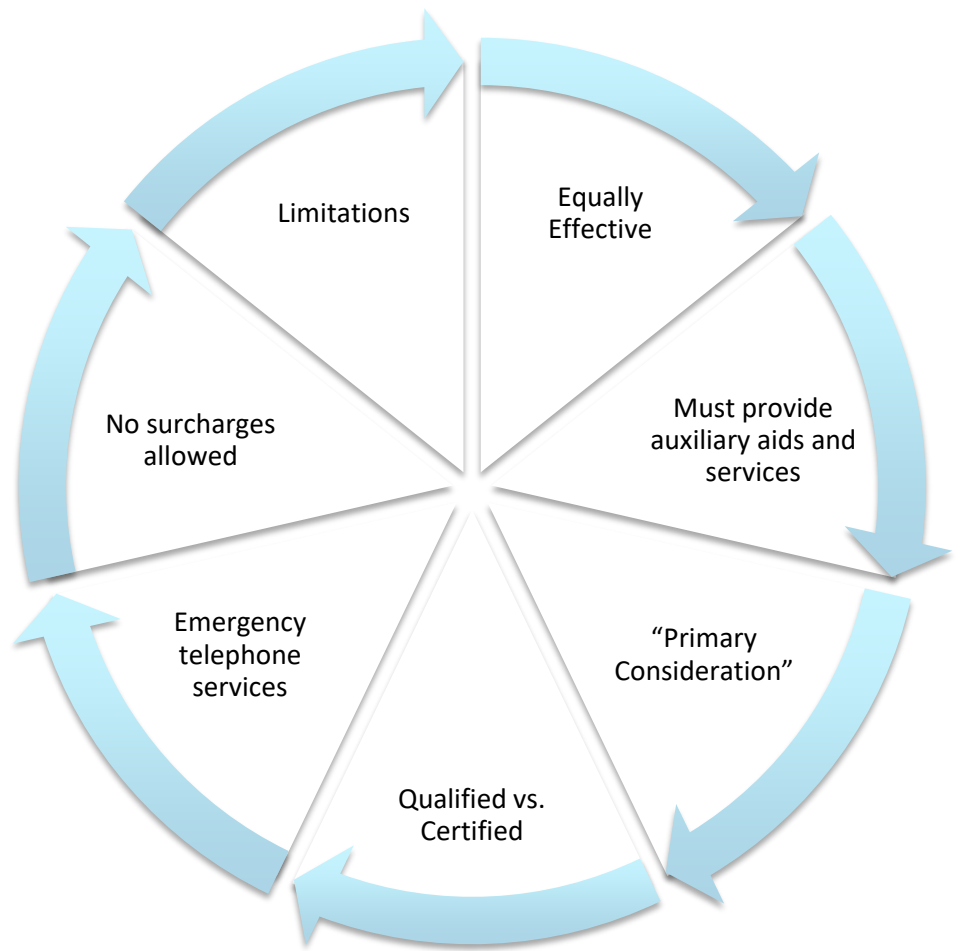
## State and Local Governments

- Public schools
- Public hospitals
- Police/fire departments
- Courts
- Town meetings
- Motor vehicle department



# Title II







# Title III

## Public Accommodation



**Public  
Accommodations  
(Title III)**



Effective  
Communication

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Covers public accommodations, commercial facilities, some examinations/courses, transportation

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Non-profit organizations are not exempt (except for religious entities and private clubs)

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Enforced by U.S. Dept. of Justice



# What is an Auxiliary Aid and Service?

The Simple answer is...  
A Service or Device that promotes effective communication

Qualified  
Sign  
Language  
Interpreter

Listening  
Devices

Properly  
Formatted  
Electronic  
Documents

Large Print  
Documents

CART  
Services

- Qualified reader
- Large print
- Braille
- Audio recording
- Printed information
- Speech to speech transliterator
- Magnification software
- Accessibility features for documents and websites

- Qualified note taker
- Oral interpreter
- Cued-speech interpreter
- Tactile interpreter
- Real time captioning
- Written materials
- Printed script of stock speech
- Video Text displays

- Assistive listening systems or devices
- Open captioning, Closed captioning
- Real-time captioning
- Closed captioning decoders
- Telephone handset amplifiers
- Video relay services
- Screen Readers
- Video remote interpreting

# Some Settings Requiring Auxiliary Aids and Services:

A municipal hospital emergency room must be able to communicate with patients.

State and local court proceedings.

- This includes jurors, witnesses and others.
- This also includes courtroom spectators.

A municipal police department.

- Interviewing suspects prior to arrest, interrogating arrestees, interviewing victims or critical witnesses.





# Title II and Title III

Companions  
are included  
when  
appropriate.

- Family members
- Friends
- Associates

Example:

Family members or friends who come to graduation ceremonies, orientation tours, presentations, etc.



# No Kids Allowed...

**Minor children should never be used as an interpreter except in emergency situations involving imminent threat to safety or welfare of an individual or the public when there is no interpreter immediately available.**





# No Friends and Family...

**Friends and family should not be used as interpreters.**

## **Except...**

In emergency situations involving imminent threat to the safety or welfare of an individual or the public when no interpreter is available.

## **Except...**

If the individual who is deaf requests that the accompanying adult interpret, the accompanying adult agrees to interpret, and the reliance on this individual is **appropriate under the circumstances**.



## Service Animals Are a Different Breed of Animal!

- Trained, Housebroken, Under Control
- Two Questions
- Dogs (miniature horses)
- Documentation not required
- No ESAs, Therapy Pets, Comfort Animals
- State Law may include “in training”



# Other Relevant Laws

Individuals  
with  
Disabilities  
Education Act

- <http://www.parentcenterhub.org/idea/>
- [www.ADATA.org](http://www.ADATA.org)

Frequently  
Asked  
Questions  
About Section  
504 and the  
Education of  
Children with  
Disabilities

- <https://www2.ed.gov/about/offices/list/ocr/504faq.html>
- [www.ADATA.org](http://www.ADATA.org)



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