

# Civil Rights of Individuals with Disabilities

## Fact Sheet



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## Protections Under the Law

As human beings, individuals with disabilities are afforded the same rights and liberties as individuals without disabilities. To address the inequitable treatment and segregation people with disabilities have had to endure due to their disability, additional laws have been put in place to protect their human rights as individuals with disabilities.

## Disability Rights Laws, Legislation, and Policy

### Rehabilitation Act - 1973

The Rehabilitation Act prohibits discrimination against individuals with disabilities in federal programs and programs receiving federal funding. Section 504 of the Rehabilitation Act states that individuals cannot be excluded from, denied the benefits of, or be subjected to discrimination under any program that receives financial assistance from the federal government to provide services to individuals with disabilities.

### Americans with Disabilities Act - 1990

The Americans with Disabilities Act (ADA) ensures individuals with disabilities are not discriminated against in public spaces. This includes employment, transportation, and public buildings. There are five titles to the ADA that outline the protections for individuals with disabilities. Staff who support individuals with disabilities should understand the five titles of the ADA, specifically Title II. Title II states that services, programs, and activities should be provided in the most integrated setting.



To learn more about disability laws, click [here](#) or follow the QR code below.



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### Home and Community-Based Services Waivers - 1981

Home and Community-Based Services (HCBS) waivers were authorized through the Social Security Act in 1981. HCBS waivers were a response to the deinstitutionalization movement; they were designed to support individuals with disabilities to live and participate in their communities. Individuals with disabilities receive support through HCBS funding. Typically, individuals will receive support from disability staff through providers in their communities. To learn more about HCBS waivers, click [here](#).



### Olmstead v. L.C. - 1999

In the '90s, two women in Georgia self-admitted to the state hospital. After a few months of treatment, doctors ruled that the women successfully completed their time in the hospital and were ready to move to a community-based residence. The women were instead kept institutionalized for several years. In 1999, the Supreme Court ruled in favor of the two women who were unlawfully institutionalized. The Supreme Court found that the state-run hospital was in violation of Title II of the ADA by segregating the women from their community. This landmark case reinforced the ADA by stating individuals with disabilities should receive services in the most integrated setting. To learn more about Olmstead v. L.C., click [here](#).



### The Final Settings Rule - 2014

The Centers for Medicare and Medicaid Services issued the Home and Community-Based Services Final Settings Rule to enhance the quality of services. The Final Settings Rule was introduced in 2014, and providers had until 2023 to be in compliance of the rule. The rule reinforces that individuals with disabilities should receive person-centered services in their communities and support should be given in the most integrated setting. To learn more about The Final Settings Rule, click [here](#).



### Summary

Prior to the 1970s, no laws or policies existed that prioritized the rights of individuals with disabilities. As a result, many people with disabilities were institutionalized, segregated, and received unequal treatment in community life. While we still have room to improve in our society on how people with disabilities are treated and supported, it's important to know the many laws, rulings, and policies that have improved the lives of many people with disabilities.