

Disabled Student Council
Newsletter
“A Voice for the Disabled”
April 2009

Vol. 16

No. 3



Please remind students to register for the Summer 2009 and Fall 2009 school year. The last day is **April 30, 2009**. Clearance will be **May 5-7, 2009**; all students must go through this process before taking final exams. Final examinations start **May 8-14, 2009**. If you have a student with a disability who will require extended time during testing or non-distractive environment and your area does not meet that purpose, please contact me or Mrs. Wanda Blair at ext. **3320**.

Notice Concerning The Americans with Disabilities Act (ADA) Amendments Act of 2008

On September 25, 2008, the president signed the Americans with Disabilities Act Amendments Act of 2008. The Act emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis.

The Act makes important changes to the definition of the term “disability” by rejecting the holdings in several Supreme Court decisions and portions of EEOC’s ADA regulations. The effects of these changes is to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the ADA.

The Act retains the ADA’s basic definition of “disability” ***as an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.*** It changes the way that these statutory terms should be interpreted in several ways. Most significantly, the Act:

- directs EEOC to revise that portion of its regulations defining the term “substantially limits”,
 - expands the definition of “major life activities” by including two non-exhaustive lists:
 - the first list includes many activities that EEOC has recognized (e.g. walking) as well as activities that EEOC has not specifically recognized (e.g., reading, bending, and communicating);
 - the second list includes major bodily functions (e.g., functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions”);
 - states that mitigating measures other than “ordinary eyeglasses or contact lenses” shall not be considered in assessing whether an individual has a disability;
 - clarifies that an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active;
 - provides that individuals covered only under the “regarded as” prong are not entitled to reasonable accommodation
 - changes the definition of “regarded as” so that it no longer requires a showing that the employer perceived the individual to be substantially limited in a major life activities, and instead says that an applicant or employee is “regarded as” disabled if he or she is subject to an action prohibited by the ADA (e.g., failure to hire or termination) based on an impairment that is not transitory and minor.
- EEOC will be evaluating the impact of these changes on its enforcement guidance and other publications addressing the ADA.



Please take the time to complete the Disability Services **survey link** that has been forward to you. Your feedback will be helpful to this department in meeting your needs and the students we serve.



Congratulation to all GRADUATES from the Disability Support Services department.

“Develop an attitude of gratitude, and give thanks for everything that happens to you, knowing that every step forward is a step toward achieving something bigger than your current situation.”

Brian Tracy

Source:www.eeoc.gov/ada/amendments_notice.html