COURSE NAME: Disability Law; 3 credit hours

COURSE NUMBER: 8815 R

PROFESSOR: Bill Dittmeier and Karl Menninger

ESSENTIAL PREREQUISITES: none

DESIRABLE PREREQUISITES: none

COURSE BOOKS: (A next course book is being considered, this is the text used in 2011.)

REQUIRED: The Law of Disability Discrimination by Ruth Colker

OPTIONAL: The Law of Disability Discrimination Handbook; Statutory and Regulatory Guidance

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: Grades will be primarily based on final exam. Student preparation, class participation, and, if assigned, an in class presentation may be considered.

SUMMARY DESCRIPTION OF COURSE: The course will address the evolving law regarding the rights of individuals with disabilities in such areas as education, institutionalization, accessibility, employment, and housing. The course will also discuss the Americans with Disabilities Amendments Act of 2008 that was enacted in response to a number of Supreme Court decisions narrowly interpreting the Americans with Disabilities Act.

COURSE CONTENT: Individuals with disabilities are the last group of persons to be afforded full protections under federal law. The course will address the history of disability-based discrimination, the federal statutes that address the rights of people with disabilities {primarily the Americans with Disabilities Act (ADA) and the 2008 amendments to the ADA; Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act}, and the court and agency administrative decisions interpreting those laws. Topics that will be addressed include elementary and secondary education, postsecondary education, institutionalization, accessibility, employment, housing, and other areas.
RELEVANCY OF COURSE FOR CAREER PURPOSES: The protections afforded to individuals with disabilities are unusual in that they both prohibit discrimination and require affirmative steps by governmental and private entities. The statutes address all phases of an individual’s life, including elementary education, post-secondary education, employment, housing, and health care. The statutes’ requirements are specifically designed to address different portions of an individual’s life, for example, the protections afforded to a student in elementary education are different than those afforded to a student in postsecondary education. The statutes are also unique in that anyone could, at any time, become an individual with a disability because of an accident, illness, or aging. The statutes have resulted in numerous obvious changes (ramps into buildings, accessible parking spaces and restrooms, closed captioning on televisions) as well as other, less obvious, changes in how programs operate and services are provided.

The scope of the coverage of these statutes makes is very likely that lawyers will need to be being familiar with the laws addressing the rights of individuals with disabilities to advise clients about their or their family members’ rights as well as the rights of employees and customers.

RELEVANCY OF COURSE FOR MO/MULTI-STATE BAR EXAMINATION: Not a topic covered in the multistate or Missouri Bar exam.-