

# Definition of Disability

## Summary

The definition of disability in the Americans with Disabilities Act (ADA) of 1990, P.L. 101-336 (July 26, 1990), as amended by P.L. 110-325 (September 25, 2008) draws substantially from existing legislation, namely Section 504 of the Rehabilitation Act of 1973, as amended, and the Fair Housing Amendments Act of 1988.

## Purpose

This document defines "disability" by adapting and elaborating the federal law and amendment the Americans with Disabilities Act (ADA) of 1990, P.L. 101-336 (July 26, 1990), as amended by P.L. 110-325 (September 25, 2008) draws substantially from existing legislation, namely Section 504 of the Rehabilitation Act of 1973, as amended, and the Fair Housing Amendments Act of 1988.

## Policy

The definition of disability in the Americans with Disabilities Act (ADA) of 1990, P.L. 101-336 (July 26, 1990), as amended by P.L. 110-325 (September 25, 2008) draws substantially from existing legislation, namely Section 504 of the Rehabilitation Act of 1973, as amended, and the Fair Housing Amendments Act of 1988. The ADA defines disability with respect to an individual, as:

- a physical or mental impairment that substantially limits one or more of the major life activities of such an individual
- a record of such an impairment; or
- being regarded as having such impairment.

**"Major life activities"** is defined as an individual being limited in his or her ability to perform such functions as self-care, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working.

Those diseases, conditions or infections that would constitute physical or mental impairments include (but are not limited to):

- orthopedic
- cancer
- visual
- heart disease

- speech
- diabetes
- hearing
- spina bifida
- psychiatric illness
- HIV
- cerebral palsy renal failure
- epilepsy
- learning disabilities
- muscular dystrophy
- traumatic brain injury
- multiple sclerosis
- spinal cord injury

Also protected are individuals with stigmatic conditions such as severe burn victims, who may be "regarded by others as having an impairment". (Listing from the Title II Technical Assistance Manual, Department of Justice).

## **Related USG Policy**

4.1.5 Students with Disabilities

## **Last Update**

4/15/15

## **Responsible Authority**

Director of the Center for Accommodation and Access