



## **National Law University and Judicial Academy, Assam**

### **Course:**

### **BL607-A - Disability and the Law**

#### **Disability and the Law: Protecting Rights and Promoting Inclusion**

This course explores the legal framework designed to protect the rights of individuals with disabilities and promote their full participation in society. Intended for law students, legal professionals, disability advocates, and anyone interested in disability law, it equips you with a comprehensive understanding of key legislation, landmark cases, and ongoing legal challenges in the field.

#### **Course Objectives:**

- Gain a thorough understanding of the core principles of disability law, including equal access, non-discrimination, and reasonable accommodation.
- Analyze the major federal laws protecting the rights of individuals with disabilities, such as the Americans with Disabilities Act (ADA), the Individuals with Disabilities Education Act (IDEA), and the Rehabilitation Act.
- Examine landmark Supreme Court cases that have shaped the interpretation and application of disability law.
- Develop legal skills to identify and analyze disability discrimination claims in various settings, including employment, education, public accommodations, and transportation.
- Explore legal strategies for advocating for the rights of individuals with disabilities through litigation, policy reform, and community engagement.
- Analyze emerging legal issues in disability law, such as the impact of technology and the evolving definition of disability.

## **Course Structure:**

### **Module 1: Foundations of Disability Law**

- **Defining Disability:** Exploring legal definitions of disability under different statutes and the evolving concept of disability in the courts.
- **Core Principles:** Examining the core principles of disability law, including non-discrimination, equal access, reasonable accommodation, and the least restrictive environment.
- **International Perspectives:** Understanding the international framework for disability rights and its influence on domestic disability law.

### **Module 2: Major Disability Rights Laws**

- **The Americans with Disabilities Act (ADA):** Analyzing the ADA's provisions prohibiting discrimination in employment, public accommodations, transportation, and telecommunications.
- **The Rehabilitation Act:** Examining Section 504 of the Rehabilitation Act and its application to programs receiving federal financial assistance.
- **The Individuals with Disabilities Education Act (IDEA):** Understanding the IDEA's framework for providing free and appropriate public education (FAPE) to children with disabilities.

### **Module 3: Landmark Cases and Legal Analysis**

- **Supreme Court Case Studies:** Dissecting landmark Supreme Court decisions that have shaped the interpretation and enforcement of disability law, focusing on cases like *Olmstead v. L.C.* and *Chevron U.S.A., Inc. v. Echazabal*.
- **Identifying Disability Discrimination:** Developing the skills to identify potential disability discrimination claims in various settings, such as employment termination, denial of access to public spaces, or exclusion from educational programs.
- **Reasonable Accommodation:** Analyzing the legal requirements for providing reasonable accommodation and the interactive process between individuals with disabilities and entities covered by disability law.

### **Module 4: Legal Advocacy and Strategies**

- **Litigation and Dispute Resolution:** Exploring legal strategies for enforcing the rights of individuals with disabilities through litigation, administrative complaints, and alternative dispute resolution mechanisms.

- **Policy Advocacy and Reform:** Examining strategies for advocating for legislative and policy reforms to address ongoing challenges faced by individuals with disabilities.
- **Community Engagement and Education:** Understanding the importance of community engagement and education efforts in promoting disability inclusion and awareness.

#### **Module 5: Emerging Legal Issues**

- **Impact of Technology:** Analyzing the impact of new technologies on disability rights, including access to technology and the potential for assistive technologies.
- **The Evolving Definition of Disability:** Exploring how courts and legal frameworks are adapting to address the evolving definition of disability and emerging conditions.
- **Intersectionality and Disability:** Examining the intersection of disability with other forms of discrimination based on race, gender, and socioeconomic status.

#### **Additional Resources:**

- A comprehensive reading list will be provided, including relevant legislation, Supreme Court cases, legal articles, and resources from disability rights organizations.
- Guest lectures from legal practitioners specializing in disability law and advocates from the disability community may be invited.
- Opportunities for volunteering with legal aid organizations serving individuals with disabilities or attending court hearings related to disability rights cases may be offered.

By integrating legal analysis with real-world applications and the ongoing pursuit of full inclusion, this course equips you to be a champion for the rights of individuals with disabilities. You will gain the knowledge and skills to advocate for legal reforms, promote accessibility, and contribute to a more just and inclusive society for all.