

Evaluating Disability Rights Legislation: The Impact of the Americans with Disabilities Act on Social Equality in the United States

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Abstract: The Americans with Disabilities Act (ADA), enacted in 1990, set a milestone in protecting the civil rights of disabled Americans. This paper evaluates the impact of the ADA through its historical contexts, components, challenges in enforcement, and contributions of the ADA to the lives of the American people, including employment, equal access to education, public space and transportation. The ADA has successfully reduced barriers and fostered greater inclusion in society. However, its enforcement also faced many significant challenges, especially in rural areas and for small businesses due to limited economic conditions and lack of resources. Furthermore, the ADA places a significant focus on accommodating the need for physical abilities, which makes public society question whether the ADA can satisfy the needs of people with mental health and cognitive disabilities. Finally, the paper recommends regularly updating the ADA to integrate assistive technical supports. Continuous advocacy is required to enhance the position of the ADA as a legal tool for promoting equality and ensuring that all Americans can participate fully in their lives.

Keywords: Americans with Disabilities Act (ADA), Social Equality, Disability Rights.

1. Introduction

The Americans with Disabilities Act (ADA) is a civil rights law enacted in 1990. ADA sets a milestone in eliminating the discrimination against Americans with disabilities, making sure that disabled Americans can get equal access to services across the whole United States. ADA encapsulates all aspects of American people's lives, including employment, public services, public accommodations, and telecommunications [1]. It reflected the promise the United States made to its disabled citizens that Americans with disabilities have the right to fully function in society, live independently, and get the same opportunities as those without disabilities. The necessity for the enactment of the ADA is that the public starting to realize the challenges that disabled Americans have.

The ADA is not only a piece of legislation but also a social movement aimed to solve the long-term systematic inequality that disabled Americans suffer in life. It establishes legal protections against discrimination and advocating for suitable accommodations tailored to the different needs of Americans with temporary or permanent types of disability. The ADA aims to promote social equality

for all Americans, regardless of their physical or mental abilities [2]. This paper evaluates the impact of the ADA on social equality in the U.S., examining its historical context, significant components, implementation challenges, and contributions to the lives of Americans with disabilities.

2. Historical Context

Before the enactment of the ADA in 1990, Americans with disabilities were often marginalized and faced many obstacles when getting access to education, employment, transportation, and public spaces. These barriers led to severe socioeconomic disadvantages. The journey toward the ADA's enactment was shaped by several key events and social movements. The movements regarding to protecting the rights of Americans with disabilities started from 1960s and 1970s, which challenged the negative stigma of society viewing disability. Eventually, in 1973, there was the passage of the Rehabilitation Act, which was designed to prevent discriminative actions in federally funded programs, but the scopes were limited [3].

After years of negotiation and amendments, the Americans with Disabilities Act was finally enacted on July 26, 1990, signed by the former president of United States George H.W. Bush. President Bush also declared by signing the ADA into law that “every man, woman, and child with a disability can now pass through once-closed doors into a bright new era of equality, independence, and freedom” [4]. The ADA has five major components, dealing with all the aspects of public life that can be discriminative against the rights of disabled Americans. They include five titles of Employment, State and Local Government, Public Accommodations, Telecommunications, and Miscellaneous Provisions.

Title I focuses on enhancing the employment opportunities of disabled Americans, stating that employers are required to have accommodations to ensure people with disabilities can have working abilities. Title II extends protections to all state and local government programs, activities, and services, making sure Americans with disabilities can take public transportation, including those who did not receive federal assistance. Title III advocates that all privately run businesses should have public accommodation. Such as hotels and restaurants being disabled-friendly. Private businesses were advised to pay special attention to communicating effectively the needs of different disabilities, for example individuals with vision, hearing, and speech problems. Title IV protected the rights of disabled Americans from using telecommunication services, especially those who have a disability related to hearing and speaking problems. Title IV also requested that governments offer closed captions when publishing federally funded public service announcements [4]. Lastly, Title V covers various purposes, including the relationship of the ADA to other laws, state immunity, and the prohibition of retaliation. Apart from these, Title V of the ADA also sets a guideline for the disabilities currently excluded in the act.

3. Implementation and Enforcement

The implementation and enforcement of the ADA are crucial when promoting the status of social equality for Americans with Disabilities. Many different American federal agencies are in charge of implementing different sections of the act. The U.S. Equal Employment Opportunity Commission (EEOC) enforces regulations concerning employment (Title I), ensuring that workplaces are making suitable accommodations for employees with disabilities so they will not be discriminated against. The Department of Transportation oversees ADA compliance in public transportation, while the Federal Communications Commission manages telecommunications provisions. Additionally, the Department of Justice (DOJ) is vital in enforcing Titles II and III for better public service and accommodations. The DOJ provides guidance and clarification on the ADA's requirements through

technical assistance materials, ensuring that the implementation of the ADA satisfies the need for American Federal Law [5].

Despite the efforts to enforce the ADA, numerous challenges still exist. One major obstacle is the lack of understanding employers and business owners have of the regulations and requirements of the ADA. This lack of understanding can lead to intended inappropriate discriminative behaviors or unintended ignorance. Another challenge is uncertainty regarding the enforcement of the ADA under specific scenarios and the number of resources given by the agencies, which eventually creates the risk of uneven application of the law [6]. Financial difficulties also had a major negative influence on the implementation of ADA. The construction of accessible and disability-friendly spaces often requires a huge amount of investment. The investment can be a massive economic burden for local government and small businesses [6]. Furthermore, the cost of legal defense will prevent disabled Americans from defending themselves.

Several legal cases have highlighted these challenges while also demonstrating the impact of the ADA. It is worth mentioning the *Robles v. Domino's Pizza LLC* (2019). This case concerns digital accessibility and the extent to which the ADA applies to websites and mobile applications. Guillermo Robles who is blind, sued Domino because the restaurant's website and app did not work with his screen-reading software. Domino's Pizza claims that the company did its best to serve customers and that the Department of Justice didn't have a specific standard for web content. The Ninth Circuit Court of Appeals held that the ADA applies to businesses' websites and mobile apps and that, on such platforms, people with disabilities must gain access to online services [7].

Moreover, getting access to digital materials for disabled Americans is also vital in education. In 2020, the *National Association of the Deaf v. Harvard University* focused on protecting disabled Americans from having the right to access online content. The National Association of the Deaf sued Harvard University that the university failed to provide closed captions during online school lectures, courses, and online audio texts. In the end, the National Association of the Deaf and Harvard University agreed that all online learning materials will be provided with closed captions [8]. This case sets an example for colleges across America to provide additional support if necessary and expand ADA compliance during online learning. Last but not least is the *Equal Employment Opportunity Commission (EEOC) v. Walmart Inc.* case in 2020. It deals with the components of Title I of the ADA. EEOC had a lawsuit against Walmart that it did not provide enough guidance and care to accommodate a long-term employee with a developmental disability but, in the end, dismissed him from his position [9]. In the end, Walmart settled the case by paying \$300,000 and agreed that in the future, the company will change its policy on employee training to ensure that Walmart follows the guidance provided by the ADA. These cases illustrated the changing nature of the ADA and the challenges to carry out the act's goals fully. It is crucial to have consistent advocacy in American society about the positive influence the act has on Americans with disabilities and how the act can truly benefit the lives of the American people.

4. Impact on Social Equality

The Americans with disabilities act had many notable positive influences on the lives of disabled Americans. One worth mentioning is employment. Title I of the ADA prohibits discrimination against qualified individuals with disabilities in all aspects of employment including hiring, promotion, and job training. Title I of the ADA requires employers to provide suitable accommodations to employees with disabilities, such as a more private working environment and flexible working time. Therefore, many Americans who were discriminated against by inconvenient hiring practices are able to find jobs. The increasing rate of employment for disabled Americans highlighted the influence of the ADA. According to the data collected by the U.S. Bureau of Labor Statistics (BLS), the employment-population ratio for persons with a disability was 21.3% in 2023, and in the 2010s, this number was

around 17.5%, indicating a significant improvement compared to the past decade. But still, the situation is not entirely optimistic in comparison with people without disabilities, as the employment rate goes to 65.4% [10]. These data reflected the contributions when helping Americans with disabilities, with reduced discrimination and bias in the workplace, and made the working team more inclusive and diversified.

Apart from employment, the ADA also significantly influenced ensuring that students with disabilities get a decent education. Title II of the ADA requires public schools, colleges, and universities to provide accommodations for students with disabilities including accessible classrooms, assistive technologies and modified teaching syllabus. The implementation of ADA has addressed the issue of social inequality by significantly improving the education experience of students with disabilities, and that these students can pursue their academic goals the same as regular students. One of the most direct pieces of evidence demonstrating how the ADA has positively restructured the education system of the USA was that more disabled students are choosing to go to college. The National Center for Education Statistics (NCES) reported that in the 2023-2024 academic year, more than 20% of undergraduate students reported having a disability. Whereas 20 years ago, in the 2003-2004 academic year, this data was only 11% [11]. This increase can be attributed to the ADA requiring universities and colleges to have disabled-friendly facilities, allowing many students who potentially can get rejected by schools to access higher education. The changes ADA made to America's education system enhanced the academic performance of disabled American students and potentially gave them better employment opportunities.

Furthermore, the enforcement of the ADA has widely increased access to public space for people with disabilities. Title III of the ADA enforced that all newly constructed public buildings, such as restaurants, hotels, and theaters, must be accessible to individuals with disabilities. This includes ramps, elevators, accessible restrooms, and designated parking spaces. Therefore, Americans with disabilities now have more opportunities to participate in social activities [1]. The implication of ADA to public spaces is not only making them more accessible but also encouraging communication between businesses and people with disabilities, such as providing assistive technologies and services to people with hearing, visual, and language problems. Which further promotes social equality by giving disabled Americans a decent quality of life and reemphasized the widespread implementation of the ADA in American public spaces.

Moreover, the ADA also made contributions to aid disabled Americans in taking public transportation. Title II of the ADA requires public transportation systems to be accessible to individuals with disabilities, including the design of wheelchair lifts on buses, accessible train stations, and transition services for those who cannot use regular transportation [12]. These practices have greatly expanded the mobility options for disabled Americans, and they can travel independently with better access to employment, education, healthcare, and other essential services. For those Americans who rely deeply on public transportation, the impact of ADA on the country's transportation system was revolutionary. Based on the statistics gathered by the Statista in 2023, 97% of the buses in America with fixed routines in urban areas meet the ADA's standard with wheelchair lifts or ramps and accessible seating [13]. There are more choices of accessible transportation that are empowering individuals with disabilities to function more fully in society and reduce the chances of isolation.

5. Counterarguments

While acknowledging the transformative role in positively shaping the lives of disabled Americans and promoted social equality. The implementation of the act also faced many challenges and limitations due to difference in geographical locations, economic burdens on small businesses, and the need to better address the diverse identities of disabled individuals.

One of the major challenges is that the enforcement of the ADA is different in regions across the United States. Although the ADA is a national law, there is a significant disparity between urban and rural areas in terms of allocated resources. According to the data reported by the United States Department of Transportation in 2023, 83% of the transportation systems in urban areas are meeting with the regulations of ADA, whereas this number was only 54% in rural areas [14]. In cities, there are often more convenient public transportation, well-funded schools, and better supervision. In comparison, rural areas often lack the basic facilities that match the requirements of ADA, resulting in limited access to services that are disabled-friendly. Additionally, the enforcement of the ADA was also significantly challenging. Sources from the U.S. Equal Employment Opportunity Commission (EEOC) demonstrated that this agency resolved 98 cases in the past year of 2023 and recovered more than \$22.6 million for 968 individuals with a 91% rate of satisfactory [15]. However, many cases still had no resolution due to limited funding and resources. EEOC also found that there are about 45% of small business owners did not have a thorough understanding of the duties they needed to follow, resulting in inappropriate behaviors [15]. Even if companies follow guidelines, they might only provide basic facilities. For disabled Americans, it can be costly for people with disabilities to take action to push for their legal rights. This enforcement gap is especially for those who are already vulnerable and marginalized.

Another critique of the ADA is that the enforcement of the act brought an economic burden to small businesses. Meeting the regulations of ADA often requires a significant investment, such as installing ramps and accessible restrooms. The National Federation of Independent Business (NFIB) estimated that in 2023, small businesses could spend between \$5,000 and \$15,000 to follow the requirements outlined by the ADA, which is an overwhelming number for many business owners [16]. This tension of having to compromise between having economic benefits and promoting accessible services can make it more difficult for small business owners to provide services.

However, these investments are necessary for greater social benefits and a more inclusive economy. Apart from economic considerations, the special attention ADA pays to physical disabilities also drives concern about whether it is inclusive to disabled Americans with diverse identities, such as those who suffer from cognitive problems or mental health problems. In 2023 the American Psychological Association (APA) found that, across the United States only 38% of employers provided accommodations regarding to mental and cognitive health. However, 71% of employers had accommodations for physical disabilities [17]. Despite all the critics and challenges, the ADA still played a significant role in terms of breaking the obstacles faced by millions of Americans with disabilities and promoting social equality. It is essential to have consistent efforts to enforce the ADA, address its shortcomings, and push for more contributions so that all individuals, regardless of their abilities, lead full and equal lives.

6. Future Recommendations

Looking toward the future, assistive technologies can have critical role when improving the life quality of Americans living with disabilities. There can be many forms of assistive technologies ranging from advanced prosthetics and hearing aids to screen readers and mobility devices, these supports can further eliminate the obstacles in employment, education and public life. For example, the use of AI-powered tools in workplaces can help create more inclusive environments by providing personalized accommodations for employees with various disabilities. Similarly, with the progress of accessible digital materials can ensure that Americans with disabilities also have the equal access to information and education resources.

To maximize the benefits of assistive technologies, it is crucial to consider the recommendations and amendments when revising the ADA as a policy. The last update of the ADA happened in 2008, and now it is advised to modify the ADA with digital accessibility as a core component, ensuring that

all people can visit websites, mobile software, and technologies. Moreover, small businesses can be introduced to policies that offer tax breaks or subsidies when providing accessible technologies. This action is to break the stressful economic conditions faced by employers and meet the guidelines set by the ADA. The update of the ADA can also better satisfy the needs of Americans with disabilities who have different conditions, not only physical disabilities but also mental and cognitive health.

Another critical future recommendation is to advocate for changes when the public portrays disability as a negative stigma through the implementation of the ADA. In America, people can organize disability education fairs and public initiatives. The ultimate goal is to make people, no matter whether they have disabilities or not, become more inclusive and optimistic about disability. These disability education fairs and public initiatives emphasize that disability is a natural part of human lives. Through fostering a culture of inclusion and empathy, the United States as a country can better support the implementation of the ADA, ensuring that the rights of disabled Americans can be fully protected and respected. These efforts will not only enhance the positive influence of the ADA as an act that defends the rights of Americans with disabilities but also further promote social equality.

7. Conclusion

The Americans with Disabilities Act (ADA) has always been a vital part of pushing for social equality. Through legal protections and advocating for necessary disabled-friendly accommodations, the ADA significantly enhanced the accessibility in employment, education, entering public space, and public transportation for disabled Americans. The ADA successfully made progress not only in reducing discrimination but also in further promoting social inclusivity, enabling American people with disabilities to participate in all aspects of life fully. The positive influence of the ADA is demonstrated through increased employment rates, fruitful educational opportunities, and enhanced accessibility in public and digital spaces. All these efforts together reflected the success of the ADA in promoting social equality within the United States of America.

However, the implementation of ADA also faced challenges, especially in rural areas and within small businesses, and the ability to accommodate the diverse needs of disabled Americans. In the future, advancement in assistive technologies and consistent revisions to the ADA will be greatly shape the lives of Americans with disabilities. In the meantime, societies need to keep advocating for changes and enhance the positive impacts of the ADA. Ensuring that all Americans can have a full and equal life regardless of their abilities.

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