

Comparative Disability Law

General

Office: Boyd Law Building, Room 431, phone: 335-9043
Secretary: Lisa Dusberger, Room 469, phone: 335-9088
Class Meeting: See schedule below, morning times 8:30 - 10:20, 10:50 - 12:40
Office hours: Available class days or by appointment

I. Class Description

Comparative Disability Law (2 sem. hrs. cr.). This course will introduce the student to existing and developing laws and policies designed to protect individuals with disabilities from discrimination in employment, and in public and private programs and services. Its primary focus will be to examine the Americans with Disabilities Act of 1990 (ADA) as an example that other countries -- such as England, India, Germany, France, and Japan -- and the United Nations have considered in developing notions of disability rights. It also will examine other U.S. laws, such as the Rehabilitation Act of 1973, that have been used as the basis in other countries for disability rights policies. In addition, this course will examine research in areas of law and policy involving the rights of persons with disabilities based on projects related to the activities of the Law, Health Policy, and Disability Center (LHPDC) at the College of Law (see www.its.uiowa.edu/law for such projects).

II. Materials & Required Texts

A. Peter Blanck (ed.), *Employment, Disability, and the Americans with Disabilities Act*, Northwestern University Press (2000). [Available in law school bookstore]

B. *Supplemental Reading Materials*, appearing on the LHPDC web site and identified below in the syllabus, with other web-based readings to be assigned during class meetings. For example, see links to the World Organization on Disability ("WID") and to the World Bank.

III. Grading

Your grade will have two components.

1. The bulk of your grade (90%) will be based on a final based on topics discussed in class. The final will be a two hour exam, given on Friday, June 21, and likely be analysis of a hypothetical or actual case with issues relevant to the class. The final will be graded anonymously and **limited to 10 typed pages** in length (with 12 point font, double spaced, and one inch margins), not including endnotes and/or references (other details will be provided at a later date).

2. Class participation will account for 10% of your course grade.

Comparative Disability Law**Syllabus and Required Readings**

Note for readings: Blanck = ADA Employment volume; LHPDC = web site based publication.

June 13 Introduction to Class & Overview, Video “The Ten Commandments”; ADA Definition of Disability -- Blanck, Preface, Introduction, and Chapter 1. LHPDC, Blanck & Schartz, Comparative Study of the Emerging Workforce of Persons with Disabilities; review link to ADA law; ADA Supreme Court case and synopsis of *Bragdon* case.

Note: Each day we will review and read articles and materials related to disability issues, laws, and policies from around the world from the links to:

1. The World Organization on Disability (“WID”) international program web site, at <http://www.disabilityworld.org/>

2. The World Bank and Disability web site, at <http://wbln0018.worldbank.org/hdnet/hddocs.nsf/2d5135ecbf351de6852566a90069b8b6/a16f1100a7ae28ff852567f600636b11>

June 14 ADA Definitions and Employment -- Blanck, Chapters 2 and 3. LHPDC, Blanck & Schartz Switzer article; ADA Supreme Court case and synopsis of Sutton, Murphy, and Albertsons cases. Video “When Billy Broke his Head and Other Tales of Wonder.”

June 15, 16 No class

June 17 ADA Qualified Individual – Blanck, Chapters 4 - 7. LHPDC ADA Supreme Court case and synopsis of Toyota, Echazabal [NCD brief] cases. Video “A Change in Perspective.”

June 18 ADA Reasonable Accommodation – Blanck, Chapters 8 - 10. LHPDC ADA Supreme Court case and synopsis of Barnett and Martin cases; Schwochau & Blanck article.

June 19 ADA Titles II and III – LHPDC ADA Supreme Court case and synopsis of Olmstead, Garrett cases. Blanck, Chapters 11 - 14. Informal tour and assessment of accessibility of local environs.

June 20 International and Comparative Disability Law and Policy Questions, WID and World Bank web sites.

June 21 Disability Segregation and Stigma Around the World and the Future. Blanck, Chapters 15 - 18, and Conclusion. WID and World Bank web sites.

June 21 Afternoon Exam.