

Disability Law

Disability Law

Cases, Materials, Problems

SEVENTH EDITION

Laura Rothstein

PROFESSOR OF LAW AND
DISTINGUISHED UNIVERSITY SCHOLAR EMERITUS
UNIVERSITY OF LOUISVILLE
LOUIS D. BRANDEIS SCHOOL OF LAW

Ann C. McGinley

WILLIAM S. BOYD PROFESSOR OF LAW
WILLIAM S. BOYD SCHOOL OF LAW
UNIVERSITY OF NEVADA LAS VEGAS

D'Andra Millsap Shu

ASSISTANT PROFESSOR OF LAW
SOUTH TEXAS COLLEGE OF LAW HOUSTON



CAROLINA ACADEMIC PRESS

Durham, North Carolina

Copyright © 2024
Carolina Academic Press, LLC
All Rights Reserved

ISBN 978-1-5310-2816-9
eISBN 978-1-5310-2817-6
LCCN 2023945978

Carolina Academic Press
700 Kent Street
Durham, NC 27701
(919) 489-7486
www.cap-press.com

Printed in the United States of America

To my family

— Laura Rothstein

To my expanding family

— Ann McGinley

To Glen, Nathan, and Ryan

— D'Andra Shu

Summary Table of Contents

Table of Cases	xxi
Preface	xxxv
Acknowledgments	xxxix
Chapter 1 · Introduction	3
A. Overview	3
B. How Many People Have Disabilities?	9
C. The Laws and How They Developed	12
D. Framework for Analyzing Problems and Hypotheticals	30
E. Summary	31
Chapter 2 · Major Disability Laws: History and Overview	33
A. Introduction	33
B. Constitutional Protections	37
C. Statutory Protections of Persons with Disabilities: Major Statutes	45
D. Defining Disability: Statutory Definitions and Judicial Interpretations	47
E. Otherwise Qualified/Reasonable Accommodations	76
F. Defenses: Undue Hardship or Fundamental Alteration	80
G. Hypotheticals for Review: ADA, ADAAA, and Rehabilitation Act	81
H. Summary	84
Chapter 3 · Employment	85
A. Introduction and Overview	85
B. Applicability of Title I of the Americans with Disabilities Act and the Rehabilitation Act	98
C. Qualification Standards under the ADA and Rehabilitation Act: Technical Standards and Medical Examinations at the Hiring Stage	122
D. What Constitutes Discrimination?	146
E. Qualifications	157
F. Reasonable Accommodation and Undue Hardship	197
G. Disability-Based Harassment and Retaliation	246
H. Defenses	253
I. Relationship of the ADA and Rehabilitation Act to Other Federal and State Laws	255
J. Enforcement	267
K. Summary	273

Chapter 4 · Public Accommodations	275
A. Introduction and Overview	275
B. Covered Entities	280
C. Nondiscrimination	315
D. Reasonable Accommodations	319
E. Architectural Barriers	342
F. Enforcement	367
G. Summary	371
Chapter 5 · Governmental Services and Programs	373
A. Introduction and Overview	373
B. Nondiscrimination	377
C. Modification of Rules, Policies, and Practices	384
D. Architectural Barriers	390
E. Licensing Practices	392
F. Transportation	410
G. Access to Justice	419
H. Voting	438
I. Enforcement	446
J. Summary	451
Chapter 6 · Higher Education	455
A. Introduction and Overview	455
B. Nondiscrimination in Higher Education	460
C. Admissions	463
D. The Enrolled Student	497
E. Architectural Barrier and Facility Issues	539
F. Faculty Issues	551
G. Other Issues	551
H. Summary	558
Chapter 7 · Elementary and Secondary Education	561
A. Introduction and Overview	561
B. Relationship Between the Individuals with Disabilities Education Act and Other Constitutional and Statutory Requirements	568
C. Procedural and Substantive Protections under the Individuals with Disabilities Education Act	570
D. Nondiscrimination and Reasonable Accommodation under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act	623
E. Section 1983 Actions and Students with Disabilities in Schools	642
F. Enforcement	648
G. Summary	649
Chapter 8 · Housing and Independent Living	651
A. Introduction and Overview	651
B. Discrimination	657

C. Reasonable Accommodation	667
D. Structural Barriers	690
E. Least Restrictive Environment and Independent Living	698
F. Enforcement	719
G. Summary	720
Chapter 9 · Health Care and Insurance	723
A. Introduction and Overview	723
B. Nondiscrimination in Health Care Services	728
C. Architectural Barriers, Auxiliary Aids and Services, and Reasonable Accommodation	751
D. Legal Issues of Health Care Providers with Disabilities	771
E. Health Insurance	773
F. Summary	785
Statutory Appendix	787
Index	827

Table of Contents

Table of Cases	xxi
Preface	xxxv
Acknowledgments	xxxix
Chapter 1 · Introduction	3
A. Overview	3
1. The People and Their Stories	3
2. Chapter Goals	7
B. How Many People Have Disabilities?	9
C. The Laws and How They Developed	12
<i>Southeastern Community College v. Davis</i>	17
<i>Alexander v. Choate</i>	21
D. Framework for Analyzing Problems and Hypotheticals	30
E. Summary	31
Chapter 2 · Major Disability Laws: History and Overview	33
A. Introduction	33
1. Chapter Goals	33
2. Key Concepts and Definitions	34
B. Constitutional Protections	37
<i>City of Cleburne v. Cleburne Living Center, Inc.</i>	38
C. Statutory Protections of Persons with Disabilities: Major Statutes	45
D. Defining Disability: Statutory Definitions and Judicial Interpretations	47
1. Short History and Timeline: Rehabilitation Act, ADA, and ADAAA Definition of “Disability”	47
2. Statutory Definitions	53
3. Prong One: A Physical or Mental Impairment That Substantially Limits a Major Life Activity	54
a. Impairment	54
b. Substantially Limits	56
c. Major Life Activity	58
4. Prong Two: A Record of Such an Impairment	60
5. Prong Three: Being “Regarded as” Having Such an Impairment Hypothetical Problems Applying the ADAAA	61 64
6. Exemptions for Stated Conditions	66
7. Special Situations	67
a. Substance Use and Abuse	67

b. Covid and Long Covid	68
c. Other Communicable Diseases and Infections	70
d. Associational Disabilities	70
e. Behavior-Related Conditions	71
f. Learning and Other “Mental” Disabilities	71
g. Facial Disfigurement	73
h. Size, Obesity	73
i. Allergies, Sensitivities	75
E. Otherwise Qualified/Reasonable Accommodations	76
<i>School Board of Nassau County v. Arline</i>	78
F. Defenses: Undue Hardship or Fundamental Alteration	80
G. Hypotheticals for Review: ADA, ADAAA, and Rehabilitation Act	81
Hypothetical Problem 2.1	81
Hypothetical Problem 2.2	82
Hypothetical Problem 2.3	82
Hypothetical Problem 2.4	82
Hypothetical Problem 2.5	83
Hypothetical Problem 2.6	84
H. Summary	84
Chapter 3 · Employment	85
A. Introduction and Overview	85
1. Chapter Goals	85
2. Key Concepts and Definitions	86
3. EEOC Regulations, Subregulatory Guidance	89
4. Reading Disability Discrimination in Employment Cases	89
<i>U.S. Equal Employment Opportunity Commission v.</i>	
<i>AIC Security Investigations, Ltd.</i>	91
B. Applicability of Title I of the Americans with Disabilities Act and the Rehabilitation Act	98
1. Which Employers Are Covered?	98
2. Who Is Protected?	100
a. Prong One: Actual Disability	100
b. Prong Two: Record of an Impairment	100
c. Prong Three: Regarded as Having an Impairment	101
d. Covid, Mandatory Vaccines, “Record of,” and “Regarded as”	101
3. What Conditions Are Covered?	106
4. Drug and Alcohol Users and Persons with Contagious and Infectious Diseases	109
Hypothetical Problem 3.1	109
a. Use of Illegal Drugs and Alcohol	111
b. Legal Use of Medical Marijuana	111
c. Contagious and Infectious Diseases	114

<i>Maddox v. University of Tennessee</i>	115
C. Qualification Standards under the ADA and Rehabilitation Act:	
Technical Standards and Medical Examinations at the Hiring Stage	122
Hypothetical Problem 3.2	122
1. Preemployment	123
<i>Stutts v. Freeman</i>	124
2. Preplacement Examinations and Conditional	
Offers of Employment	129
<i>Leonel v. American Airlines</i>	131
3. Posthiring	137
<i>Conroy v. New York State Department of Correctional Services</i>	138
<i>Roe v. Cheyenne Mountain Conference Resort, Inc.</i>	143
D. What Constitutes Discrimination?	146
1. Prohibited Activities Related to Wages, Hours, and Conditions	
of Employment	146
2. Disparate Treatment and Disparate Impact	147
Hypothetical Problem 3.3	147
<i>Raytheon Co. v. Hernandez</i>	151
E. Qualifications	157
1. Fundamental and Essential Functions	157
a. Attendance Requirements	157
<i>Tyndall v. National Education Centers</i>	158
<i>Humphrey v. Memorial Hospitals Association</i>	166
b. Employer-Provided Leaves	174
c. Working Overtime	174
d. Coping with Stress	175
<i>Jordan v. City of Union City, Georgia</i>	175
e. Professional and Technical Competence	179
f. Other Essential Functions	181
g. Marginal Functions	182
2. Direct Threat	182
Hypothetical Problem 3.4	182
<i>Mauro v. Borgess Medical Center</i>	183
<i>Samson v. Federal Express Corp.</i>	190
F. Reasonable Accommodation and Undue Hardship	197
Hypothetical Problem 3.5	199
1. Proving that the Plaintiff Is a Qualified Individual,	
Reasonable Accommodation, and Undue Hardship	200
<i>Barth v. Gelb</i>	200
<i>Borkowski v. Valley Central School District</i>	205
<i>Vande Zande v. Wisconsin Department of Administration</i>	213
2. Health Impairments and Reasonable Accommodations	217
<i>Huber v. Howard County, Maryland</i>	218

3. Physical Impairments and Reasonable Accommodations	223
<i>Lyons v. Legal Aid Society</i>	223
4. Mental Impairments and Reasonable Accommodation	228
5. Job Restructuring and Job Reassignment	229
Hypothetical Problem 3.6	229
<i>U.S. Airways, Inc. v. Barnett</i>	230
<i>Huber v. Wal-Mart Stores, Inc.</i>	235
6. Duty to Engage in Interactive Process	239
Hypothetical Problem 3.7	239
<i>Humphrey v. Memorial Hospitals Association</i>	240
7. Adverse Employment Actions, Constructive Discharge, and Reasonable Accommodations	243
G. Disability-Based Harassment and Retaliation	246
Hypothetical Problem 3.8	246
1. Disability-Based Harassment	247
2. Retaliation	247
<i>Quiles-Quiles v. Henderson</i>	248
H. Defenses	253
1. Employee Misconduct	253
2. Eleventh Amendment Immunity	254
I. Relationship of the ADA and Rehabilitation Act to Other Federal and State Laws	255
1. Benefits Statutes	255
2. Family and Medical Leave Act (FMLA)	257
3. National Labor Relations Act (NLRA)	261
4. Genetic Information Nondiscrimination Act (GINA)	262
5. Pregnancy Discrimination Act and Pregnant Workers Fairness Act (PWFA)	265
J. Enforcement	267
1. Section 501 of the Rehabilitation Act	267
2. Section 503 of the Rehabilitation Act	268
3. Section 504 of the Rehabilitation Act	268
4. Title I of the Americans with Disabilities Act	269
5. Title II of the Americans with Disabilities Act	271
6. Civil Rights Act of 1964	271
7. Other Remedies Issues	272
K. Summary	273
Chapter 4 · Public Accommodations	275
A. Introduction and Overview	275
1. Chapter Goals	276
2. Key Concepts and Definitions	277
B. Covered Entities	280
Hypothetical Problem 4.1	281

1. The “Four Walls” Analysis	282
<i>Parker v. Metropolitan Life Insurance Co.</i>	283
2. Events and Programs	288
<i>PGA Tour, Inc. v. Casey Martin</i>	289
3. Telecommunications and Websites	297
a. Telephones	297
b. Television and Other Audiovisual Communication	298
c. Internet and Other Web-Based Communication	299
4. Unique Settings	301
a. Cruise Ships	301
b. Air Transportation	303
Hypothetical Problem 4.2	303
c. Other Transportation	307
d. Other Unique Settings	310
5. Exemptions	310
a. Religious Entities	310
b. Private Clubs	311
c. Mixed-Use Residential Facilities	312
d. Leased Space	313
e. Parent/Subsidiary Responsibility	314
f. Private Homes	315
C. Nondiscrimination	315
<i>Anderson v. Little League Baseball, Inc.</i>	316
D. Reasonable Accommodations	319
1. Modification of Policies, Practices, and Procedures	319
<i>J.D. v. Colonial Williamsburg Foundation</i>	319
a. Smoking Accommodation Issues	331
<i>Staron v. McDonald’s Corp.</i>	332
b. Covid Accommodation Issues	333
c. Animal Accommodation Issues	334
2. Auxiliary Aids and Services	336
<i>Roberts v. Kindercare Learning Centers, Inc.</i>	337
E. Architectural Barriers	342
1. Covered Facilities	342
<i>Fiedler v. American Multi-Cinema, Inc.</i>	345
2. Accessibility Requirements	350
a. Alterations and Renovations	351
<i>Kinney v. Yerusalim</i>	351
b. Existing Facilities	357
<i>Pinnock v. International House of Pancakes</i>	357
c. New Construction	365
d. Chart of Design Barrier Requirements (Basic)	366
F. Enforcement	367
1. Americans with Disabilities Act	367

2. Air Carrier Access Act	370
3. Telecommunications Enforcement	370
G. Summary	371
Chapter 5 · Governmental Services and Programs	373
A. Introduction and Overview	373
1. Chapter Goals	374
2. Key Concepts and Definitions	374
B. Nondiscrimination	377
1. Federal Government Programs	377
2. State and Local Government Programs	378
Hypothetical Problem 5.1	378
<i>Concerned Parents to Save Dreher Park Center v.</i>	
<i>City of West Palm Beach</i>	380
C. Modification of Rules, Policies, and Practices	384
<i>Crowder v. Kitagawa</i>	385
D. Architectural Barriers	390
E. Licensing Practices	392
1. Licenses to Do Business	392
<i>Tyler v. City of Manhattan</i>	392
Problems	393
2. Licenses and Leases to Use Space	394
Hypothetical Problem 5.2	394
3. Professional Licensing	397
a. Professional Licensing Exam Accommodations	397
b. Character and Fitness Inquiries	401
<i>Applicants v. Texas State Board of Law Examiners</i>	403
F. Transportation	410
1. Mass Transit	410
2. Driving and Parking	413
3. Sidewalks and Intersections	416
G. Access to Justice	419
1. Participation on Juries	419
<i>Galloway v. Superior Court</i>	419
2. Criminal Justice System	423
<i>Pennsylvania Department of Corrections v. Yeskey</i>	423
a. Police Interactions	426
<i>Gray v. Cummings</i>	428
b. Access, Treatment, and Accommodations Issues Relating	
to Proceedings and Facilities	436
Hypothetical Problem 5.3	436
H. Voting	438
<i>National Federation of the Blind v. Lamone</i>	439
I. Enforcement	446
1. Americans with Disabilities Act	446

2. Section 504 of the Rehabilitation Act	446
3. The Architectural Barriers Act	447
4. Immunity Issues	447
<i>Tennessee v. Lane</i>	448
J. Summary	451
Chapter 6 · Higher Education	455
A. Introduction and Overview	455
1. Chapter Goals	456
2. Key Concepts and Definitions	457
B. Nondiscrimination in Higher Education	460
1. The Rehabilitation Act of 1973	460
2. The Americans with Disabilities Act	461
C. Admissions	463
Hypothetical Problem 6.1	463
1. Determining Qualifications	464
<i>Halasz v. University of New England</i>	465
<i>Pushkin v. Regents of the University of Colorado</i>	471
2. Standardized Testing and Other Evaluation	481
<i>Wynne v. Tufts University School of Medicine</i>	482
3. Identifying and Documenting the Disability	490
<i>Nathanson v. Medical College of Pennsylvania</i>	490
D. The Enrolled Student	497
1. Auxiliary Aids and Services	497
Hypothetical Problem 6.2	497
<i>United States v. Board of Trustees for the University of Alabama</i>	498
2. Modifications of Requirements	506
Hypothetical Problem 6.3	506
<i>McGregor v. Louisiana State University Board of Supervisors</i>	507
<i>Guckenberger v. Boston University</i>	511
Hypothetical Problems 6.4	520
3. Behavior and Conduct Issues	521
Hypothetical Problem 6.5	521
<i>Doe v. New York University</i>	522
4. Obligations after Disqualification	530
Hypothetical Problem 6.6	531
<i>Anderson v. University of Wisconsin</i>	531
5. Athletics	535
6. Other Programming	537
7. Confidentiality Issues	538
E. Architectural Barrier and Facility Issues	539
Hypothetical Problems 6.7	540
1. Housing	541
<i>Coleman v. Zatechka</i>	541
2. Other Facility Issues	549

F. Faculty Issues	551
G. Other Issues	551
1. Direct Threat	552
a. General Principles	552
b. Self-Harm Situations	553
c. Threat to Others	553
2. Technology	553
a. Course Materials and Other Teaching Issues	554
b. Websites	555
c. Events and Other Public Issues	556
3. Food Issues	557
H. Summary	558
Chapter 7 · Elementary and Secondary Education	561
A. Introduction and Overview	561
1. Chapter Goals	563
2. Key Concepts and Definitions	564
B. Relationship Between the Individuals with Disabilities Education Act and Other Constitutional and Statutory Requirements	568
C. Procedural and Substantive Protections under the Individuals with Disabilities Education Act	570
1. Procedural Safeguards	571
<i>Honig v. Doe</i>	571
2. Appropriate Education	572
Hypothetical Problem 7.1	573
<i>Board of Education v. Rowley</i>	574
3. Related Services	586
Hypothetical Problem 7.2	586
<i>Irving Independent School District v. Tatro</i>	587
<i>Cedar Rapids Community School District v. Garret F.</i>	591
4. Least Restrictive Environment — Mainstreaming	596
Hypothetical Problem 7.3	597
<i>Sacramento City Unified School District v. Rachel H.</i>	597
<i>Murray v. Montrose County School District</i>	604
5. Disciplinary Removal — Denial of Services	607
Hypothetical Problem 7.4	607
<i>Honig v. Doe</i>	608
6. Education During Dispute Resolution	615
Hypothetical Problem 7.5	616
<i>Burlington School Committee v. Department of Education</i>	616
<i>Florence County School District Four v. Carter</i>	621
D. Nondiscrimination and Reasonable Accommodation under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act	623
Hypothetical Problem 7.6	623

1. Students Not Covered by the IDEA	624
<i>Doe v. Knox County Board of Education</i>	624
2. Substantive Application	632
<i>Pottgen v. Missouri State High School Activities Association</i>	632
Hypothetical Problem 7.7	635
<i>Wolff v. South Colonie Central School District</i>	636
<i>Bechtel v. East Pennsylvania School District</i>	639
E. Section 1983 Actions and Students with Disabilities in Schools	642
Hypothetical Problem 7.8	642
<i>T.O. v. Fort Bend Independent School District</i>	643
F. Enforcement	648
G. Summary	649
Chapter 8 · Housing and Independent Living	651
A. Introduction and Overview	651
1. Chapter Goals	652
2. Key Concepts and Definitions	653
Hypothetical Problem 8.1	655
B. Discrimination	657
<i>Baxter v. City of Belleville</i>	658
C. Reasonable Accommodation	667
1. Parking	667
<i>Shapiro v. Cadman Towers, Inc.</i>	667
2. Accommodating Mental Illness and Substance Abuse	677
<i>City Wide Associates v. Penfield</i>	677
3. Accommodations for Service and Emotional Support Animals	679
<i>Cohen v. Clark</i>	679
4. Other Issues	689
D. Structural Barriers	690
<i>Lincoln Realty Management Co. v. Pennsylvania Human</i>	
<i>Relations Commission</i>	691
<i>Congdon v. Strine</i>	695
E. Least Restrictive Environment and Independent Living	698
<i>Olmstead v. L.C.</i>	699
<i>Familystyle v. City of St. Paul</i>	708
<i>City of Edmonds v. Oxford House, Inc.</i>	712
<i>Oxford House-C v. City of St. Louis</i>	716
F. Enforcement	719
G. Summary	720
Chapter 9 · Health Care and Insurance	723
A. Introduction and Overview	723
1. Chapter Goals	724
2. Key Concepts and Definitions	725

B. Nondiscrimination in Health Care Services	728
<i>Bowen v. American Hospital Association</i>	730
<i>In re Baby K</i>	734
Hypothetical Problem 9.1	743
<i>Bragdon v. Abbott</i>	744
C. Architectural Barriers, Auxiliary Aids and Services, and Reasonable Accommodation	751
Hypothetical Problem 9.2	754
<i>Aikins v. St. Helena Hospital</i>	755
<i>Mayberry v. Von Valtier</i>	764
D. Legal Issues of Health Care Providers with Disabilities	771
E. Health Insurance	773
<i>John Doe and Richard Smith v. Mutual of Omaha Insurance Company</i>	776
F. Summary	785
Statutory Appendix	787
Preface	791
Section 1: Common Principles of Major Disability	
Discrimination Statutes	793
Section 2: Major Disability Discrimination Statutes	795
Americans with Disabilities Act (ADA) (includes ADAAA amendments)	795
Rehabilitation Act of 1973	805
Section 504	805
Section 501	806
Section 503	806
Individuals with Disabilities Education Act (IDEA)	806
Fair Housing Act (FHA) (1988 Amendments added disabilities)	810
Section 3: Other Disability Discrimination and Related Statutes	813
Air Carrier Access Act (ACAA)	813
Architectural Barriers Act (ABA)	814
Family Medical and Leave Act (FMLA)	815
Genetic Information Nondiscrimination Act (GINA)	817
Patient Protection and Affordable Care Act (ACA or Obamacare)	819
Pregnant Workers Fairness Act (PWFA)	819
Section 4: Regulatory Background, Citations to Statutes and Key Regulations, and Links to Federal Agency Websites	823
A. Regulatory Background	823
B. Citations to Statutes and Key Regulations	824
C. Federal Agency Website Links	826
Index	827

Table of Cases

- A.L. ex rel. D.L. v. Walt Disney Parks & Resorts US, Inc., 324
- AARP v. EEOC, 265
- Abigail P. v. Old Forge Sch. Dist., 585
- ACLU-Ind.-Ind. Univ. Sch. of Law v. Ind. State Bd. of Law Exam'rs, 408
- Adair v. City of Muskogee, 136
- Adams v. Hansen, 4
- Adams v. Rice, 4, 60
- Adiutori v. Sky Harbor International Airport, 306
- AFGE, Local 51 v. Baker, 227
- Agostini v. Felton, 595
- Aguilar v. Felton, 595
- AIC Security Investigations, Ltd., U.S. EEOC v., 91, 97
- Aikins v. St. Helena Hospital, 755
- Aja N. v. Upper Merion Area Sch. Dist., 585, 586
- Albertson's, Inc. v. Kirkingburg, 50, 415
- Alexander v. Choate, 21, 27, 386, 468, 484, 729
- Alumni Cruises, LLC v. Carnival Corp., 302
- Amann v. Stow School System, 584
- Ambrose v. St. Johns Cnty. Sch. Bd., 71
- American Council of the Blind of N.Y., Inc. v. City of N.Y., 417
- American Council of the Blind v. Mnuchin, 378
- Ames v. Wash. Health Sys. Foot & Ankle Specialists, Inc., 333
- Amsted Rail Co., EEOC v., 130
- Anderson v. City of Blue Ash, 687
- Anderson v. Department of Public Welfare, 753
- Anderson v. Little League Baseball, Inc., 316
- Anderson v. University of Wisconsin, 531
- Applicants v. Texas State Board of Law Examiners, 403
- Arc of Iowa v. Reynolds, 641
- Argenyi v. Creighton Univ., 324, 518
- Arizona v. Harkins Amusement Enterprises, Inc., 341
- Armstrong v. Turner Industries, Inc., 129
- Aronson v. North Park College, 528
- Arroyo v. LL Folsom, L.P., 300
- Asare, United States v., 751
- Association for Retarded Children v. Pennsylvania, 561, 612
- Association for Retarded Citizens of Dallas v. Dallas Cnty. Mental Health & Mental Retardation Ctr. Bd. of Trs., 697
- Ault v. Walt Disney World Co., 229, 330
- Author's Guild, Inc. v. HathiTrust, 554
- Baby K, In re, 734, 739
- Baptista v. Hartford Bd. of Educ., 108
- Barbuto v. Advantage Sales & Mktg., LLC, 112
- Barden v. City of Sacramento, 416
- Barnes v. Gorman, 273
- Baron v. Dulinski, 780
- Bartell v. Grifols Shared Servs., 770
- Barth v. Gelb, 200

- Bartlett v. N.Y. State Bd. of Law Examiners, 51, 397
- Bartlett v. New York State Board of Law Examiners, 51, 72
- Basta v. Novant Health Inc., 764
- Bates v. United Parcel Serv., Inc., 79, 189
- Battle v. Commonwealth, 584
- Baughman v. Walt Disney World Co., 324, 329
- Baum v. Dunmire Prop. Mgmt., Inc., 68
- Baum v. Metro Restoration Servs., Inc., 172
- Bax v. Doctors Medical Center of Modesto, Inc., 764
- Baxter v. City of Belleville, 658
- Bechtel v. East Pennsylvania School District, 639
- Beck v. Univ. of Wis. Bd. of Regents, 227
- Bell v. Bd. of Educ. of Proviso Twp. Sch. Dist. 209, 182
- Belle Terre, Village of, v. Boraas, 714
- Bennett v. Dart, 436
- Besser v. Tex. Gen. Land Off., 106
- Betts v. Rector & Visitors of University of Virginia, 533
- Bey v. City of N.Y., 196
- Bhogaita v. Altamonte Heights Condo. Ass'n, 688
- Bledsoe v. Palm Beach Soil & Water Conservation Dist., 271
- Block v. Rutherford, 424
- Board of Educ. v. Grumet, 595
- Board of Educ. v. Rowley, 574
- Board of Trustees for the Univ. of Ala., United States v., 498
- Board of Trustees v. Garrett, 44, 254, 271, 446, 447
- Bob Evans Farms, LLC, EEOC v., 265
- Bone v. Univ. of N.C. Health Care Sys., 770
- Bonnette v. Dist. of Columbia Ct. of App., 399
- Booth v. GTE Fed. Credit Union, 69
- Borenstein v. Animal Found., 770
- Borkowski v. Valley Central School District, 205
- Boss v. Dep't of Health & Hum. Servs., 76
- Bostock v. Clayton County, Georgia, 119, 150
- Bowen v. American Hospital Association, 730, 761
- Bowers v. Dart, 437
- Bowers v. NCAA, 297, 464
- Bradley v. Jefferson Cnty. Pub. Schs., 520
- Brady v. United Refrigeration, Inc., 76
- Bragdon v. Abbott, 49, 58, 744, 750
- Braidwood Mgmt. Inc. v. Becerra, 775
- Brown v. 1995 Tenet Para-America Bicycle Challenge, 296
- Brown v. Board of Education, 561
- Brown v. Perris Park Apartments P'ship, 676
- Brown v. Roanoke Rehab. & Healthcare Ctr., 68, 69
- Brownlow v. Alfa Vision Ins. Co., 172
- Brumfield v. Cain, 425
- Buck v. Bell, 44, 742
- Buckhannon Board & Care Home, Inc. v. W. Va. Dept. of Health and Human Res., 272
- Buhl v. Hannigan, 389
- Bunjer v. Edwards, 4, 330
- Burch v. Coca-Cola Co., 114
- Burger v. Bloomberg, 741
- Burlington School Committee v. Department of Education, 616
- Burnett v. Ocean Props., Ltd., 243
- Burwell v. Hobby Lobby Stores, Inc., 775
- Butler v. Wash. Metro. Area Transit Auth., 181
- C.L. v. Del Amo Hosp., Inc., 770
- Cadoret v. Sikorsky Aircraft Corp., 227
- California Mobile Home Park Mgmt. Co., United States v., 677
- California v. Texas, 775

- Campbell v. Lamar Institute of Technology, 520
- Campbell v. Minneapolis Public Housing Authority In and For City of Minneapolis, 678
- Carey v. Wisconsin Elections Commission, 445
- Carney v. Carney, 3
- Carothers v. Cnty. of Cook, 103
- Carparts Dist. Ctr., Inc. v. Automotive Wholesaler's Ass'n, 286, 287, 780
- Carper v. TWC Servs., 101
- Carr v. Reno, 162
- Carrozza v. Howard County, 178
- Casas v. El Paso, 252
- Castellano v. City of New York, 103
- Ceballos v. NP Palace, LLC., 112
- Cedar Rapids Community School District v. Garret F., 591
- Chabner v. United of Omaha Life Ins. Co., 780
- Champion v. Mannington Mills, Inc., 68, 102
- Chancey v. BASF Corp., 70
- Chandler v. City of Dallas, 79
- Chase v. U.S. Postal Serv., 261
- Chevron U.S.A., Inc. v. Echazabal, 196
- Chevron U.S.A., Inc. v. Nat. Res. Def. Council, Inc., 54
- Chico Dairy Co. v. West Virginia Human Rights Commission, 205
- Circuit City Stores, Inc. v. Adams, 270
- City of (See Name of City)
- City Wide Associates v. Penfield, 677
- Clackamas Gastroenterology Associates v. Wells, 103
- Clark v. Dep't of Pub. Safety, 414
- Clark v. Sch. Dist. Five of Lexington & Richland Cntys., 239
- Clark v. Virginia Board of Bar Examiners, 409
- Class v. Towson University, 536
- Cleburne, City of, v. Cleburne Living Center, 38, 657, 707, 709, 720
- Cleveland v. Policy Management Systems Corp., 256
- Clyde K. v. Puyallup, 614
- Coats v. Dish Network LLC, 128
- Cohen v. Clark, 679
- Coinbase Inc. v. Bielski, 271
- Coleman v. Phx. Art Musuem, 324
- Coleman v. Zatechka, 541
- Commonwealth ex rel. (See Name of Relator)
- Community Television of Southern California v. Gottfried, 299
- Concerned Parents to Save Dreher Park Center v. City of West Palm Beach, 380
- Congdon v. Strine, 695
- Connecticut Off. of Protection & Advocacy for Persons with Disabilities v. Connecticut, 720
- Conroy v. New York State Department of Correctional Services, 138
- Cook v. Rhode Island, 74
- Covington v. McNeese State Univ., 550
- Cox v. Ala. State Bar, 398
- Crain v. Roseville Rehab. & Health Care, 773
- Crancer v. Board of Regents, 478
- Crane v. Dole, 145
- Crawford v. Hinds Cnty. Bd. of Supervisors, 423
- Crawford v. Metropolitan Government of Nashville & Davidson County, 253, 270
- Crawford v. Uber Techs., Inc., 308
- Crocker v. Tennessee Secondary Sch. Athl. Ass'n, 634
- Crossroads Apartments Assocs. v. LeBoo, 685
- Crowder v. Kitagawa, 385
- Cruzan v. Director, Missouri Department of Health, 739
- Cummings v. Premier Rehab Keller, 273, 447, 648
- Cunningham v. Univ. of Haw., 70, 102

- Cureton v. NCAA, 297
D.A. v. Meridian Joint Sch. Dist. No. 2, 630
D.R. v. East Brunswick Board of Education, 584
D.R. v. Redondo Beach Unified School District, 602
D.W. v. Fresenius Med. Care N. Am., 723
D'Amico v. New York State Board of Law Examiners, 398
Dalton v. Subaru-Isuzu Auto., Inc., 235
Daniel R.R. v. State Bd. of Ed., 601, 602
Dansie v. Union Pac. R.R. Co., 243
Dark v. Curry Cnty., 235
Davis v. Echo Valley Condo. Ass'n, 685
Davis v. Ma, 335
Davoll v. Webb, 180
Days Inns, United States v., 314
DeLong v. Brumbaugh, 421
Demkovich v. St. Andrew the Apostle Par., Calumet City, 104
Dennin v. Conn. Interscholastic Athletic Conf., Inc., 635
Dexler v. Tisch, 73
Dicarlo v. Walgreens Boot Alliance, Inc., 310
Dillard v. City of Austin, Tex., 243
Disability Advocates, Inc. v. Paterson, 720
Disabled Ams. for Equal Access, Inc. v. Ferries Del Caribe, Inc., 302
Disabled in Action of Pa. v. Se. Pa. Trans. Auth., 412
Dobard v. San Francisco Bay Area Rapid Transit District, 760
Doe I v. District of Columbia, 723, 742
Doe v. Att'y Gen., 189
Doe v. Belleville Pub. Sch. Dist., 629
Doe v. BlueCross BlueShield of Tenn., 782
Doe v. Columbia-Brazoria Indep. Sch. Dist., 629
Doe v. CVS Pharm., Inc., 151, 728, 781
Doe v. Jamaica Hosp., 751
Doe v. Knox County Board of Education, 624
Doe v. Mutual of Omaha Insurance Company, 776
Doe v. National Board of Medical Examiners, 488
Doe v. New York University, 522
Doe v. Northrop Grumman Sys. Corp., 67
Doe v. Region 13 Mental Health-Mental Retardation Commission, 178
Doe v. Washington University, 480
Doherty v. Southern College of Optometry, 478
Donald v. Board of School Commissioners, 595
Douglas v. Muzzin, 437
Dryer v. Flower Hosp., 764
DuBois v. Ass'n of Apartment Owners of 2987 Kalakaua, 688
Dumas v. Keebler Co., 226
Dunlap v. Liberty Natural Products, Inc., 213
Duran v. City of Tampa, 3
E.E. v. California, 586
Earl v. Espejo, 438
Easley v. Snider, 717
Edmonds, City of, v. Oxford House, Inc., 712
EEOC v. (See Name of Defendant)
Ekstrand v. School District of Somerset, 245
Elledge v. Lowe's Home Ctrs., LLC, 238
Ellison v. Northside Hosp., Inc., 108
Emery v. Caravan of Dreams, 331
Andrew F. v. Douglas County School District RE-1, 583
Enyart v. National Conference of Bar Examiners, 399
Epic Systems Corp. v. Lewis, 270
Epstein v. Kalvin-Miller Int'l, 64
Equal Rts. Ctr. v. Niles Bolton Assocs., 697

- Equal Rts. Ctr. v. Post Props., Inc., 720
 Eshleman v. Patrick Industries, Inc., 62
 Eskenazi-McGibney v. Connetquot
 Central School District, 630
 Estate of (See Name of Deceased)
 Euclid, Village of, v. Ambler Realty Co.,
 714
 Evans v. Coop. Response Ctr., Inc., 165
 Evans v. Laurel Links, Inc., 292
 Ex parte (See Name of Party)
 Fahey v. City of New York, 79
 Fair Hous. of the Dakotas, Inc. v. Gold-
 mark Prop. Mgmt., Inc., 688
 Fair Housing Bd., Commonwealth ex
 rel., v. Windsor Plaza Condominium
 Ass'n, Inc., 676
 Falchenberg v. N.Y. State Dep't of Educ.,
 179
 Familystyle v. City of St. Paul, 708
 Faragher v. Boca Raton, 247
 Farmer v. HCA Health Servs. of Va.,
 Inc., 76
 Fedro v. Reno, 234
 Fee v. Herndon, 644, 646
 Feist v. Louisiana, 226
 Ferrari v. Ford Motor Co., 101
 Fiedler v. American Multi-Cinema,
 Inc., 345
 Fields v. Lyng, 66
 Fisher v. District of Columbia, 622
 Fisher v. Nissan N. Am., Inc., 243
 Fitch v. Ky. State Police, 435
 Fitzgerald v. Corr. Corp. of Am., 741
 Fleming v. New York University, 548
 Florence County School District Four v.
 Carter, 621
 Florida Board of Bar Examiners re S.G.,
 399
 Florida State Conf. of the NAACP v.
 Lee, 445
 Flynn v. Raytheon Co., 254
 Ford Motor Co., EEOC v., 172
 Ford v. Schering-Plough Corp., 103
 Fortkamp v. City of Celina, 101
 Fortune v. City of Lomita, 416
 Frame v. City of Arlington, 416
 Frank S. v. School Committee of Den-
 nis-Yarmouth Reg. Sch. Dist., 584
 Freeman Expositions LLC. v. Eighth
 Jud. Dist. Ct. of Nev., 112
 French v. Omaha Public Schools, 603
 Fry v. Napoleon Community School,
 569
 Furnish v. SVI Sys., Inc., 64
 G.S. v. Lee, 641
 Gallagher v. Catto, 120
 Galloway v. Superior Court, 419
 Gambone Bros. Dev. Co., United States
 v., 697
 Garcia v. Edelson, 369
 Gardner v. Morris, 228
 Gardner v. Samaniego, 435
 Garza v. Abbott Labs., 227
 Gaul v. Lucent Technologies, Inc., 178
 Gaus v. Norfolk S. Ry. Co., 62
 Georgia State Conference of Branches
 of NAACP v. Georgia, 641
 Georgia, United States v., 255
 Geraci v. Union Square Condo. Ass'n,
 689
 Gibbs v. City of Pittsburgh, 130
 Gil v. Winn-Dixie Stores, Inc., 300
 Giles v. Sprouts Farmers Mkt., Inc., 334
 Gilstrap v. United Airlines, Inc., 275,
 370
 Giraldo v. Miami-Dade College, 481
 Gonzales v. Oregon, 740
 Gray v. Cummings, 428
 Graziadio v. Culinary Inst. of Am., 106
 Greater Hous. Transp. Co. v. Zrubeck,
 413
 Greater Los Angeles Council Deafness,
 Inc. v. Malcolm Baldrige, 757
 Green v. City of Welch, 751
 Greer v. Rome City School Dist., 602
 Gregory v. Ashcroft, 423
 Grenier v. Cyanamic Plastics, Inc., 145
 Groening v. Glen Lake Cmty. Schs., 253

- Groff v. DeJoy, 204
 Groner v. Golden Gate Gardens Apartments, 685
 Grove City College v. Bell, 99, 461
 Guckenberger v. Boston University, 495, 511, 512, 513, 515
 Guice-Mills v. Derwinski, 164
 Gulf Logistics Operating, Inc., EEOC v., 63
 Gupton v. Virginia, 221
 Gurmankin v. Costanzo, 3
 Gustafson v. Bi-State Dev. Agency of the Mo.-Ill. Metro. Dist., 412
 Guzman v. Brown Cnty., 261
 H.W. v. Comal Indep. Sch. Dist., 603
 Hairston v. Drosick, 3
 Halasz v. University of New England, 465
 Halderman v. Pennhurst State School & Hospital, 16
 Hall v. Florida, 425
 Hamerski v. Belleville Area Special Servs. Coop., 253
 Hamm v. Reeves, 426
 Hardaway v. D.C. Hous. Auth., 690
 Harmer v. Virginia Electric & Power Co., 221
 Hartman v. City of Petaluma, 254
 Hayes v. DeSantis, 642
 Hebert v. CEC Entm't, Inc., 76
 Helen L. v. Didario, 28, 717
 Herriot v. Channing House, 718
 Hicks v. City of Tuscaloosa, Ala., 265
 Hobart v. City of Stafford, 434
 Hoffman Estates, Village of, v. Flipside, 359
 Hoffman v. Carefirst of Fort Wayne, Inc., 60, 175
 Holt v. Grand Lake Mental Health Ctr., Inc., 64
 Honig v. Doe, 571, 608
 Horgan v. Simmons, 66, 108
 Horizon House Dev. Servs., Inc. v. Twp. of Upper Southampton, 711
 Horn v. Knight Facilities Mgmt.-GM, Inc., 76
 Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC, 104
 Hubbard v. Samson Mgt. Corp., 676
 Huber v. Howard County, Maryland, 218
 Huber v. Wal-Mart Stores, Inc., 235, 238
 Hudson v. Palmer, 424
 Humphrey v. Memorial Hospitals Association, 121, 166, 240
 Hwang v. Kan. State Univ., 261
 In re (See Name of Party or Matter)
 Independent Hous. Servs. v. Fillmore Ctr. Ass'n, 717
 Independent Living Res. Ctr. San Francisco v. Lyft, Inc., 309
 Ingraham v. Wright, 644, 646
 Innes v. Bd. of Regents of Univ. Sys. of Md., 556
 Intermountain Fair Hous. Council v. CVE Falls Park, 688
 Irving Independent School District v. Tatro, 587, 592, 729
 Ivy v. Morath, 416
 J.D. v. Colonial Williamsburg Found., 76, 319
 J.H. v. Just for Kids, Inc., 310
 J.T. v. De Blasio, 586
 Jackson v. Regal Beloit Am., Inc., 146, 264
 Jackson v. Town of Sanford, 434
 Jackson v. Veterans Administration, 164
 James v. James Marine, Inc., 194
 Jankowski Lee & Associates v. Cisneros, 676
 Jansen v. Food Circus Supermarket's Inc., 194
 Johnson v. Cleveland City Sch. Dist., 180
 Johnson v. Dep't of Pub. Safety & Corrs., 414
 Johnson v. Gambrinus Co., 335
 Johnson v. Jennings, 690
 Johnson v. Or. Bureau of Lab. Indus., 335

- Jones v. Nat'l Conference of Bar Exam'rs, 399
- Jordan v. City of Union City, Georgia, 175
- Justice v. Crown Cork & Seal Co., 189
- K.M. v. Adams, 586
- Kapche v. City of San Antonio, 79
- Karantsalis v. City of Miami Springs, Fla., 416
- Karbusicky v. City of Park Ridge, 180
- Karczewski v. DCH Mission Valley, 309
- Karraker v. Rent-A-Center, Inc., 128
- Kees v. Wallenstein, 180
- Kelleher v. Fred A. Cook, Inc., 105
- Keller v. Chippewa Cnty., Mich. Bd. of Comm'rs, 437
- Kenna Homes Co-op. Corp., In re, 688
- Kennedy v. Siesta Inn & Suites, Inc., 300
- King v. Burwell, 774
- Kinney v. Yerusalim, 351
- KirilenkoIson v. Bd. of Educ. of Danville Indep. Sch., 252
- Kirkpatrick v. Dep't of Educ. of Com. of Pa., 180
- Knapp v. Northwestern University, 535
- Knox-Colburn v. Daniel Healthcare, Inc., 68, 69
- Kocsis v. Multi-Care Mgmt., Inc., 65
- Kohn v. State Bar of Cal., 400
- Kowitz v. Trinity Health, 243
- Kravits v. Shinseki, 137
- Kroll v. White Lake Ambulance Authority, 128
- Kropp v. Me. Sch. Admin. Union #44, 76
- Kuhn v. McNary Ests. Homeowners' Ass'n, 689
- Kupferschmidt v. Runyon, 79, 195
- L.E. v. Superintendent of Cobb County School District, 642
- Labenski v. Goldberg, 414
- Lacrosse, City of, Police & Fire Commission v. Labor & Industry Review Commission, 135
- Lales v. Wholesale Motors Co., 99
- Lamke v. Sunstate Equip. Co., 121
- Lamps Plus, Inc. v. Varela, 270
- Land v. Baptist Med. Ctr., 76
- Lane v. Pena, 269
- Larkin v. State of Mich., 711
- Larkins v. CIBA Vision Corp., 178
- Larry P. v. Riles, 640
- Latson v. Clarke, 438
- Laufer v. Acheson Hotels, L.L.C., 301, 369
- Laufer v. Arpan LLC, 300
- Laufer v. Looper, 300
- Lawson v. CSX Transp. Inc., 193
- League of Woman Voters of Fla., Inc. v. Lee, 446
- Ledbetter v. Goodyear Tire & Rubber Co., 272
- Lentini v. California Center for the Arts, 335
- Leonel v. American Airlines, 131
- Lesley v. Chie, 751
- Levy v. N.Y. State Dep't of Env't Conservation, 107
- Lewis v. City of Union City, Ga., 63
- Lewis v. Humboldt Acquisition Corp., Inc., 119, 150
- Lincoln Realty Management Co. v. Pennsylvania Human Relations Commission, 691
- Lindsey v. St. Mary Med. Ctr., Civil Action, 136
- Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania, 775
- Little v. FBI, 117
- Littleton v. Wal-Mart Stores, 4, 64
- Long v. Coast Resorts, Inc., 350
- Long v. Murray Cnty. Sch. Dist., 630
- Loper Bright Enters. v. Raimondo, 54
- Lopez v. Houston Independent School District, 647
- Los Angeles, City of, v. Lyons, 757
- Louisiana Acorn Fair Hous. Org. v. Jaffe, 697, 720

- Love v. Marriott Hotel Servs., Inc., 300
Lowe v. Am. Eurocopter, LLC, 74
Lucas v. South Carolina Coastal Council, 363
Luke v. Texas, 437
Lumar v. Monsanto Co., 73, 75
Lussier v. Runyon, Civ. 79
Lyons v. Legal Aid Society, 223
M.J. v. Marion Indep. Sch. Dist., 630
M.P. v. Indep. Sch. Dist. No. 721, 630
Maddox v. University of Tennessee, 115, 254
Malabarba v. Chi. Trib. Co., 235
Maples v. University of Texas Medical Branch at Galveston, 534
Marino v. United States Postal Serv., 79
Martinez v. Newsom, 586
Mason v. Avaya Communications, Inc., 165
Mathes v. Harris Cnty., Tex., 180
Matias v. Terrapin House, Inc., 62
Matthews v. NCAA, 297
Mau v. Ducart, 72
Maubach v. City of Fairfax, 685
Mauro v. Borgess Medical Center, 183
Mayberry v. Von Valtier, 764
Mazzarella v. Postal Serv., 79, 195
Mazzeo v. Color Resolutions Int'l, 136
McClain v. Smith, 622
McDaniel v. Mississippi Baptist Medical Center, 120, 254
McDavid v. Arthur, 341
McDonald v. Dep't of Env't Quality, 239
McDonnell Douglas Corp. v. Green, 149, 153
McGann v. Cinemark, 342
McGregor v. Louisiana State University Board of Supervisors, 507
McKnight v. General Motors Corp., 102
McLean Packaging Corp., 254
McMillan v. City of New York, 191
McPherson v. Michigan High School Athletic Ass'n, 634
Meadowland Apartments v. Schumacher, 688
Medical Society of New Jersey v. Jacobs, 402
Mendoza v. City of Palacios, 63
Mengine v. Runyon, 235
Menoken v. Lipnic, 174
Metropolitan St. Louis Equal Hous. Opportunity Council v. Lighthouse Lodge, LLC, 697
Meyer v. Walthall, 389
Milchak v. Carter, 105
Millay v. Maine, 341
Miller v. Spicer, 751
Mills v. Bd. of Educ., 13, 561, 612
Minnihan v. Mediacom Commc'ns Corp., 182
Minor v. Stanford Univ./Stanford Hosp., 76
Miraglia v. Board of Directors of the Louisiana State Museum, 350
Molski v. Evergreen Dynasty Corp., 369
Montague v. U.S. Postal Serv., 172
Montalvo v. Radcliffe, 327
Montoya v. City of San Diego, 419
Moody v. Mid-Michigan Med. Ctr.-Midland, 69
Moore v. City of East Cleveland, 714
Moore v. Computer Assocs. Int'l, Inc., 180
Moore v. Texas, 426
Moore v. Willis Indep. Sch. Dist., 646
Moore, Ex parte, 426
Morgan v. Idaho Department of Public Works, 368
Morgan v. Joint Admin. Bd., 102
Morriss v. BNSF Ry. Co., 55
Mosby-Meachem v. Memphis Light, Gas & Water Div., 166
Mosier v. Kentucky, 422
Moss v. Harris Cnty. Constable Precinct One, 174
Mullenix v. Eastman Chem. Co., 107
Muller v. Costello, 76

- Murphy v. United Parcel Service, Inc., 50
- Murray v. Mayo Clinic, 150
- Murray v. Montrose County School District, 604
- Nathanson v. Medical College of Pennsylvania, 490
- National Ass'n of the Deaf v. Harvard University, 301, 556
- National Ass'n of the Deaf v. Netflix, Inc., 300, 555
- National Coalition for Students with Disabilities Education and Legal Defense v. Allen, 446
- National Fed'n of Independent Business v. Sebelius, 774
- National Fed'n of the Blind of Cal. v. Uber Techs., Inc., 308
- National Fed'n of the Blind v. Lamone, 439
- Natofsky v. City of New York, 150
- Nguyen v. New Release DVD, LLC, 310
- Nolan v. Vilsack, 76
- Norman v. NYU Langone Health Sys., 223
- Norman-Bloodsaw v. Lawrence Berkeley Laboratory, 137
- Nurriddin v. Bolden, 103
- O'Reilly v. Gov't of V.I., 76
- Oberti v. Board of Educ. 602
- Oconomowoc Residential Programs v. City of Milwaukee, 711
- Odysseos v. Rine Motors, 63
- Ohio Civil Rights Commission v. Case Western Reserve University, 477
- Olim v. Wakinekona, 424
- Oliveras-Sifre v. Puerto Rico Department of Health, 106
- Olmstead v. L.C., 699
- Orion Energy Sys., EEOC v., 265
- Ortiz v. City of San Antonio Fire Dep't, 264
- Our Lady of Guadalupe Sch. v. Morrissey-Berru, 104
- Oxford House-C v. City of St. Louis, 716
- Pahulu v. University of Kansas, 535
- Palmer College of Chiropractic v. Dav-
enport Civil Rights Commission,
480, 518
- Palmieri v. City of Hartford, 136
- Pandazides v. Virginia Board of Educa-
tion, 179
- Parada v. Sandhill Shores Prop. Owners
Ass'n, 697
- Paralyzed Veterans of Am. v. Ellerbe
Architects & Eng'rs, 366, 396
- Parents in Action on Special Ed. (PASE)
v. Hannon, 640
- Parker v. Cenlar FSB, 69
- Parker v. Metropolitan Life Insurance
Co., 283
- Paxton v. State Dep't of Tax & Revenue,
365
- Paxton v. W. Va. Dep't of Tax & Rev-
enue, 393
- Payne v. Woods Servs., Inc., 69
- Peeples v. Clinical Support Options,
Inc., 173
- Pena v. Bexar County, 437
- Pennhurst State Sch. & Hosp. v. Halder-
man, 698
- Pennsylvania Ass'n for Retarded Chil-
dren (PARC) v. Pennsylvania, 13, 561
- Pennsylvania Dept. of Corrections v.
Yeskey, 364, 423
- People First of Ala. v. Merrill, 445
- Perez v. Philadelphia Hous. Auth., 227
- Perez v. Sturgis Public Schools, 569
- Perry v. City of Avon Park, Fla., 182
- Perry v. Norton Hosps., Inc., 222
- Peyton v. Otis Elevator Co., 120
- PGA Tour, Inc. v. Martin, 80, 289
- Pierri v. Medline Indus., Inc., 105
- Pinnock v. International House of Pan-
cakes, 357
- Pletcher v. Giant Eagle Inc., 334
- Poff v. Caro, 666
- Poff v. Rockford Pub. Sch. Dist., 179

- Poole-Ward v. Affiliates for Women's Health, P.A., 270
- Port Auth. Police Benevolent Ass'n v. Port Auth. of N.Y. & N.J., 146
- Pottgen v. Missouri State High School Activities Association, 632
- Price v. National Board of Medical Examiners, 487, 495
- Pushkin v. Regents of the University of Colorado, 471
- Quaker Hill Place v. Saville, 679
- Quidachay v. Kan. Dep't of Corr., 107
- Quiles-Quiles v. Henderson, 248
- R.E.B. v. Haw. Dep't of Educ., 596
- R.K. v. Lee, 642
- Ramsay v. Nat'l Bd. of Med. Exam'rs, 72, 400
- Rathbone Retirement Community, Inc., United States v., 719
- Raytheon Co. v. Hernandez, 114, 151
- Rednour v. Wayne Twp., 194
- Regan v. Faurecia Auto. Seating, Inc., 227
- Reinacher v. Alton & S. Ry. Co., 195
- Rendon v. Valleycrest Productions, Ltd., 310
- Resources for Hum. Dev., Inc., EEOC v., 74
- Rexnord Indus., LLC, EEOC v., 194
- Reyazuddin v. Montgomery Cnty., Md., 271
- Rezza v. Dep't of Just., 66
- Ricci v. DeStefano, 125
- Richardson v. Chic. Transit Auth., 55, 73, 75
- Riedel v. Board of Regents for the State of Kansas, 534
- Rivera v. Delta Air Lines, Inc., 306
- Rizzo v. Children's World Learning Ctrs., Inc., 189
- Roberts v. Kindercare Learning Centers, Inc., 336, 337
- Rodriguez v. HSBC Bank USA, N.A., 108
- Rodríguez-Álvarez v. Mun. of Juana Diaz, 108
- Roe v. Cheyenne Mountain Conference Resort, Inc., 143
- Roe v. District of Columbia, 189
- Roe v. Providence Health Sys.-Or., 685
- Roell v. Hamilton Cnty., Ohio, 434
- Rogers v. China One Express Corp., 369, 370
- Rohan v. Networks Presentations, 107
- Rohr v. Salt River Project Agricultural Improvement & Power District, 174
- Roman-Oliveras v. P.R. Elec. Power Auth., 99
- Roncker v. Walter, 602
- Rood v. Town of Ft. Myers Beach, Fla., 697
- Roque v. Seattle Housing Authority, 676
- Ross v. City Univ. of N.Y., 550
- Rothman v. Emory University, 538
- Runnion v. Girl Scouts of Greater Chicago & Northwest Indiana, 341
- Russell v. Salve Regina College, 479
- Russman v. Sobol, 595
- S.B. v. Bd. of Educ. of Hartford Cnty., 629
- Sacramento City Unified School District v. Rachel H., 597, 602
- Sahrle v. Greece Cent. Sch. Dist., 253
- Sak v. City of Aurelia, Iowa, 336
- Saladin v. Turner, 106
- Samper v. Providence St. Vincent Medical Center, 172
- Sampson v. Nat'l Bd. of Med. Exam'rs, 400
- Samson v. Federal Express Corp., 190
- Sanders v. City of Minneapolis, 435
- Sandison v. Mich. High Sch. Athletic Ass'n, 634
- Sawczyn v. BMO Harris Bank Nat'l Ass'n, 310
- Saylor, Estate of, v. Regal Cinemas, Inc., 331
- Schaffer v. Weast, 585, 649

- Schartle v. Motorola, Inc., 254
- Schaw v. Habitat for Human. of Citrus Cnty., Inc., 690
- Schiavo v. Schiavo, 741
- Schneider v. Cnty. of Fairfax, 102
- School Board of Nassau County v. Arline, 49, 77, 78, 190, 316, 662, 745
- Schwarz v. Vills. Charter Sch., Inc., 689
- Scoggins v. Chi St. Luke's Health-Brazosport, 73
- Scruggs v. Pulaski Cnty., Ark., 137
- Seals v. Loftis, 622
- Segal v. Metro. Council, 412
- Severson v. Heartland Woodcraft, Inc., 174
- Shanrie Co., United States v., 697
- Shapiro v. Cadman Towers, Inc., 667
- Shavelson v. Bonta, 740
- Shaw v. Kemper, 437
- Shell v. Burlington N. Santa Fe Ry. Co., 63, 75
- Sheng v. M & T Bank Corp., 243
- Shirley v. Precision Castparts Corp., 120
- Shklyar v. Carboline Co., 69
- Shurb v. Univ. of Tex. Health Sci. Ctr., 529
- Siefken v. Arlington Heights, 180
- Sierra v. City of Hallandale Beach, Fla., 389
- Silver v. Entergy Nuclear Operations, Inc., 181
- Simon v. St. Louis County, 180
- Singh v. George Wash. Univ., 534
- Singleton v. Pub. Health Trust of Miami-Dade Cnty., 773
- Sirva Relocation, LLC v. Richie, 780
- Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania, 775
- Sizemore v. Department of Rehabilitation & Corrections, 120
- Smith v. Ivey, 733
- Smith v. Loudoun Cnty. Pub. Schs., 227
- Smith v. Midland Brake, Inc., 235, 238
- Smith v. Perkins Bd. of Educ., 180
- Smith v. Robinson, 568
- Smith v. Tangipahoa Parish Sch. Bd., 76
- Snowden v. Birmingham-Jefferson Cnty. Transit Auth., 413
- Soone v. Kyo-Ya Co., 235
- Southeastern Community College v. Davis, 17, 23, 76, 332, 361
- Spector v. Norwegian Cruise Lines, Ltd., 301, 302
- Spiegel v. Schulmann, 99
- St. James Sch. v. Biel, 104
- St. Joseph's Hosp., Inc., EEOC v., 238
- St. Joseph's/ Candler Health Sys., EEOC v., 109
- Staron v. McDonald's Corp., 221, 332
- State Div. of Hum. Rts. ex rel. McDermott v. Xerox Corp., 3
- Stebbins v. Univ. of Ark., 529, 553
- Steines v. Ohio High Sch. Athletic Ass'n, 635
- Stevens v. Rite Aid Corp., 773
- Stewart v. Snohomish Cnty. PUD No. 1, 261
- STME LLC, EEOC v., 55, 63, 106
- Stokes v. Sw. Airlines, 304
- Stolmeier v. Yellow Freight Sys., 227
- Stoutenborough v. National Football League, Inc., 284, 287
- Strathie v. Pennsylvania Department of Transportation, 416
- Students for Fair Admissions v. President & Fellows of Harvard Coll., 268
- Stutts v. Freeman, 124
- Summers v. Altarum Institute, Corp., 56
- Sutherland v. Indep. Sch. Dist. No. 40, 630
- Sutton v. United Airlines, Inc., 50, 53
- Swanson v. Univ. of Cincinnati, 488
- Swartz v. Huffmaster Alarms Sys., Inc., 368
- Sykes v. Cook Cnty. Cir. Ct. Prob. Div., 437
- Szuskiewicz v. JPMorgan Chase Bank, 122

- T.E.P. v. Leavitt, 389
- T.O. v. Fort Bend Independent School District, 643
- T.W. v. New York State Board of Law Examiners, 400
- Tadder v. Bd. of Regents of Univ. of Wis. Sys., 194
- Tallarico v. Trans World Airlines, Inc., 304, 305
- Talley v. Family Dollar Stores of Ohio, Inc., 244
- Taub v. Frank, 117
- Teahan v. Metro-North Commuter R.R., Co., 116
- Tennessee v. Lane, 364, 448
- Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc., 657
- Thao v. City of St. Paul, 435
- Thomas v. Kohl's Corp., 331
- Thomas v. Mohawk Valley Health Sys., 741
- Thompson v. Dover Downs, Inc., 335
- Tidwell v. Stringer, 741
- Todd v. Fayette Cnty. Sch. Dist., 196
- Together Emps. v. Mass Gen. Brigham, Inc., 223
- Toney v. Ala. A&M Univ., 69
- Toyota Motor Manufacturing v. Williams, 52, 103
- Traynor v. Turnage, 729
- Treanor v. Washington Post Co., 318
- Trovato v. City of Manchester, 676
- Tucker v. Bay Shore Union Free Sch. Dist., 622
- Tugg v. Towey, 769
- Tyler v. City of Manhattan, 392
- Tyndall v. National Education Centers, 158
- U.S. Airways v. Barnett, 200, 217, 230, 684
- U.S. Dep't of Transp. v. Paralyzed Veterans of Am., 303
- U.S. EEOC v. (See Name of Defendant)
- United Airlines, Inc., EEOC v., 238
- United States v. (See Name of Defendant)
- Updike v. Multnomah Cnty., 437
- Valdez v. Minn. Quarries, Inc., 63
- Valentine v. Collier, 438
- Vande Zande v. Wisconsin Department of Administration, 213
- Vardon v. FCA US LLC, 227
- Ventura Vill., Inc. v. City of Minneapolis, Minn., 711
- Vickers v. Veterans Administration, 221
- Village of (See Name of Village)
- Volpe v. N.Y.C. Dep't of Educ., 253
- Vorchheimer v. Philadelphian Owners Ass'n, 719
- Waffle House, Inc., EEOC v., 270
- Walker v. Carnival Cruise Lines, 302
- Walker v. City of N.Y., 437
- Walsh v. Nev. Dep't of Hum. Res., 99
- Ward v. Skinner, 415
- Warren v. Delvista Towers Condo. Ass'n, 689
- Washington v. Davis, 663
- Wehner v. City of Upland, 437
- Weiler v. Household Fin. Corp., 179
- Wells v. Lester E. Cox Med. Ctrs., 479
- Werth v. Bd. of Dirs. of the Pub. Schs. of the City of Milwaukee, 630
- Wethington v. Sir Goony Golf of Chattanooga, Inc., 105
- Weyer v. Twentieth Century Fox Film Corp., 102, 300
- Where Do We Go Berkeley v. Cal. Dep't of Transp., 718
- Whitaker v. 2008 Shattuck Ave, LLC, 365
- Whitaker v. TJ Tech. LLC, 369
- Whitaker v. Wis. Dep't of Health Servs., 165, 166
- Whitebread v. Luzerne Cnty., 69
- Whittaker v. Am.'s Car-Mart, Inc., 74
- Wild v. Carriage Funeral Holdings, Inc., 113

- Williams v. AT&T Mobility Serv., 100, 165
Williams v. Kincaid, 67, 438
Wilson v. Marana Unified Sch. Dist., 601
Windham v. Harris Cnty., Tex., 434
Witters v. Washington Department of Services for the Blind, 505
Wobschall, Estate of, v. Ross, 414
Wolfe v. Jurczynski, 120
Wolff v. S. Colonie Cent. Sch. Dist., 66, 636
Wong v. Regents of Univ. of Cal., 488
Wood v. Omaha School District, 78, 193
Wood v. President & Trustees of Spring Hill College, 478
Wormley v. Arkla, Inc., 120
Wray v. National Railroad Passenger Corp., 411
Wright v. Columbia University, 535
Wright v. N.Y. State Dep't of Corr. & Cmty. Supervision, 437
Wright v. Nat'l Bd. of Med. Exam'rs, 72
Wynne v. Tufts Univ. Sch. of Med., 482, 487, 512, 513, 514, 515, 516, 772
Yelapi v. DeSantis, 556
Yonemoto v. Shulkin, 178
Young v. United Parcel Service, Inc., 265
Zobrest v. Catalina Foothills Sch. Dist., 595
Zubik v. Burwell, 775

Preface

This book is intended to provide a comprehensive overview of the major laws relating to discrimination against individuals with disabilities. Before the late 1980s and early 1990s, few law schools had comprehensive courses on disability law, although some of the issues were covered in courses related to employment law and mental health law. The major topics not addressed in depth in this book relate primarily to entitlements and benefits, such as Social Security and workers' compensation. Also not covered are many of the issues relating to individuals with mental disabilities. While discrimination issues for that population are discussed, the topics related to competency, right to treatment, right to refuse treatment, and deinstitutionalization are not addressed to a great extent. These issues merit coverage in separate books and courses.

The book includes selected cases, problems, questions, hypotheticals, and statutory and regulatory references. The notes are designed to highlight additional cases of interest, while the problems, questions, and hypotheticals are intended to provoke thought about unresolved and complex issues. Although there may be case citations following some of the problems, it is essential to note that these may represent only one jurisdiction's view of the issue raised by the problem.

This new edition includes important updating and new materials designed to focus students on important issues in disability law. The primary focus is on the key statutes applicable to disability discrimination. These are the 1990 Americans with Disabilities Act (ADA) (and the 2008 amendments—ADAAA), the Rehabilitation Act of 1973, the Individuals with Disabilities Act (1975—IDEA), and the Fair Housing Act Amendments (1988—FHAA). Several other statutes are also important and discussed within appropriate chapters, particularly those related to employment, health care, and transportation. These statutes include the Family and Medical Leave Act (1993—FMLA), the Genetic Information Nondiscrimination Act (2008—GINA), Title VII of the 1964 Civil Rights Act, the Affordable Care Act (2010—ACA), the Architectural Barriers Act (1968—ABA), the Air Carrier Access Act (1986—ACAA), and 42 U.S.C. Section 1983.

The 7th edition continues features added in the 6th edition. First, in addition to the questions and notes following the case materials, each chapter has a number of hypothetical problems that are introduced at the beginning of the material to be studied. Students are encouraged to read the hypothetical problems and to consider the questions in the hypothetical problems as they read the material in the text. After studying the materials, students and faculty members should discuss the

hypotheticals in order to ensure that the students have gained a working knowledge of the law and analysis. Chapter 2 deviates from this order by introducing numerous hypothetical problems near the end of the chapter as a review to assure that the introductory materials concerning coverage and defenses have been understood before moving on to the chapters that deal with specific areas of disability law.

Second, each chapter begins with an Introduction and Overview, Chapter Goals, and a list of Key Concepts and Definitions. Each chapter ends with a Summary. Students should read each of these sections first before returning to the beginning of the chapter to read it again.

The 7th edition also has information about many evolving issues that affect persons with disabilities. Most significant since the publication of the 6th edition in 2019 is the impact of the Covid epidemic on disability discrimination law. While Covid may have dissipated to a significant degree, it opened the door to complex discussions in areas such as accommodations relating to attendance, mandatory masking, mandatory vaccinations, and use of technology (and ensuring its accessibility). The deference to regulatory agencies has also come under question since the previous edition. Other issues of growing significance in recent years include internet and website issues, topics not contemplated at the time the ADA was originally enacted. In addition, animal accommodations in a wide range of settings raise new and complex issues sometimes requiring balancing of “competing” disabilities.

Chapter 1 provides context for the impact of disability on the lives of individuals and how federal nondiscrimination law provides a means to become a part of mainstream society.

Chapter 2 provides a broad overall introduction to the key statutory protections highlighting who is protected, what entities are subject to each statute, and substantively what is expected with respect to nondiscrimination and reasonable accommodation. A general introduction to defenses is also included. Discussion of particularly topical specific conditions includes obesity, allergies and sensitivities, and gender identity. Chapter 2 also highlights explanatory materials in the form of a table of statutes and their coverage and a list of historical developments in disability law.

Chapter 3 deals with employment discrimination and disabilities. The chapter reflects the broad coverage of several key statutes and includes an explanation of EEOC regulations and subregulatory guidance that lawyers may consult in considering how to advise their clients and a list of questions to ask when reading an employment disability discrimination case. This chapter also includes materials on Covid and its effect on the workplace, on associational discrimination, on the effect of the ADAAA on court interpretations of who has a disability, and on legal use of medical marijuana and how it affects employment status.

Chapters 4 and 5 focus primarily on Titles II and III of the ADA. Some areas (such as mass transit and air transportation) have significant elements subject

to both Title II and Title III. The transportation materials in both chapters have improved organization. Both chapters address architectural barriers, and a new chart is included that summarizes the basic requirements under the ADA and the Rehabilitation Act for existing construction, new construction, and alterations and renovations.

Chapter 6 on higher education focuses primarily on student issues but also addresses the application of disability discrimination law to faculty issues. It recognizes the mental health concerns that have increased due to Covid, but which were always of concern on college campuses.

Chapter 7 deals with elementary and secondary education. In addition to introducing the key coverage of the Individuals with Disabilities Education Act, the application of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act and how these three statutes interrelate is included. Substantive protections in addition to procedural safeguards are introduced.

Chapter 8 on housing applies both Fair Housing Act and Americans with Disabilities Act requirements to demonstrate how individuals with disabilities are protected against discrimination and are provided reasonable accommodations. Architectural design requirements and community living are also addressed. Animal accommodations in housing is discussed.

Chapter 9, the chapter on health care and insurance, discusses the Affordable Care Act's impact on health care for individuals with disabilities and explains the continuing attack on the statute's validity and operation. Chapter 9 also adds a discussion about reproductive rights issues for disabled people.

New to this edition is a Statutory Appendix in the book that includes the key features of the major statutes and references to the major corresponding regulations for the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Fair Housing Act, and the Individuals with Disabilities Education Act as well as other significant statutes, such as the Family and Medical Leave Act and the Air Carrier Access Act.

In an overview course on this topic, it is difficult to address in depth all the legal issues affecting individuals with disabilities. These materials focus on issues of rights and nondiscrimination in the areas of employment, governmental programs and services, public accommodations (by private providers), higher education, elementary and secondary education, housing, and health care. As is evident in reading the materials, some areas (such as education and employment) have an enormous body of case law. Others (such as housing and health care) have been more recently developing.

The importance of awareness of these issues has never been greater. With the 1990 passage of the Americans with Disabilities Act (which affects almost all aspects of society), problems with access to health care, and the 2008 amendments to the ADA, it is critical that members of the legal profession, as well as many social service providers and educators, have a working knowledge of this important area of law.

String citations and non-quote source citations have been omitted from cases without any note of their omission. Many of the cases are not the full opinion, and material has been omitted in many instances without notation within the case. Some material is not indented and blocked in the same format as the original. The reader should check the full case report when doing research in reliance on the decision.

Because disability law is an evolving area of law, it is essential that reliance on the precedents and materials in this book be followed up by research on the current status in each area.

LAURA ROTHSTEIN
ANN C. MCGINLEY
D'ANDRA MILLSAP SHU
January 2024

Acknowledgments

Thanks to Elaine Shoben for suggesting Ann McGinley as coauthor beginning with the 5th edition. And thanks to Ann for her quick agreement that D’Andra Millsap Shu (who was my research assistant as a law student in 1996) would be the perfect new coauthor for the 7th edition of the book. And to both Ann and D’Andra whose wonderful collaborative attitude, intelligence, and insights have enhanced the case-book even more.

To our editors Carol McGeehan, Ryland Bowman, Keith Moore, Linda Lacy, Tasha Gervais, TJ Smithers, and David Herzig, we express our great appreciation for their support. To Sean Caldwell, who made excellent suggestions to make key changes to the 6th edition, which continue to be incorporated in the 7th edition.

To Charles B. Craver, Freda H. Alverson Professor of Law at George Washington University, for encouraging and supporting publication of the first edition of this book.

To Joe Smith, Bonnie Tucker, Lex Frieden, Wendy Wilkinson, Peg Nosek, Laurie Gerken Redd, the late Kathleen DeSilva, and the late Gretchen George, my thanks for challenging me to think about these issues from their unique perspectives. A similar thanks to all of the students with disabilities who have helped me to consider how to address the challenges they face in new and creative ways.

To the late Judy Heumann, the key leader in making “good trouble” in 1977 and 1978 to ensure that regulations were promulgated to ensure that the Rehabilitation Act would have impact. Her passing in 2023 (the milestone year of the 50th anniversary of the enactment of the first key statute, Section 504 of the Rehabilitation Act) is a reminder of the importance of advocacy, not only on behalf of individuals, but also for policies that work.

To the late Paul Steven Miller, Jan Sheldon Sherman, Ilene Shane, Elaine Roberts, Rud Turnbull, Michael Perlin, the late Robert (Bobby) Silverstein, Peter Blanck, Chai Feldblum, Larry Gostin, Scott Lissner, Jim Kessler, David Jaffe, and John Wodatch for their positive influence on my work on disability law.

To my former colleagues Sam Marcossan, Mary Anne Bobinski, Ron Turner, Mary Anderlik, and Bill Winslade for their insights.

Special acknowledgements to Stanley Herr, a law professor at the University of Maryland, who died in 2001. Stan had been involved in several important disability

rights issues, including special education, deinstitutionalization, mental health histories for professional licensing, and prohibition of execution of individuals with intellectual disabilities. And to Adam Milani, a law professor at Mercer University, who died in 2005. Adam and I shared an interest in writing about sports and disability law, and a mutual respect for each other's work. Their advocacy and intellect are missed, but their work has enabled others to build on the foundations they have laid.

Additional special acknowledgement to my friend, the late H. Joan Ehrlich, who served in leadership positions within the EEOC until she died in December 2008. Her proactive approach to educating and informing everyone about employment discrimination was extremely valuable and is greatly missed.

In 2009, the world lost the great Senator Edward Kennedy. His constant, unfailing and effective leadership is responsible for most of the major legislation providing protection and rights for individuals with disabilities. He inspired many to make sure that the "dream lives on."

And I thank my late parents, Dorothy Friesen and Eric J. Friesen, for their constant support and example. They were both public school teachers and often provided "special" education to students before it was required by law. Thanks to my daughters, Julia and Lisa for their patience; and to Mark, my husband and colleague, for his valuable contributions and suggestions on issues of employment, genetics, and privacy.

Laura Rothstein

Thanks to Leah Grinvald, current dean of the William S. Boyd School of Law at UNLV, and Dan Hamilton and John White, former deans of the Boyd School of Law, for supporting this project. Special thanks to William S. Boyd for generously supporting my academic career at UNLV.

Thanks also to Jeanne Price, former Associate Dean for Academic Affairs, current Professor of Law, and Director of the Wiener-Rogers Law Library at Boyd School of Law, UNLV, who supported this project wholeheartedly. Thanks also to David McClure, former Associate Director of the Wiener-Rogers Law Library, and to library professor Justin Iverson and to Boyd law student Kathryn Hayes for their excellent research.

Thanks to my current and former colleagues at UNLV for supporting this project, especially Elaine Shoben, Terry Pollman, Linda Edwards, Linda Berger, Frank Cooper, and Jeff Stempel.

Thanks to Nettie Mann, our former administrative assistant, who worked on earlier editions of this book and to Melani Grande Murrieta, our current administrative assistant at Boyd, who always responds to requests promptly and ably.

Thanks to those students, friends, and family members who live with disabilities and have helped me understand the difficulties they face and the important and

creative role that law and understanding can play in helping them live and soar with those disabilities.

Special thanks go to my late mother, Mary McGinley, who passed away in 2020, months after celebrating her hundredth birthday, and to my brother and sisters, Paul, Laurie, and Ellin, who are always supportive of my projects.

Special thanks to Jeff Stempel, my colleague and husband, for his valuable contributions, especially on issues of insurance and disabilities, and to my children, Ryan, Shanen, and Reed for helping me understand what young adults need to learn.

Thanks to Keith Moore and Sean Caldwell (formerly) of Carolina Academic Press for their timely and considerable efforts on earlier editions, and to all the editors mentioned above for their supportive and excellent work on this edition.

Finally, thank you to D'Andra Millsap Shu, whose dedication, intelligence, and hard work have made this book better, and to Laura Rothstein, our amazing, knowledgeable coauthor. It is a pleasure to work with you both.

Ann McGinley

Thanks to Laura Rothstein and Ann McGinley for bringing me into this project. It's a real full-circle moment with Laura, who was my law school professor and nourished my interest in disability law. She continued to be my mentor and friend over the years, and I'm honored to now add co-author to that list. It has been lovely to have met Ann through this process, and I have learned so much from her and Laura both while collaborating on this book.

Thanks to Dean Mike Barry and Associate Dean Ted Field of South Texas College of Law Houston for supporting me and this project. Thanks to my South Texas colleagues for their encouragement and support, in particular Katherine Vukadin and Ryan Nelson.

Thanks to Anwar Chagollan and Lillian Metts for their excellent research assistance.

Thanks to the editors and staff at Carolina Academic Press for their dedication and hard work to get this edition into the world.

Special thanks to my family for their unwavering support as I work on these big projects. In particular, thanks to my husband, Glen, who has patiently adjusted his expectations of what our first year as empty nesters would look like.

D'Andra Millsap Shu

