

# **Disability Topic**

Submitted by Daniella Choi (Student, BASIS DC) and David Trigaux (Executive Director,  
Washington Urban Debate League)  
Washington D.C.

# Table of Contents

|                                                                        |           |
|------------------------------------------------------------------------|-----------|
| <b>Table of Contents</b>                                               | <b>2</b>  |
| <b>Summary</b>                                                         | <b>3</b>  |
| <b>Language Disclaimer</b>                                             | <b>4</b>  |
| <b>About the Authors</b>                                               | <b>4</b>  |
| <b>Sample Resolutions</b>                                              | <b>5</b>  |
| Strengthen means to give strength to something existing                | 6         |
| Strengthen simply means to make protections stronger or more effective | 6         |
| Protection must prevent people from being harmed or damaged            | 6         |
| <b>Affirmative Ground</b>                                              | <b>17</b> |
| <b>Negative Ground</b>                                                 | <b>19</b> |
| <b>Novices</b>                                                         | <b>21</b> |
| <b>Timeliness</b>                                                      | <b>22</b> |
| 1. Aging Population                                                    | 22        |
| 2. Workforce Inclusion and Labor Shortages                             | 23        |
| 3. Healthcare and Medicaid Reform                                      | 23        |
| 4. Mental Health Crisis                                                | 23        |
| 5. Technology and Accessibility                                        | 23        |
| 6. Education Equity (Post-pandemic Learning Gaps)                      | 24        |
| 7. Disability Justice Movement                                         | 24        |
| 8. Climate Change and Disaster Preparedness                            | 24        |
| <b>Definitions:</b>                                                    | <b>26</b> |
| <b>Bibliography</b>                                                    | <b>27</b> |

# Summary

By the time the topic meeting occurs, the 25th anniversary of the hard-fought [Americans with Disabilities Act](#) will be coming up in less than a month. Despite the significant anniversary of this Disability Rights legislation that increased accessibility in infrastructure and improved the lives of many disabled people, the fight against ableist structures in the United States is not over and is ever changing.

One in four of people in the United States are disabled and one in four of today's 20 year olds will become disabled in their lifetime, making disability not just an insignificant minority but something that impacts everyone. Many people who aren't disabled are also likely to have a disabled relative, sibling, friend, or parent, and the policy implications of disability impact us all.

Besides the 25th anniversary, a multitude of factors make disability law a uniquely salient issue for us to debate such as:

- A) The COVID-19 pandemic brought the term "immunocompromised" into the popular lexicon, and showed the vulnerability of immunocompromised populations. The pandemic created substantial awareness of the possibility of disability and illness, especially with long COVID.
- B) A President is cutting essential programs that disproportionately serve disabled people like Medicaid, dismantling the CDC, increasing barriers to disabled employment, and normalizing ableist rhetoric in public.
- C) The executive order named Ending Radical And Wasteful Government DEI Programs And Preferencing that is already rolling back important accessibility measures and anti-ableism practices in the federal workplace and the nation
- D) Hannah Phelp's decision in CEDA finals that reminded the debate community about the importance of accommodations and the existence of disabled people in the debate space
- E) Disability has historically been an incredibly minor part of the debate zeitgeist, typically being a turn against music in performative Affs or a word PIK, both of which are reductionist of the complex nature of ableism that is more than language

These issues will shape not only their personal lives as students, workers, and family members but are large, structural changes facing the United States (and many other nations), threatening to cause significant turmoil and driving philosophical discussion about the future.

There is no more timely and important topic knowledge that we could have students debate about in the coming year, that also will produce academically rigorous, interesting, and clash oriented debates.

# Language Disclaimer

Debates on what language to use when discussing disability issues are constantly changing and permeate disability politics which makes it an important stasis of clash under this topic. For the purposes of this paper, we will be primarily using identity-first language with the adjective form of disability “disabled” before “person.” The disabled author of this paper personally prefers this language as it pushes against the feeling of needing to explicitly assert the personhood of disabled individuals in the person first language “people with disabilities” and it is most commonly accepted by the community. Sometimes we will mix up the language for the sake of reducing linguistic repetition and representing the diversity of linguistic preferences in the community. This topic may generate an above average number of language kritiks but that’s not an issue because they will have more substance than the usual “oh you said cripple once” ableism language kritiks that teams already run.

## About the Authors

**Daniella Choi** is a rising senior at BASIS DC and a Varsity debater for the Washington Urban Debate League (WUDL). Since she was in seventh grade, Daniella has been an enthusiastic member of WUDL, being a part of WUDL’s first ever team to qualify to the Tournament of Champions (ToC). She continues to debate this season on the local and regional circuits with innovative and personal arguments.

**David Trigaux** is the Director of the Washington Urban Debate League (WUDL). A former high school and college debater from Florida, David now supports more than 800 students doing policy debate, from elementary school kids learning what warrants and claims are to folks competing regularly at the ToC. We’ve seen explosive growth both during and after the pandemic as we’ve shaped an approach to policy debate that is both rigorous and accessible to all, and that starts with the topic and how young people from a wide range of backgrounds can relate it to their lives.

This paper is the product of extensive outreach (led by Daniella), including surveys and focus groups from our very large, diverse student population.

# Sample Resolutions

(In order of preference)

1. Basic: The United States Federal Government should significantly strengthen the Americans with Disabilities Act
  - a. Pro: Clear outlining of affirmative and negative ground, simple to understand, limited
  - b. Con: A bit vague
2. Subsets: The United States Federal Government should substantially increase enforcement of the Americans with Disabilities Act in the areas of employment, education, public transportation, and/or public accommodations
  - a. Pro: Clear, legal basis around the desirability of the ADA and easy subsets to limit the ground
  - b. Con: Aff is a bit limited to the ADA
3. Protection: The United States Federal Government should substantially increase its protection of disability rights in the United States
  - a. Pro: Debate community has used the term protection before, known T debate
  - b. Con: other elements are a bit vague
4. Services Focus: The United States federal government should substantially increase social services for persons with disabilities in the United States
  - a. Pro: Clear area of services
  - b. Con: Limits out important other debates not around services
5. Equal Protection: The United States federal government should significantly increase equal protection under the law for disabled people in the United States
  - a. Pro: Interesting legal spillover arguments around equal protection
  - b. Con: Not much literature with this language, hard to research for solvency advocates
6. Enforcement: The United States Federal Government should significantly increase enforcement of the Americans with Disabilities Act
  - a. Pro: Broad, accessible
  - b. Con: Might be tough to get some desirable neg ground, enforcement is hard to measure or perceive.

## Discussion:

The first resolution is the most accessible, but is quite narrowly focused on the ADA. Similarly, the enforcement topic is also very narrow, but has a different mechanism. If the committee prefers a broader topic, #3 provides a list with clearly defined parameters, #4 uses this year's language "Protection" for a new demographic. #5 plays off the Economic Inequality topic (and previous social services topic (2007), but focuses on persons with disabilities, #6 is a different mechanism focused on equity but is more diverse. All of the topic areas are domestically focused.

**Strengthen means to give strength to something existing**

**Dictionary.com** ["Strengthen", No Date, Dictionary.Com,  
<https://www.dictionary.com/browse/strengthen>]

to make stronger; give strength to.

**Strengthen simply means to make protections stronger or more effective**

**Cambridge Dictionary, No Date** [Cambridge Dictionary, "Strengthen", No Date,  
<https://dictionary.cambridge.org/us/dictionary/english/strengthen>]

to make something stronger or more effective

**Protection simply refers to the act or state of being protected**

**Cambridge Dictionary** ["Protection", No Date, Cambridge Dictionary,  
<https://dictionary.cambridge.org/us/dictionary/english/protection>]

the act of protecting or state of being protected

**Protection must prevent people from being harmed or damaged**

**Collins Dictionary** ["Protection", No Date, Collins Dictionary,  
<https://www.collinsdictionary.com/us/dictionary/english/protection>]

to prevent people or things from being harmed or damaged by it.

Smith, Alford, Fracht, Hennessy, Harvard Law Review, Hezzy, Bill, Anne, Marie, 8-7-2021, "How to Strengthen the Americans with Disabilities Act after 30 Years: Promoting Supported Decision-Making for Persons with Intellectual and Developmental Disabilities", Harvard Law Review,

<https://harvardlawreview.org/blog/2021/08/how-to-strengthen-the-americans-with-disabilities-act-after-30-years-promoting-supported-decision-making-for-persons-with-intellectual-and-developmental-disabilities/>

For more than three decades, the Americans with Disabilities Act (ADA) has been a driving force in moving America closer to the promise of equal opportunity, full participation, independent living, and economic self-sufficiency for the 61 million individuals with disabilities in our country. Because of the ADA and its protections against discrimination in public accommodations, employment, transportation, and community living, millions of people with disabilities have grown up with the promise of the same rights and chances as their peers without disabilities — and our communities, our economy, and our country are all stronger as a result.

Despite the important progress made under the ADA, many people with disabilities cannot access web or mobile-based state and local services—such as voter registration, filing taxes, applying for critical social services, accessing vital records, registering for vaccines, and taking online courses. This lack of accessibility has led unequal access to critical services for millions of Americans. As most services turned online during the pandemic, access disparities worsened. Deaf and hard of hearing people could not understand video messages from governors and mayors due to lack of captioning and American Sign Language interpretation. Community college students with certain disabilities, such as manual dexterity disabilities, could not properly navigate online course content.

That's why tomorrow, in recognition of the 33rd Anniversary of the ADA, **the Biden-Harris administration is taking new steps to strengthen the ADA and improve online accessibility to state and**

**local services for the nearly 50 million people with disabilities with vision, hearing, cognitive, and manual dexterity disabilities.** New Biden-Harris administration Rule to Improve Online

Accessibility: The Department of Justice (DOJ) is proposing a new rule that would establish accessibility standards for state and local governments' web and mobile app-based services. This proposed rule will better enable state and local governments to meet their ADA obligation to provide equal access to their services, programs, and activities for people with disabilities. The proposed rule suggests clear technical standards, like including text descriptions of images so people using screen readers can understand the content, providing captions on videos, and enabling navigation through use of a keyboard instead of a mouse for those with limited use of their hands. Clearer standards will both ensure that people with disabilities can access vital services and make it easier for states and localities to understand their ADA obligations. The proposed rule will move us toward a more inclusive nation through equal access to crucial state and local services. It will help ensure that students with disabilities can access course content for the courses they enroll in, including higher level math and science. It will improve voter registration websites so that voters with disabilities can register independently. And it will help people with disabilities commute to work by helping them access bus and train information online. Previous Administration Actions to Support People with Disabilities Tomorrow's announcement follows a series of historic investments through President Biden's Bipartisan Infrastructure Law and Inflation Reduction Act **to strengthen**

**accessible infrastructure,** provide affordable internet, expand access to health care, and increase access to educational and job opportunities for Americans with disabilities. And it builds upon the Administration's broader agenda to achieve a more inclusive, accessible, and equitable country for people with disabilities. In the past year, the Administration has been: **Investing**

**in Accessible Infrastructure Accessible Rail Stations. The Federal Transit Authority's All Stations Accessibility Program, established by BIL, has awarded \$686 million in funding to 15 projects in 9 states to increase the number of rail stations that meet or exceed ADA standards. Accessibility of Electric Vehicle Network.** Last summer, the U.S. Access Board developed design recommendations for accessible electric vehicle charging stations, the foundation for ensuring access to new forms of transportation. Delivering Internet for All, including People with Disabilities **Affordable Broadband.** In June, the Department of Commerce announced \$42.5 billion in grants to states to **ensure everyone in American has**

**affordable, reliable high-speed internet. This is especially important for people with disabilities who often rely heavily on the internet to access basic services.**

**Communications Services for Incarcerated People with Disabilities.** In September 2022, the Federal Communications Commission took action to expand access to telecommunications relay services and direct video communications for incarcerated people with communication disabilities. **Accessibility of Virtual Meeting Platforms.** On June 8,

the Federal Communications Commission voted to require video conferencing platforms like Zoom, WebEx, and Microsoft Teams to incorporate accessibility like captioning and display of sign language interpreters. Supporting Community Living and Employment Care as Infrastructure. On April 18, the President signed an Executive Order on Increasing **Access to High-Quality**

**Care and Supporting Caregivers.** The Executive Order included more than 50 directives to agencies, including to expand home-based care for veterans with disabilities, improve pay for direct support workers, and ensure access to home and community-based services (HCBS). **Transition from Education to Employment. The Department of**

**Education (ED) is increasing employment among youth with disabilities through their Pathways to Partnerships Project, which will provide an estimated \$224 million to improve pre-employment transition services f**or students through vocational rehabilitation, state and local education agencies, and centers for independent living. Nondiscrimination in Housing. The Department of Housing and Urban Development released an Advanced Notice of Proposed Rulemaking to update its Section 504 regulation and invite public input on accessible design, websites and other technology, auxiliary aids, and services including assistive technologies. **Expanding**

**Access to Health Care Easier Enrollment in Medicaid. In August 2022, CMS issued a proposed rule that would reduce red tape and simplify applications, verifications, enrollment, and renewals for health care coverage through Medicaid and the Children's Health Insurance Program.** This proposed rule will help ensure continuity of services for children and adults with disabilities and reduce paperwork. **Access to Services at School.** On May 18, HHS and ED took action to make it easier for schools to provide critical health care services, especially mental health services, for millions of students across the nation through a new regulation to streamline Medicaid billing protections at school and a comprehensive guide to billing Medicaid for schools. **Reforming Public Charge. So that immigrants and their U.S. citizen and non-U.S.**

**citizen family members can access important government services to keep their families safe and healthy, the Department of Homeland Security finalized a regulation on how it determines whether noncitizens are inadmissible to the United States because they are likely to become a public charge.** Responding to COVID-19 **Improving Indoor Air Quality. The Administration continues to promote the importance of indoor air quality to reduce the spread of COVID-19 and other airborne diseases,** protect against outdoor air pollutants such as smog and wildfire smoke, and decrease the number of environmental triggers for conditions like asthma and allergies. In May, CDC updated its **guidance on ventilation in buildings to promote better indoor air quality. Addressing Long COVID. As announced last August, HHS will create an Office of Long COVID Research and Practice.** This office will coordinate the whole-of-government response to the long-term impacts of COVID-19, as directed by the April 2022 Presidential memorandum on Addressing the Long-Term Effects of COVID-19.

### **Enforcement definition**

**Copyright © 2025 LexisNexis**

**Published by a LexisNexis Dispute Resolution expert**

What does Enforcement mean?

**The action of compelling a party to comply with a judgment where it has not been complied with voluntarily and the time ordered for compliance has expired.**

Enforcement is not undertaken by the court of its own motion; a successful claimant must make an application for any enforcement steps to be taken. The relevant procedures are set out in the Civil Procedure Rules 1998, rr 70-73.

Merriam Webster, No Date

<https://www.merriam-webster.com/dictionary/enforce>

transitive verb

1

: to give force to : strengthen

2

: to urge with energy

enforce arguments

3

: constrain, compel

enforce obedience

4

obsolete : to effect or gain by force

5

: to carry out effectively

enforce laws

<https://adata.org/enforcing-the-ADA>

### **Increase doesn't have to be pre existing**

Reinhardt, 2005 – U.S. Judge for the UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT (Stephen, JASON RAY REYNOLDS; MATTHEW RAUSCH, Plaintiffs-Appellants, v. HARTFORD FINANCIAL SERVICES GROUP, INC.; HARTFORD FIRE INSURANCE COMPANY, Defendants-Appellees., lexis)

Specifically, we must decide whether charging a higher price for initial insurance than the insured would otherwise have been charged because of information in a consumer credit report constitutes an "increase in any charge" within the meaning of FCRA. First, **we examine the definitions of "increase" and "charge."** Hartford Fire contends that, limited to their ordinary definitions, these words apply only when a consumer has previously been charged for insurance and that charge has thereafter been increased by the insurer. The phrase, "has previously been charged," as used by Hartford, refers not only to a rate that the consumer has previously paid for insurance but also to a rate that the consumer has previously been quoted, even if that rate was increased [\*\*23] before the consumer made any payment. Reynolds disagrees, asserting that, under [\*1091] the ordinary definition of the term, **an increase in a charge also occurs whenever an insurer charges a higher rate than it would otherwise have charged** because of any factor--such as adverse credit information, age, or driving record 8 --regardless of whether the customer was previously charged some other rate. According to Reynolds, he was charged an increased rate because of his credit rating when he was compelled to pay a rate higher than the premium rate because he failed to obtain a high insurance score. Thus, he argues, **the definitions of "increase" and "charge" encompass the insurance companies' practice.** Reynolds is correct.

**"Increase" means to make something greater.**

See, e.g., OXFORD ENGLISH DICTIONARY (2d ed. 1989) ("**The action, process, or fact of becoming or making greater; augmentation, growth, enlargement, extension.**"); WEBSTER'S NEW WORLD DICTIONARY OF AMERICAN ENGLISH (3d college ed. 1988) (defining "**increase**" as "**growth**, enlargement, etc[.]"). "Charge" means the price demanded for goods or services. See, e.g., OXFORD ENGLISH DICTIONARY (2d ed. 1989) ("The price required or demanded for service rendered, or (less usually) for goods supplied."); WEBSTER'S NEW WORLD DICTIONARY OF AMERICAN ENGLISH (3d college ed. 1988) ("The cost or price of an article, service, etc."). **Nothing in the definition of these words implies that the term "increase in any charge for" should be limited to cases in which a company raises the rate that an individual has previously been charged.**

**Interpretation: Substantial means to be large and substantive.**

**Law Dictionary, No Date** [The Law Dictionary, "SUBSTANTIAL Definition & Legal Meaning", No Date, The Law Dictionary, <https://thelawdictionary.org/substantial/>]  
**SUBSTANTIAL** Definition & Legal Meaning. **Being significant or large and having substance.**

**The word substantial means to make a change that doesn't impact the whole.**

**Merriam-Webster, No Date** [Merriam-Webster Dictionary, "Substantial", No Date, Merriam-Webster Dictionary, <https://www.merriam-webster.com/dictionary/substantial>]

5 : being **largely but not wholly that which is specified**

**Substantially means greater than 50%.**

**Statement of Considerations**, "ADVANCE WAIVER OF THE GOVERNMENT'S U.S. AND FOREIGN PATENT RIGHTS AND ADVANCE APPROVAL TO ASSERT COPYRIGHT RIGHTS UNDER SUBCONTACT B554331 ISSUED BY LAWRENCE LIVERMORE NATIONAL LABORATORY TO INTERNATIONAL BUSINESS MACHINES CORPORATION FOR THE BLUEGENE/P DESIGN ARCHITECTURE, PHASE III - PROTOTYPE HARDWARE BUILDOUT AND BLUEGENE/Q - ADVANCED ARCHITECTURAL INVESTIGATIONS; DOE WAIVER NO. W(A) 05-048", 2005,

[http://www.gc.energy.gov/documents/WA\\_05\\_048\\_INTERNATIONAL\\_BUSINESS\\_MACHINES\\_Waiver\\_of\\_the\\_Gove.pdf](http://www.gc.energy.gov/documents/WA_05_048_INTERNATIONAL_BUSINESS_MACHINES_Waiver_of_the_Gove.pdf)

The Subcontractor agrees to conduct research and development activities under this Subcontract principally in U.S.-based facilities. **"Principally" is defined as greater than a ninety (90%) percent level of effort.** Subcontractor also agrees that for a period of one (1) year following Subcontract completion, subsequent research and development by the Subcontractor for the purpose of commercializing technologies arising from the intellectual property developed under this Subcontract shall be performed substantially in U.S.-based facilities. **"Substantially" is defined as greater than fifty (50%) percent level of effort.**

The Subcontractor further agrees that any processes and services, or improvements thereof, which shall arise from the intellectual property developed under this Subcontract when implemented outside the U.S., shall not result in a reduction of the Subcontractor's research workforce in the United States. Finally, it is understood between the DOE and the Subcontractor that any subsequent follow-on subcontracts and/or future phases of work under the Government's ASCI Program will be subject to a separate U.S. Competitiveness determination.

The United States Equal Opportunity Commission, No Date, "The ADA: Your Responsibilities as an Employer", US EEOC, <https://www.eeoc.gov/publications/ada-your-responsibilities-employer>

The Americans with Disabilities Act (ADA) Amendments Act of 2008 was signed into law on September 25, 2008 and becomes effective January 1, 2009. Because this law makes several significant changes, including changes to the definition of the term "disability," the EEOC will be evaluating the impact of these changes on this document and other publications. See the list of specific changes to the ADA made by the ADA Amendments Act.

The Americans with Disabilities Act of 1990 (ADA) makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also outlaws discrimination against individuals with disabilities in State and local government services, public accommodations, transportation and telecommunications. This booklet explains the part of the ADA that prohibits job discrimination. This part of the law is enforced by the U.S. Equal Employment Opportunity Commission and State and local civil rights enforcement agencies that work with the Commission.

Are You Covered?

**Job discrimination against people with disabilities is illegal if practiced by:**

**private employers,**

**state and local governments,**

**employment agencies,**

**labor organizations, and**

**labor-management committees.**

**The part of the ADA enforced by the EEOC outlaws job discrimination by:**

**all employers, including State and local government employers, with 25 or more employees after July 26, 1992, and**

**all employers, including State and local government employers, with 15 or more employees after July 26, 1994.**

**Another part of the ADA, enforced by the U.S. Department of Justice, prohibits discrimination in State and local government programs and activities, including discrimination by all State and local governments, regardless of the number of employees, after January 26, 1992.**

Because the ADA establishes overlapping responsibilities in both EEOC and DOJ for employment by State and local governments, the Federal enforcement effort will be coordinated by EEOC and DOJ to avoid duplication in investigative and enforcement activities. In addition, since some private and governmental employers are already covered by nondiscrimination and affirmative action requirements under the Rehabilitation Act of 1973, EEOC, DOJ, and the Department of Labor will similarly coordinate the enforcement effort under the ADA and the Rehabilitation Act.

What Employment Practices are Covered?

**The ADA makes it unlawful to discriminate in all employment practices such as:**

**recruitment**

**pay**

**hiring**

**firing**

**promotion**

**job assignments**

**training**

**leave**

**lay-off**

**benefits**

**all other employment related activities.**

The ADA prohibits an employer from retaliating against an applicant or employee for asserting his rights under the ADA. The Act also makes it unlawful to discriminate against an applicant or employee, whether disabled or not, because of the individual's family, business, social or other relationship or association with an individual with a disability.

Who Is Protected?

**Title I of the ADA protects qualified individuals with disabilities from employment**

**discrimination.** Under the ADA, a person has a disability if he has a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment, and people who are regarded as having a substantially limiting impairment.

**To be protected under the ADA, an individual must have, have a record of, or be regarded as having a substantial, as opposed to a minor, impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working.**

An individual with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation, in order to be protected by the ADA. This means that the applicant or employee must:

satisfy your job requirements for educational background, employment experience, skills, licenses, and any other qualification standards that are job related; and  
be able to perform those tasks that are essential to the job, with or without reasonable accommodation.  
The ADA does not interfere with your right to hire the best qualified applicant. Nor does the ADA impose any affirmative action obligations. The ADA simply prohibits you from discriminating against a qualified applicant or employee because of her disability.

Britannica, No Date

<https://www.britannica.com/event/Brown-v-Board-of-Education-of-Topeka>

**equal protection, in United States law, the constitutional guarantee that no person or group will be denied the protection under the law that is enjoyed by similar persons or groups. In other words, persons similarly situated must be similarly treated. Equal protection is extended when the rules of law are applied equally in all like cases and when persons are exempt from obligations greater than those imposed upon others in like circumstances.** The Fourteenth Amendment to the U.S. Constitution, one of three amendments adopted in the immediate aftermath of the American Civil War (1861–65), prohibits states from denying to any person “the equal protection of the laws.”

Heart to Heart, 2-26-2025, "Social Programs for Individuals with Disabilities: What's Available?",  
No Publication,

<https://www.h2hhc.com/blog/available-social-programs-individuals-with-disabilities>

Social Programs for Disabilities

A variety of social programs exist to support individuals with disabilities, focusing primarily on financial assistance and job training. These programs aim to improve the quality of life and provide pathways for greater independence.

Financial Assistance Programs

Financial assistance programs are crucial for individuals with disabilities as they help alleviate some of the economic burdens that accompany their conditions. One key initiative is the Social Security Administration's Ticket to Work program, which provides free training for Social Security disability recipients aged 18 to 64 who are interested in entering the workforce. Participants can receive disability benefits while gaining valuable job experience and support in their job searches.

| Program                              | Description                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ticket to Work                       | Free training for individuals with disabilities, allowing recipients to maintain benefits while working.                                                                                                                                                                                                                                                                                                                           |
| Job Training and Employment Services | Job training and employment services play a vital role in equipping individuals with the skills needed to succeed in the workforce. Programs like the Veteran Readiness and Employment (VRE) specifically assist veterans with service-related disabilities. This program offers resources for job searches alongside information about special hiring authorities that allow federal agencies to hire veterans with disabilities. |

In addition, many agencies under the Department of Health and Human Services (HHS) provide programs to improve the employment potential of individuals with disabilities. These services

include training workshops, resume building, interview preparation, and ongoing support in navigating the job market.

|         |             |
|---------|-------------|
| Service | Description |
|---------|-------------|

|                                        |                                                                                    |
|----------------------------------------|------------------------------------------------------------------------------------|
| Veteran Readiness and Employment (VRE) | Supports veterans with service-related disabilities in job placement and training. |
|----------------------------------------|------------------------------------------------------------------------------------|

|                         |                                                                       |
|-------------------------|-----------------------------------------------------------------------|
| HHS Employment Programs | Offers resources and support for skill development and job placement. |
|-------------------------|-----------------------------------------------------------------------|

By utilizing available social programs for individuals with disabilities, participants can enhance their employment prospects and navigate the complexities of the workforce with greater confidence. For further details on how community services improve the overall quality of life, visit our article on how community services improve quality of life new yorkers.

### Government Disability Benefits

Government disability benefits play a crucial role in providing financial support and assistance to individuals with disabilities. Two significant programs under this category are Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI).

#### Social Security Disability Insurance (SSDI)

Social Security Disability Insurance (SSDI) benefits are designed for individuals who are unable to work for a year or more due to a disability. To be eligible, individuals must have earned enough work credits by working and paying Social Security taxes. SSDI benefits usually continue until the individual can return to work regularly. In addition, there are special rules known as work incentives, which help provide continued benefits and healthcare coverage during the transition back to employment.

|                      |             |
|----------------------|-------------|
| Eligibility Criteria | Description |
|----------------------|-------------|

|              |                                                              |
|--------------|--------------------------------------------------------------|
| Work History | Must have worked long enough and paid Social Security taxes. |
|--------------|--------------------------------------------------------------|

|                        |                                               |
|------------------------|-----------------------------------------------|
| Duration of Disability | Must be unable to work for at least one year. |
|------------------------|-----------------------------------------------|

For more information on SSDI and the application process, visit the Social Security Administration.

#### Supplemental Security Income (SSI)

Supplemental Security Income (SSI) provides financial assistance to individuals with disabilities based on financial need, rather than work history. This program aims to support those who may not have sufficient work credits to qualify for SSDI. SSI benefits are available for individuals who meet specific medical and financial criteria [2].

|                      |             |
|----------------------|-------------|
| Eligibility Criteria | Description |
|----------------------|-------------|

|                |                                                       |
|----------------|-------------------------------------------------------|
| Financial Need | Benefits are based on income and financial resources. |
|----------------|-------------------------------------------------------|

|                   |                                                           |
|-------------------|-----------------------------------------------------------|
| Disability Status | Must have a qualifying disability under medical criteria. |
|-------------------|-----------------------------------------------------------|

Both SSDI and SSI are the largest federal programs providing financial assistance to individuals with disabilities, managed by the Social Security Administration. Only those who meet strict definitions of disability are eligible for benefits under these programs. For more information on

how these programs can help individuals with disabilities, consider exploring the resources for low-income families in need of healthcare and building communities accessible social services.

## Veterans Disability Programs

### Veteran Readiness and Employment (VRE)

The Veteran Readiness and Employment (VRE) program is designed to support veterans with service-related disabilities. This initiative aims to provide assistance in obtaining and maintaining suitable employment. It is particularly beneficial for veterans transitioning back to civilian life, ensuring they can find meaningful job opportunities that cater to their unique needs.

The VRE program offers a variety of services, which include:

Assessment of skills and interests

Job training and education

Assistance with job placement

Support with resume writing and interview preparation

In addition to these core services, the VRE program also offers special hiring authorities which allow federal agencies to appoint veterans with service-connected disabilities to jobs. This initiative aims to reduce the barriers these veterans may face in the job market, ensuring they have access to available social programs for individuals with disabilities.

| Service Provided                                                                                                                                                                                                                       | Description                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Skills Assessment                                                                                                                                                                                                                      | Evaluates a veteran's skills and interests to match them with career options. |
| Job Training                                                                                                                                                                                                                           | Provides vocational training and resources tailored for veterans.             |
| Job Placement                                                                                                                                                                                                                          | Connects veterans with potential employers.                                   |
| Resume and Interview Support                                                                                                                                                                                                           | Helps veterans prepare for job applications and interviews.                   |
| Further support is available through multiple Health and Human Services (HHS) agencies that provide programs designed to enhance the well-being of people with disabilities, ensuring veterans can access the resources they need [3]. |                                                                               |

Veterans interested in these services should consult the health and social services for veterans page for more detailed information on eligibility and application processes. The VRE program thus plays an essential role in breaking barriers and fostering community integration for veterans with disabilities.

## Medicaid and Disability

Medicaid serves as a critical safety net for individuals with disabilities, providing access to essential health services. Understanding the eligibility criteria and pathways available under Medicaid can empower individuals to utilize the benefits effectively.

### Medicaid Eligibility Criteria

To qualify for Medicaid based on a disability, individuals must meet specific criteria. Over 10 million people qualify for Medicaid due to a disability, with the majority (6.2 million) lacking

Medicare coverage. This includes both adults and children born with disabilities and those with disabling conditions acquired later in life due to illness or injury [4].

#### Eligibility Criteria      Description

Age      Varies; includes children and adults under 65 with disabilities

Disability Definition      Aligns with SSI and SSDI criteria, focusing on the individual's ability to work rather than broad health criteria

Financial Requirements      Often linked to income and asset limits based on SSI levels

#### Disability Pathways in Medicaid

Medicaid offers various pathways for individuals with disabilities to gain eligibility, even if their income or assets exceed traditional SSI levels. The definition of disability used by these pathways matches that of Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI), primarily focused on work impairment [4].

Some of the optional pathways include:

Working Disabled: Individuals who are employed but still experiencing a disability.

Disabled Adult Children: Adults who are disabled and are receiving benefits based on a parent's work record.

Community Services for Individuals with Disabilities: Those receiving support services that aid in living independently.

For more thorough information on Medicaid and persons with disabilities, individuals can refer to Chapter 1 of MACPAC's March 2012 Report to Congress on Medicaid and CHIP, as well as Chapter 3 of MACPAC's June 2013 Report regarding access to care for persons with disabilities.

By understanding these eligibility criteria and pathways, individuals with disabilities can better navigate the available social programs designed to support their health and well-being. For additional resources and information on healthcare services, visit our page on building communities accessible social services.

#### Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a landmark piece of legislation that prohibits discrimination against individuals with disabilities in various aspects of life. This act has played a significant role in enhancing the rights and opportunities for people with disabilities since its enactment in July 1990.

#### ADA Regulations and Protections

The ADA covers multiple areas, including employment, transportation, public accommodations, communications, and access to state and local government programs and services. These regulations ensure that individuals with disabilities have the same rights and opportunities as those without disabilities.

Key regulations under the ADA include:

**Employment:** Employers cannot discriminate against qualified individuals with disabilities and must provide reasonable accommodations.

**Public Accommodations:** Businesses and non-profit organizations must provide access and services to individuals with disabilities, ensuring equal opportunity in facilities like restaurants, hotels, and theaters.

**Transportation:** Public transit systems are required to be accessible to people with disabilities, including the provision of wheelchair-accessible vehicles.

The ADA has significantly improved the landscape of available social programs for individuals with disabilities, making it crucial for organizations and communities to comply with its standards.

### Impact on Employment and Services

The impact of the ADA on employment opportunities for individuals with disabilities has been profound, yet challenges remain. According to data from the US Bureau of Labor Statistics in 2020, individuals with disabilities are less likely to be employed when compared to their non-disabled counterparts. In addition, a disparity in educational attainment highlights that only 16.4% of persons with disabilities had completed a bachelor's degree in 2016, while 34.6% of individuals without disabilities had reached this level of education [5].

Challenges from the workplace still exist, particularly concerning accessibility. The World Health Organization has flagged several common accessibility issues, such as:

Events failing to provide sign-language interpreters for the deaf or hard of hearing.

Absence of wheelchair-accessible facilities like bathrooms or elevators.

Software that lacks screen reading functionalities, preventing blind users from participating effectively [5].

Despite these hurdles, the ADA continues to influence positive changes in employment policies and the services available for individuals with disabilities. For further insights on how community services can improve the quality of life for New Yorkers, visit our article on how community services improve quality of life New Yorkers.

### Challenges Faced by Individuals with Disabilities

Addressing the obstacles faced by individuals with disabilities is essential to understanding the landscape of available social programs for individuals with disabilities. This segment focuses on employment statistics and accessibility issues that significantly impact the lives of those with disabilities.

### Employment Statistics

Employment rates for individuals with disabilities remain significantly lower than those for their non-disabled peers. According to data from the US Bureau of Labor Statistics in 2020, only 36.6% of individuals with disabilities aged 16-64 were employed, which is approximately half the employment rate of individuals without disabilities. The disparity in educational attainment is

notable, as only 16.4% of persons with disabilities had received a bachelor's degree in 2016, compared to 34.6% of individuals without disabilities [5].

Additionally, individuals with disabilities are disproportionately affected by low income. They are three times as likely to have an income of \$15,000 or less, and they are twice as likely not to have graduated from high school. The following table summarizes these employment and educational statistics:

| Statistic                                    | Individuals with Disabilities | Individuals without Disabilities |
|----------------------------------------------|-------------------------------|----------------------------------|
| Employment Rate (%)                          | 36.6                          | 74.6                             |
| Bachelor's Degree Attainment (%)             | 16.4                          | 34.6                             |
| Likelihood of Earning \$15,000 or Less (%)   | 300% more likely              | -                                |
| Likelihood of Not Graduating High School (%) | 200% more likely              | -                                |
| Accessibility Issues                         |                               |                                  |

**Accessibility is a critical concern for individuals with disabilities as it directly impacts their ability to participate fully in society. These individuals often face physical barriers in workplaces, schools, and public spaces, which limit their opportunities for employment and social engagement.** According to a report by the World Health Organization, children with disabilities are nearly four times as likely to experience violence, indicating a broader societal issue surrounding the treatment of individuals with disabilities [6].

Unconscious biases also play a role in the difficulties faced by individuals with disabilities. A significant proportion of the population exhibits preferences for able-bodied individuals. In a study, 68% of participants showed some automatic preference for abled individuals over their disabled counterparts. This bias can affect hiring practices and social interactions, reinforcing barriers and limiting advancements in advocating for the rights and inclusion of individuals with disabilities.

Programs designed to enhance accessibility and provide support are vital. Understanding the challenges faced by these individuals can help create actionable plans for improvement. For more information on community programs that aim to address these challenges, explore our article on building communities accessible social services.

# Scope:

## Affirmative Ground

We've designed this topic to allow students who want to focus on core disability rights issues to do so, but to also allow students who have intellectual passions elsewhere to research those areas through the lens of disability. It's also good to remember that we are all temporarily abled, anyone can develop a disability, and we all will age into benefiting from some parts of this topic.

### **Affirmative Cases / Advantage Areas:**

**Ableism:** The Americans with Disabilities Act was specifically designed to counter against ableism in the United States, making it the heart of the topic. There are a variety of types of ableism that can make for different affirmative locus points from infantilization of people with intellectual disabilities to the physical accessibility of public institutions which will produces nuanced discussions of ableism

**Health:** There are a wide range of structural impacts that teams can examine under most interpretations of the topic. The healthcare system is a significant piece of affirmative ground under this topic as health issues range from accessibility of diagnosis to getting quality medications to access to mental health services. These impacts have been worsened with the COVID-19 pandemic that exposed how universalist pandemic prevention programs cause a disproportionate amount of deaths to the virus that continues to this day.

**Economics:** People with disabilities missing from / underutilized in/ under-credentialed to participate in the labor force is a fundamental question included in the proposed resolutions. This opens up a wide array of impacts like innovation, competitiveness, and economic stability that may not be the first thing that you think about on a disability rights topic. There are also issues of accessible housing that is uniquely salient with rising housing prices.

**Democracy:** Disabled people have been and are currently often excluded from the democratic process from limited representation in Congress to inaccessible voting booths that make this core impact a part of affirmative ground. Affirmatives focused on reforming the ADA's ties to the democratic process can also discuss the big stick implications of how other nations model the United States as a democracy, especially with the changes from the Trump Administration

**Infrastructure:** A core tenet of the Americans with Disabilities Act is making sure public buildings and transportation is accessible to all people with disabilities which is not just adding ramps to buildings but also an issue with overstimulating lighting in buildings and disabled people having to jump through administrative hoops to get basic accommodations like wheelchair accessible seating. Affirmatives focused on accessible infrastructure can access

advantages not just about structural ableism but also creating better designed housing and cities to help the quality of lives for abled and disabled people.

**Education:** Education is a critical component of efforts to challenge ableism and has internal links to a wide variety of impact scenarios policy teams would greatly appreciate. Teams who want to cut an education based affirmative can focus on disability services like special education or measures to improve the accessibility of higher education both materially as in the physical institutions to questions of accommodations.

## Negative Ground

**Case Debate:** This topic will be an excellent one for case debate because of the highly specific and complex stasis point of the ADA. Negative teams can question issues of the enforcement and administration of affirmative policies especially in a Republican dominated government that is typically silent at best and hostile at worst to disability issues. There is also a vast literature base about who gets supported by the ADA as the language is vague, leading to many people with disabilities who are of other marginalized groups being disadvantaged. Case turns are also a prominent piece of negative ground as many scholars have questioned if the ADA actually supported disabled people's inclusion or was a detriment to it with studies to boot so it is a balanced debate.

### **Disadvantages:**

This topic is great for both the bread and butter combo of economy and politics disadvantages and for other unique disadvantages that come from the topics focus on disability rights.

**Politics:** The link debate will be a telos of fervent clash as affirmative teams will try to go for link turns based on facts like how the ADA was nearly unanimously voted on by Congress. Disability rights are often surprisingly bipartisan at times especially in regards to employment while negative teams will discuss the hostility of the current government to minority groups

**Backlash:** A significant reason why the ADA is currently flawed has to do with the massive wave of backlash that came on it from the media, federal judges, and even certain disability activists so there is a historical literature base to form a unique core generic that hasn't been debated to death. This can lead into impacts from reinvigorating hard-right extremists to constraining definitions of who counts as "disabled," turning case, and more that hasn't been researched yet.

**Economy:** One of the biggest criticisms of the ADA is how it puts an extra cost on businesses and the government to fund various accommodations. Teams can discuss various forms of economic disadvantages from the size of the labor force due to companies being less willing to hire disabled employees or spending trade off disadvantages with the significant spending required for enforcement.

## **Counterplans:**

Like most domestic topics, there are a number of Agent and Process Counterplans that apply to most affirmative cases. Judicial decisions, federal supremacy, and regulatory clarity make a lot of devolution CPs less competitive, and encourage a lot of creative opportunities for alternative mechanisms and Advantage Counterplans.

Different Disability Theories: The resolutions above were specifically written to have affirmative teams read affs about legal disability rights which gives the negative ground to read counterplans and alternatives about disability justice which is a more leftist praxis of disability politics which could include counterplans about Medicare for All and expanding definitions of disability to be more intersectional. There are also questions of what model of disability to use like the medical model, the social model, and the diversity model. This opens up debates over the compatibility of similar but subtly different approaches to tackling ableism, generating plenty of unique clash.

## **FAQ: Why won't the States CP dominate every debate?**

1. Federal Laws (Civil Rights, ADA) and governing bodies supercede any state actions
2. Predictability of companies across states means that a patchwork of regulatory changes will be terrible
3. There are millions of Federal Workers and federal contractors across the country that have to adhere to federal requirements, changing these standards is often used to compel the rest of the market, so there are good modeling debates to be had here.
4. States CPs that fiat out of the nuances of funding, coordination, expertise, etc. are abusive and should lose...and you should just beat them on those being cheaty
5. Politics and Federalism DAs are pretty rough in the Trump administration, so States CPs will struggle for net benefits without some creativity, and we think that new research is probably good to find creative ideas for net benefits.

## **Kritiks:**

The Americans with Disabilities Act originally came from the grassroots efforts of disability justice groups like the American Disabled for Attendant Programs Today (ADAPT) which makes debates over whether state action or various non state action alternatives would be more effective avenues for solvency supported by a substantial literature base. Teams can critique the classic issues of legal rights frameworks and reform for core kritik ground but there are many other kritiks about the intersection of disability with class struggle, race, gender, and more. A variety of kritiks from the critical disability literature base are also available and threatening to pretty much every affirmative on the topic (look into Puar, Smilges, and Hughes!) but can be countered with arguments about pragmatic reforms being key which will be incredibly nuanced and clash filled debates.

# Novices

The discussion of ground below will put to rest any concerns people have about having plenty of arguments for advanced debaters to investigate.

Novice debate, however, is more challenging and critically important to nurture if we want to grow and expand the activity. We recognize that this is often difficult on international relations topics, which is a reason we often vote against them when given the choice.

We believe that this topic is an exception to the rule (and the votes of our local kiddos supports this claim) and will be highly accessible to novice debaters. While disability rights can be a highly complex topic, there is an inherent simplicity to the concepts that students are being asked to debate. Anyone of debating age, reading level, or experience level, can wrap their head around ideas like “people with disabilities should have the same opportunity for X that non disabled people have,” or “disabled people deserve the services needed for a good quality of life.” The exact details of how to implement those ideas into policy is still open to novices to work out, making cutting their own cases very accessible.

Most Novices debate with core file sets, or cases similar to core file sets, and some affirmatives that would be easy for novices to digest could include:

1. USFG should X to increase accommodations for disabled workers
2. USFG should do X to improve the accessibility of Y public infrastructure
3. USFG should do X to increase enforcement of the ADA

All have simple advantage areas like disability rights, economic growth, and human rights .

Simple, novice friendly negative arguments could be an actor CP (like States or Courts), DAs about politics and the economy, or T about the language of the ADA.

There is more extensive, lower reading level literature on this topic (as well as plenty of complex dissertation level lit about ability) that is very much under researched.

This topic will also help people develop the ability to discuss nuanced, personal questions responsibly. Debaters are going to occasionally stick their foot in their mouth, a topic that helps them have these nuanced conversations is a good learning opportunity.

## Timeliness

Disabilities are often seen as a one off event that happens to individuals but what makes disability unique as an identity category is that people will inevitably become disabled with injury and old age. This makes this topic eternally relevant as anyone can be disabled at any point in their life so it's important to discuss how to reform government protections and long-term support systems for disabled people.

There are a number of reasons why “now” is important to discuss this issue:

1. **Aging** – The U.S. and many other nations are seeing a rapidly aging population where disability is becoming more prevalent. We should actively discuss this question instead of ignoring it. This means that there are a lot of questions around housing, transportation, healthcare, and long-term support systems to discuss.
2. **COVID** – It has been five years since the start of the COVID-19 pandemic which put the majority of people face to face with the fragility of our healthcare and disability support networks as elderly and immunocompromised populations were left with insufficient protections against the virus. Most would consider the pandemic to be “over” but for many folks with medical issues and long COVID, it isn’t over and more work needs to be done.
3. **Workforce Inclusion** – Unemployment among people with disabilities is stubbornly high, but employers are struggling to fill open positions. Discussing accommodations, vocational training, remote work, and inclusive hiring are the solutions to some of these issues.

4. **Trump** - Trump kicked off his campaign mocking a disabled reporter, setting a new (lower) standard for public discourse in this country, and making discrimination against people with disabilities more socially acceptable. In office, the Trump Administration has undergone a ruthless dismantling of diversity and inclusion protections which are key to protecting disabled people from employment to education to infrastructure, generating a lot of uniqueness. Also, the administration is slashing benefits that many disabled people on Social Security Disability benefits depend on as their sole source of income which makes questions about how to support those people extra inherent.
5. **Mental Health** – More people than ever, especially young people, are experiencing mental health crises. More than ever, the United States has been described as having a mental health crisis in a notable subsection of its population. Instead of brushing these people and their struggles under the rug, normalizing discussions of mental health would be a powerful benefit for this topic, and might lead to interesting policy ideas.
6. **Combating Misinformation** – Many misconceptions about disabilities are rising with America's shift towards more radical right wing ideas. This includes an increasing popularization of “holistic healthcare” with almond oil and green smoothies being touted as ways to “save your child from autism/ADHD.” There are other misconceptions like beliefs that ambulatory wheelchair users are “faking their disability” that can be broken down with research and discussion about disability issues
7. **Technology** – Emerging technologies are about to re-shape how people, especially those with disabilities engage with the modern world. This could be either a revolutionary, inclusive opportunity, or extend the divides in the status quo. Many AI tools are being trained on data sets that have implicit ableist biases and ableist arguments in favor of generative AI such as “AI art is the only way disabled people can make art” are rising.

## Definitions:

Disability

Ableism

Protection

Enforcement

Education

Employment

Social Services

Public Accommodations

Disability Rights

## Bibliography

<https://www.ada.gov/resources/disability-rights-guide/>

<https://www.cdc.gov/disability-and-health/articles-documents/disability-impacts-all-of-us-infographic.html>

<https://www.npr.org/2022/07/29/1113535976/ada-disabilities-act-activists-more-protections>

<https://www.ada.gov>

<https://www.adalawproject.org/proposals-to-amend-the-ada>

<https://nationalcenter.org/able-to-succeed-a-policy-reform-agenda-for-americans-with-disabilities>

<https://now.org/blog/the-intersection-of-disability-and-feminism-why-disability-rights-matter-to-feminists-today/>

<https://petrieflom.law.harvard.edu/2018/02/26/the-accessibility-police-how-the-ada-education-and-reform-act-hinders-ada-enforcement-and-burdens-americans-with-disabilities/>

<https://www.qualitylogic.com/knowledge-center/accessibility-industry-update-february-2025/>

<https://press.umich.edu/Books/B/Backlash-Against-the-ADA2>

<https://www.law.georgetown.edu/poverty-journal/in-print/volume-26-issue-iii-spring-2019/explaining-not-disabled-cases-ten-years-after-the-adaaaa-a-story-of-ignorance-incompetence-and-possibly-animus/>

<https://press.umich.edu/pdf/047209825X-fm.pdf>

<https://www.yesmagazine.org/social-justice/2022/11/03/art-rights-disability-justice-joy>

<https://www.yacvic.org.au/ydas/resources-and-training/together-2/values-and-ideas/two-models-of-disability/>

<https://www.americanbar.org/content/dam/aba-cms-dotorg/products/inv/book/346779304/Sample.pdf>