

# Archived Information

UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND  
REHABILITATIVE SERVICES  
REHABILITATION SERVICES ADMINISTRATION  
WASHINGTON, DC 20202

POLICY DIRECTIVE

RSA-PD-91-15

RSM-3520

DATE: August 9, 1991

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES (GENERAL)  
STATE VOCATIONAL REHABILITATION AGENCIES (BLIND)  
CLIENT ASSISTANCE PROGRAMS  
RSA SENIOR MANAGEMENT TEAM

SUBJECT: Role of Client Assistance Programs in Relation to the Americans with  
Disabilities Act

BACKGROUND: The Americans with Disabilities Act (ADA) of 1990 has far-reaching effect on the lives of individuals with disabilities. All factions of the disability community are becoming active in the dissemination of information on the provisions of this important legislation. The ADA also identifies the specific Federal agencies responsible for enforcement of its provisions.

Section 112 of the Rehabilitation Act of 1973, as amended, authorizes Client Assistance Programs (CAP) to provide information and assistance to individuals with disabilities who are seeking or receiving services (clients and client-applicants) under the Rehabilitation Act. CAP agencies are also authorized to provide information on programs and services under the Rehabilitation Act to any individual with a handicap in the State in which the CAP is located.

**POLICY**

**STATEMENT:** Federal regulations at 34 CFR 370.10(b) authorizes CAP agencies to advise clients and client-applicants of all benefits available to them under various Federal and State programs, including the ADA, and their rights and responsibilities in connection with those benefits. However, because of the limits placed on CAP agencies under Section 112 of the Rehabilitation Act, CAP agencies may not assist a client or client-applicant in pursuing their rights or benefits under the ADA unless those rights or benefits are related to services provided under the Rehabilitation Act of 1973, as amended.

If the ADA-related issue does not relate to services under the Rehabilitation Act, the CAP may refer the individual to the appropriate Federal agency responsible for enforcement of the ADA provisions (e.g., the U.S. Equal Employment Opportunity Commission for employment issues; the U.S. Department of Justice for public accommodation issues).

**CITATIONS**

**IN LAW:** Section 112 of the Rehabilitation Act of 1973, as amended.  
The Americans with Disabilities Act of 1990

**CITATIONS IN  
REGULATIONS:**

34 CFR 370.10(b)

**EFFECTIVE  
DATE:**

Upon issuance

**EXPIRATION  
DATE:**

None

**INQUIRIES:**

RSA Regional Commissioners

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Commissioner  
Rehabilitation Services Administration