TO DISCLOSE OR NOT TO DISCLOSE: THAT IS THE QUESTION

A Project

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by

Lynne Boone

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Geni Cowan, Ph.D.  
Date 4-21-15  
Graduate and Professional Studies in Education
Abstract

of

TO DISCLOSE OR NOT TO DISCLOSE: THAT IS THE QUESTION

by

Lynne Boone

Statement of the Problem

The disclosure dilemma can be challenging for students with disabilities leaving a community college setting and entering the workforce. There is a general lack of knowledge regarding their rights and responsibilities concerning disclosure. Resources pertaining to disclosure are limited on the American River College Campus. Furthermore, disclosure is not part of the class curriculum for the Human Career Development 382, Study Strategies Class, which is designed for students with disabilities.

Source of Data

Data for this project were obtained through professional journals, library resources, and EBSCO HOST. Articles, books, and workbooks were also reviewed along with information gathered from the World Wide Web. Interviews were conducted with faculty, staff, and students at American River College.

Conclusion

A PowerPoint presentation and workbook were created to present to the students at American River College who are enrolled in the Human Career Development 382,
Study Strategies Class. The presentation and workbook provide information and activities to help the students: understand disability and disclosure, self-determination, accommodations, the ADA and FEHA, and the advantages and disadvantages of disclosure as well as explore one's strengths and weaknesses.

Guy Deaffer, Ph.D.

Date 1/21/2015
DEDICATION

This project is dedicated to the memory of my mother, Evelyn Willis, who taught me that a woman can achieve her dreams and to never give up and to my father, Beauford (Willie) Willis, for the love and support he showed his family throughout his years with us.
ACKNOWLEDGMENTS

In addition, I would like to thank my family for the love and support they have shown me throughout my journey. A lifetime of thanks goes to my friend Laurel, who has been there for me since high school; her love and support can never be repaid. My friend Kathleen has encouraged me and my education since the beginning and I truly believe that without her support I would not be writing this acknowledgment today.
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The idea for this project emerged when the author became aware of the challenges students with disabilities leaving college face when entering the work world. Her research showed that the transition from college to career for students with disabilities is difficult because the worlds of academe and employment differ significantly. In the academic world there is usually an available program with specialized personnel who accommodate students with disabilities and therefore have an understanding and acceptance of disabilities. In contrast, employers are largely unclear about the concept of disabilities and are more worried about their profit and efficiency in the workplace (Madaus, 2008). In 2010, the National Organization on Disability reported only 21% of working-age individuals with disabilities were employed in full- or part-time jobs as compared to 59% of working-age individuals without disabilities (Riesen, 2014). One of the greatest dilemmas that occur during the transition to employment for these individuals is the decision to conceal or acknowledge their disability to a potential employer. This decision adds to the complexity of the job search and interview process (Madaus, 2006a). Roberts and Hoff Macan (2006) cited Thomason and Dickey stating this decision-making process can be harder for some individuals with disabilities who do not feel confident in their ability to decide how and when to tell a potential employer about a disability, even though they might have relatively high self-efficacy with interview skills. The choice to
disclose or acknowledge one’s disability involves complex personal decision making unique to each individual, depending on the visibility, stigma, or level associated with the disability (Jans, Kaye, & Jones, 2012).

The disclosure dilemma affects persons with a range of disabilities who are striving to obtain employment within their diminished work capacity in the open labor market (Allen, 2003). For example, individuals with Learning Disabilities, a hidden disability, are more likely to not disclose their disability to an employer than those with hearing, visual, or orthopedic disabilities, which are more obvious to the casual observer (Price, 2003). Research completed in 2001 on students who had graduated from universities between 1985 and 1999, found that 46% of those studied had not disclosed their disability to their employer. This was because they had a perceived concern for job security, and they believed disclosure might negatively impact their relationship with coworkers or supervisors (Madaus, Foley, & Ruben, 2001). In addition, a study done by Jans et al. in 2011 found that individuals with hidden disabilities may decide not to disclose, fearing it jeopardizes their chances to obtain a job. Others may choose to disclose in the job interview, using this time to explain to their prospective employer how they would approach the job, considering their disability.

In addition to learning disabilities, mental illness is also a hidden disability, which is highly stigmatized; therefore, the decision to disclose can be more complex and challenging for these individuals. Jans et al. (2012) addressed this in their study, stating that most individuals with mental health issues chose to manage their disability.
themselves and not mention it to a current or potential employer. A study conducted in 2011 on the pressure surrounding disclosure of mental illness in the workplace concluded that the single cause of non-disclosure was the fear of discrimination, which included being stereotyped and how others might react knowing they had a mental health diagnosis (Peterson, 2011).

Those with more visible disabilities are more likely to disclose their disability early in the employment process, usually during the job interview. Individuals with obvious disabilities who utilized wheelchairs, white canes, and other assistive devices characterized it more as an acknowledgement of the disability rather than disclosure. These individuals take this opportunity to put the interviewer at ease and proactively emphasize how their disability would not impact their job performance (Jans et al., 2012). In addition, some individuals have more than one disability and may choose to disclose one first, and then later disclose another that may have less impact on their ability to do the job (Jans et al., 2012).

The choice to not disclose a disability that does impact one’s job can come at a cost to the individual. This is because individuals who choose not to disclose their disabilities forfeit their right to accommodations and other legal protections under and Americans with Disabilities Act (ADA) (United States Department of Labor Office of Disability Employment Policy, 2014). When a student leaves school and enters the workforce, the requirement to share information concerning their disability changes. Madaus (2008) cited Reiff who stated that the world of employment represents a social
system that has little to no knowledge of disability issues compared to the protected experience of the school environment. During their educational years, students are protected under the requirements of the Individuals with Disabilities Act (IDEA) and information concerning their disability and accommodations follows them by means of their individualized education plan (IEP). Upon leaving school, students are no longer covered by the IDEA. Instead, the ADA and the Rehabilitation Act of 1973 protect them from disability-related discrimination.

Both the ADA and Rehabilitation Act of 1973 require the applicants and employees with disabilities to disclose their disability if they require work-related accommodations (United States Department of Labor Office of Disability Employment Policy, 2014). A study conducted by Witte (2001) indicated that students with disabilities could not describe how the ADA protected them in their employment search. In fact, the ADA and the California Fair Employment and Housing Act (FEHA) protect individuals with disabilities from disability-related discrimination and provide meaningful access to employment. Title I of the ADA prohibits employers with 15 or more employees, including state and local agencies, from discriminating against qualified individuals in job application procedures and the hiring process (United States Department of Labor Office of Disability Employment Policy, 2014). Even after the passage of the ADA, self-disclosure in the workplace was still infrequent when studied by Price in 2003.
Individuals with disabilities in California are also protected under the Fair Employment and Housing Act of 1974. This law is broader than the ADA in many ways and is intended to ensure individuals with disabilities are protected in the workplace (Housing, 2009). Witte’s (2001) study on students with learning disabilities showed that students graduating from college had limited knowledge of how they are protected under the law, suggesting that many college students with disabilities are leaving institutions with a potential vulnerability to discrimination in the employment setting. The increased vulnerability to discrimination is an important factor, as the infrequency of self-disclosure in the workplace can greatly hinder the success of individuals with both hidden and visible disabilities.

**Statement of the Problem**

Although there are many reasons for disclosure of a disability to a potential employer, a substantial number of individuals choose not to disclose their conditions. Jobseekers’ fears of not being hired because of the disability, even though they are protected under the ADA and FEHA, is significant. Sadly, many employers still have negative attitudes, kept in place by myths regarding people with disabilities as workers. Their desire is to avoid what they consider to be risky hires (Pearson, 2003). Some individuals with disabilities have even reported quitting or losing a job to avoid disclosure to an employer (Roberts & Hoff Macan, 2006). Avoidance of encountering the negative attitudes and social rejection that comes with disclosure in the workplace is another factor for these individuals with disabilities who consider transition. For students
with disabilities leaving the college setting and entering the workforce, the disclosure dilemma is a challenging one.

Currently, students with disabilities at American River College receive limited instruction pertaining to disclosure of their disability to a potential employer (K. Cronin, personal communication, May 20, 2014). Investigation of the rights and responsibilities associated with disability discloser are left to the individual student. Support is available for students with disabilities at the ARC Career Center on an individual basis concerning disability disclosure, legal rights, and resources available outside the college, but this is not a widely used resource. At one point in time, ARC had a Workability Program, which included workshops discussing disability disclosure pertaining to employment, but they lost funding for the program a long time ago (E. Meisner, personal communication, May 22, 2014). There is currently not a class at ARC with curriculum that includes guidance regarding the rights and responsibilities pertaining to disability and disclosure in employment for students (J. Rust, personal communication, May 28, 2014).

Therefore, the purpose of this project is to create a PowerPoint presentation for students with disabilities who attend American River College and are enrolled in Human Career Development (HCD) 382, Specific Learning Strategies. This project is designed to provide the students with the tools necessary to make an informed choice to disclose or not disclose their disability to a potential employer. The PowerPoint presentation and worksheets focus on the following areas: (a) a self-exploration of one’s strengths and weaknesses as they pertain to one’s disability, (b) an understanding of the advantages and
disadvantages of disclosure and how to disclose, and (c) the rights and responsibilities of individuals with disabilities under the law. All of these are important factors leading to the success of students with disabilities in finding and keeping appropriate employment.

**Definition of Terms**

The following definition of terms may be useful for enhancing the reader's understanding of the problem.

**The Americans with Disabilities Act (ADA)**

The ADA is a civil rights law that prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. It also mandates the establishment of TDD/telephone relay services (United States Department of Labor Office of Disability Employment Policy, 2014).

**Disability Discrimination**

Disability discrimination occurs when an employer or other entity covered by the Americans with Disabilities Act or the Rehabilitation Act, each as amended, treats an individual with a disability, who is an employee or job applicant, unfavorably because of that disability (U.S. Equal Employment Opportunity Commission, 2014).
Essential Functions

Tasks that are fundamental and necessary to the performance of a given job

(National Collaborative on Workforce and Disability, 2005)

Fair Employment and Housing Act (FEHA)

A statute which prohibits employment harassment and discrimination by employers in labor organizations, employment agencies, state and local governments, and private employers on the basis of: race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave

(California Department of Fair Employment and Housing, 2014).

Hidden Disabilities

Disabilities that are invisible on the outside but that may limit an individual’s ability to function effectively (National Collaborative on Workforce and Disability, 2005)

Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (IDEA) ensures that all children with disabilities are entitled to a free, appropriate public education to meet their unique needs and prepare them for further education, employment, and independent living (American Psychological Association [APA], 2014).
Informed Choice

Informed choice is the process of making a decision after considering collected information. Relevant facts and the pros and cons (positives and negatives) of the decision all need to be considered (National Collaborative on Workforce and Disability, 2005).

Reasonable Accommodation

A reasonable accommodation is any change or adjustment, such as providing or modifying equipment or devices, job restructuring or reassignment, readers, or interpreters, which allow an employee with a disability to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. A reasonable accommodation also allows for a qualified applicant with a disability to have any change or adjustment needed, which allows him equal benefits in the job application and interview process (U.S. Equal Employment Opportunity Commission, 2014, para. 4).

Self-Determination

Self-determination is the desire, ability, and practice of directing one’s own life. A self-determined person can set goals, make decisions, see options, solve problems, speak for him or herself, understand required supports, and evaluate outcomes (National Collaborative on Workforce and Disability, 2005).
Stigma

Stigma is a set of negative and often unfair beliefs that a society or group of people has about something, such as a mental or physical impairment that is characteristic of a defect or disease. In addition, this impairment would be considered by some a mark of disgrace, a stain or reproach to one’s reputation. (Goffman, 1963).

Visible disabilities

Visible disabilities are those that are more apparent to someone else because of exterior appearance (National Collaborative on Workforce and Disability, 2005).

Limitations of the Project

There were several limitations to this project. The first limitation concerned the information utilized, which was limited to the author’s interpretation of relevant information and based on then current data and the author’s then current knowledge. An additional limitation was the geographic scope of this project, which was limited to the Sacramento area. Furthermore, the PowerPoint and workbook produced for this project are limited to use with the students of HCD 382, Specific Learning Strategies, at American River College. Author bias was an identified limitation as the author is of the opinion that disclosure is a complicated issue, which each individual needs to consider for him or herself. In addition, the author has 12 years of experience working with the student population at Disabled Student Programs and Services (DSPS) on the American
River College Campus. Thus the author empathizes with the student population and favored them over the employers.

**Organization of the Project**

Chapter 1 consists of an introduction, statement of the problem, definition of terms, limitations, and organization of the project. A literature review is found in Chapter 2, which is comprised of information pertaining to the issues of disclosure, stigma, and employment. The methodology utilized to develop the PowerPoint and workbook is described in Chapter 3. Chapter 4 consists of a summary of the project and recommendations. *To Disclose or Not to Disclose: That is the Question* PowerPoint and workbook follow Chapter 4 and are contained in the appendix.
Chapter 2

REVIEW OF RELATED LITERATURE

Introduction

The review of literature is divided into four sections. The first section is devoted to the fear students with disabilities encounter due to the stigma associated with disabilities in an employment setting. In addition, the author addresses how that fear affects the decision to disclose a disability to an employer. The next area of discussion is how differently employers perceive invisible disabilities and visible disabilities. The third section concentrates on the lack of knowledge college students have regarding their rights and responsibilities under the law and how that impacts their disclosure decision. In conclusion, the author discusses the employers and fears they have when considering hiring an individual with a disability.

Fear Associated with Stigma of Disabilities

Erving Goffman defined stigma as a discrediting social difference that yields a spoiled social identity. This social disapproval is one of the critical barriers to employment that individuals with disabilities encounter (Scheid, 2005). Martz (2003) discovered, through a mail survey of 200 individuals with disabilities attending community colleges, that employers often carry stereotypical notions and expectations regarding individuals with disabilities, who employers perceive are weaker or incompetent compared to those without disabilities.
A former American River College Disabled Students Programs and Services (DSPS) student agreed with the results of Martz’s study. She stated that she felt stigmatized when applying for jobs because she was afraid of the employer’s misconceptions of her disability and feared that the misconceptions would negatively influence the employer’s opinion during the hiring process (R. Tiner, personal communication, October 27, 2014). Her fear is similar to ones shared by individuals in a survey completed by Stefan (2002) in which individuals with psychiatric disabilities shared that the worst discrimination they experienced was during the hiring process or when they were turned down for a job.

In 2001, Madaus et al. conducted an investigation of 132 college graduates with disabilities. Ninety percent reported that their disability impacted their work in some capacity. One third of those students had disclosed their disability to their employer. The reasons given by those who did not disclose were fear of a negative impact on their job security and relationships with their supervisor or co-workers. Comparatively, a follow-up study of 500 college graduates with learning disabilities from three universities in the United States (Madaus, 2006a) indicated that many of the respondents decided not to disclose for fear that the stigma associated with disabilities might negatively impact their relationship with their co-workers, supervisors, and or clients. As in the previous study, fear for job security was also expressed. Madaus suggested more needs to be done to help students fully understand the dynamic of their disability and the workplace, which in turn would help them with the transition to work.
Madaus’s most recent study (2008) of college graduates with disabilities, noted a concern for potential negative impact of disclosure. Students in the study mentioned fearing negative reactions from co-workers, supervisors, or clients in addition to fear of discrimination and retribution, such as loss of job, lack of promotion, or being the object of gossip. Furthermore, Cornell University ILR School Employment and Disability Institute (2011) reported that making the choice to not disclose a disability to an employer was due to the possible agony of being fired or not hired. It went on to state that these individuals also feared the employer would focus on the disability and not their abilities. Anxiety over losing health insurance and the possibility of limited opportunities was also reported as an obstacle. As stated in previously cited studies, these college graduates indicated fear of negative repercussions, being treated differently, or being bullied by others in the workplace.

Visible and Invisible Disabilities

Often people think a person with a disability requires the use of an accommodation, such as a wheelchair, cane or walker; therefore, the disabilities are visible to others. Actually, many Americans who live with severe disabilities do not use such devices. The term invisible disabilities refers to symptoms such as debilitating pain, fatigue, dizziness, cognitive dysfunctions, brain injuries, learning difficulties, and mental health disorders. These disabilities are not always obvious to the onlooker, but can sometimes or always limit the daily activities of that individual (Invisible Disabilities Association, 2014).
Martz (2003) found the odds of becoming employed are greater for an individual with an invisible disability when compared to those of a person with a visible disability. Employers often carry stereotypical notions about employing people with disabilities; therefore, having a visible disability decreases their ability to obtain and maintain employment. Martz’s study also indicated it is possible that students with invisible disabilities may find it easier to obtain employment if they do not disclose their disability to an employer.

Dalgin and Bellini (2008) discovered that the type of disability an individual may have also influences the employer’s hiring decision. The study investigated the impact of disclosure of a physical and psychiatric disability to an employer within the interview process. When presented with two candidates who were equally qualified for a job, the candidate who disclosed a psychiatric disability was the least likely to be hired when compared to a candidate with a physical disability. These findings suggest that the type of disability does matter to the employer, especially if the disability carries a substantial negative stigma (Spirito & Bellini, 2008).

Knowledge of Rights and Responsibilities

Madaus (2006a) cited the Americans with Disabilities Act stating that knowledge of one’s rights and responsibilities under the law are a key component of the decision to disclose a disability to a potential employer. Vogel and Adelman (2000) demonstrated Madaus’s findings in a quantitative study by of college graduates with disabilities 8 to 15 years after graduation and 10 years after implementation of the ADA. This study
indicated that 62% of the graduates studied were not familiar with the ADA. In addition, Vogel and Adelman suggested that information regarding the ADA be provided at the high school level and continue through college.

Related to Vogel and Adelman's (2000) study, a more current qualitative study (Madaus, 2006b) explored how the transition from college to career can be improved, using a population of 170 college graduates with disabilities. These graduates provided specific suggestions of improvements needed, including courses and training related to the ADA and specifically the rights of workers with disabilities in the workplace. The graduates agreed that colleges needed to provide additional information regarding the students' rights and responsibilities under the ADA, so students are informed when they enter the workforce.

Equally important is a study by Hennessey, Roessler, Cook, Unger, and Rummell (2006). This 58-item questionnaire, with fixed and open-ended questions, also demonstrated that students with disabilities in the college setting lack knowledge regarding the ADA. This study suggested four weaknesses related to ADA knowledge of college students with disabilities. First, it suggested that college students are not cognizant of their rights and responsibilities related to the ADA. Second, the study found that students were not aware they were protected under the ADA. Third, the students were not familiar with the risks and benefits of disability disclosure to an employer. Finally, these students did not know what actions to take if they encountered discrimination in the workplace.
An empirical analysis of career optimism of 208 college and university students with disabilities by Hennessey, Rumrill, Fitzgerald, and Cook (2006) also illustrated that students need interventions to help build their self-advocacy and self-determination skills so they are educated and have the tools to survive when leaving the world of academia to enter the world of work. A more recent phenomenological study by Minkyong Minsun and Williams (2012) revealed there is a need for college students to obtain a more comprehensive knowledge of the ADA and its employment provisions. The extensive interviews in the study revealed college students and graduates are limited in their knowledge about the ADA and how the statute provides academic accommodations and employment protections. The authors suggest institutions of higher learning raise awareness of the ADA as part of career preparation or employment training for students with disabilities.

American River College has limited career preparation and employment training for students with disabilities. Students need to seek out information regarding the ADA and how it impacts them in the workplace (Cronin, 2014). The Americans with Disabilities Act (ADA) and Fair Employment and Housing Act (FEHA) regulations and how they impact the student are reviewed one-on-one in learning disabilities eligibility appointments or one-on-one with a DSPS counselor if requested. ADA and disclosure are not part of the curriculum in the Human Career Development 382, Specific Learning Strategies class or any other class on the ARC campus (J. Rust, personal communication, May 28, 2014).
A former DSPS student and current employee with ARC disclosed that as a student she definitely would have benefited from a workshop that educated her on her rights and responsibilities in a world of employment. She shared that her lack of knowledge of her rights and responsibilities under ADA made her afraid to disclose her disability to employers, even though she knew she would need accommodations to be successful. In addition, she indicated that a workshop of this nature would empower students with disabilities with knowledge so when they enter the workforce, they are prepared. She went on to state that if students with disabilities understand and are empowered with this knowledge, it may open new opportunities not previously thought possible (R. Tiner, personal communication, October 27, 2014).

Employer Fears

In 2008, a comprehensive survey was conducted by the United States Department of Labor, Office of Disability Employment Policy (DOL-ODEP). The purpose of this survey was to examine the employers' side of issues related to recruiting, hiring, advancing, and retaining individuals with disabilities. A representative sample of senior executives of 12 industries participated in the 15-minute telephone survey. The data collected were used to formulate strategies and policies for increasing employment opportunities for people with disabilities (ODEP).

The survey conducted by DOL-ODEP found that due to the lack of education regarding employing individuals with disabilities, employers have preconceptions and fears related to hiring and retaining this population. Some of the reservations expressed
by employers were increased health care and worker’s compensation costs as well as the fear of litigation. The employers in this study had multiple misconceptions regarding individuals with disabilities. Employers expressed concerns regarding extra costs to train, the need for accommodations, and lack of work productivity (United States Department of Labor, 2008).

A similar study was done in 2011 of human resource professionals and supervisors who worked for employers who were resistant to complying with ADA regulations (Kaye, Jans, & Jones, 2011). The participants were asked to assess why employers in general may not be open to hiring, accommodating, and retaining individuals with disabilities. The top three reasons given for not hiring individuals with disabilities, endorsed by four-fifths of the respondents, were the cost of accommodations, the lack of awareness of how to work with the individuals and meet their needs, and the fear of being stuck with an employee whom they cannot discipline or fire because of the possibility of a lawsuit. Seventy percent of the respondents agreed it was difficult to assess the applicant’s ability to do the job. The fear of extra supervisory time for employees with disabilities was also a factor. In addition, the cost that may be incurred due to hiring individuals with disabilities was a concern. More than half the respondents agreed employers do not hire individuals with disabilities for fear they will not be able to perform the essential functions of the job. The respondents also agreed that employers do discriminate against applicants with disabilities (Kaye et al., 2011).
Chapter 3

METHODOLOGY

Review of Sources

Research on this project began in September 2013 and did not conclude until March 2015. The author collected, analyzed and examined an abundance of supporting information relevant to college students and their need for information regarding the ADA and disability disclosure to employers. The information gathered was systematically reviewed and included in this project. The author included information found in the CSUS online library research databases EBSCO HOST, and Interlibrary Loan (ILLiad). Personal interviews, articles, books, and workbooks were reviewed. Peer-reviewed journals were studied, including the *Journal of Vocational Rehabilitation*, *Journal of Postsecondary Education*, *Journal of Occupational Rehabilitation* and the *Journal of Learning Disabilities*. In addition, information from the World Wide Web was utilized, for example, that from the Job Accommodation Network (JAN) and Searchable Online Accommodation Resource (SOAR). Various government websites were reviewed, such as that of the California Department of Fair Employment and Housing, The Office of Disability Employment Policy, and The United States Department of Labor, Office of Disability Employment Policy. The Vocational Rehabilitation Counseling Masters Project Handbook provided an organizational outline for the project.
Research for this project included four personal interviews, which directly influenced the development of this project. The author originally met with Kathleen Cronin, the Learning Disabilities Coordinator at ARC in spring 2014 to discuss her thoughts on the author’s vision for a project (personal communication, May 20, 2014). Later in May 2014, the author conducted a personal interview with Ms. Cronin during which Disabled Students Programs and Services (DSPS) was discussed and what the students’ needs and abilities were as they pertained to employment after college. This author has continued to communicate with Ms. Cronin throughout the development of this project. In May 2014, a personal interview was conducted with Eva Meisner who works with a variety of students in the Career Center at ARC (E. Meisner, personal communication, May 22, 2014). This interview provided the author information regarding services available in the Career Center on the ARC campus for DSPS students who are seeking employment. During the interview, the author discovered that since the loss of the Workability Program a few years prior, the career center no longer held workshops pertaining to disability disclosure and employment. This information validated the need for this project.

In addition, this author conducted a personal interview with Joe Rust who is a DSPS counselor and instructor of the HCD 382 Specific Learning Strategies Class. He shared that his class curriculum does not include information regarding the ADA or disclosure and he felt including it would be an asset to his students. A final personal interview was conducted with a former DSPS student and current employee ARC. She
disclosed that, as a student, she most definitely would have benefited from a workshop educating her on her rights and responsibilities in the world of employment. She shared that she was not adequately prepared for the hurdles she would have to overcome when she entered the world of work when she left college. In addition, she indicated that a workshop of this nature would empower students with disabilities with the knowledge they need when preparing to enter the workforce (R. Tiner, personal communication, October 27, 2014). All interviews along with the 411 Workbook on Disability Disclosure, were important in laying the foundation for this project.

The research conducted supported the need for a presentation for students with disabilities leaving the community college setting at ARC. The PowerPoint presentation and worksheet focus on the following areas: (a) a self-exploration of one's strengths and weaknesses as they pertain to one's disability, (b) an understanding of the advantages and disadvantages of disclosure and how to disclose, (c) the rights and responsibilities of individuals with disabilities under the law. The information included in the presentation and worksheets was carefully chosen from the information collected and analyzed during the research period of this project. All the factors are important, leading to the success of students with disabilities in finding and keeping appropriate employment.

The author used Microsoft PowerPoint, Word, and various websites to create the presentation and worksheets. The audience will utilize the worksheets to complete activities presented in the workshop, which will help them understand and practice the
ideas presented throughout the presentation. These worksheets, along with reference information, will be available for the students to take with them for future reference.

**Method**

The inspiration for this project emerged in fall 2013 when the author, who had worked closely with students with disabilities at American River College in the Disabled Students Programs and Services, was required to review an article by one of her professors. The article, titled “Self-Perceived Job Search Skills of College Students with Disabilities” (1994), indicated that students with disabilities leaving the college setting were not aware of the ADA and how it protects them in their search for employment. It also addressed the issue of disclosure in an employment setting. This author was intrigued by the data collected for the article and continued her research on students with disabilities leaving the college setting and entering the world of work.

In spring 2014, the author discovered a workbook titled *411 on Disability Disclosure, A Workbook for Youth with Disabilities*. This workbook was designed to help high school students with disabilities understand disability disclosure and employment. The author felt that a format such as that in the workbook geared toward college students would be beneficial for students with disabilities attending ARC. It was at this point in time that the author decided to produce a PowerPoint presentation focusing on disability disclosure in the workplace. The author felt it would be important to include worksheets for the audience to utilize during the presentation. Some areas she felt would be beneficial to the audience were self-exploration of strengths and
weaknesses as they pertain to the individual’s disability as well as defining a person’s
disability and how the disability may or may not impact employment and, thus, the
decision to disclose or not to disclose to an employer. She also knew there was a need
for information pertaining to the ADA and how it impacts the employment setting.

It was at this point the author discussed her vision with the Learning Disabilities
Coordinator at American River College, Kathleen Cronin. Ms. Cronin expressed positive
feedback and suggested that such a presentation would benefit students enrolled in the
Human Career Development (HCD) 382 Specific Learning Strategies course. The author
decided to create a PowerPoint presentation and worksheets titled To Disclose or Not to
Disclose: That is the Question.

The author utilized the 411 on Disability Disclosure as a guide for the To Disclose
or Not to Disclose: That is the Question PowerPoint presentation. An introduction
defining disabilities under the ADA and effective disclosure is followed by information
regarding self-determination and how important it is to the disclosure process. Since the
author’s research discovered that understanding one’s abilities and challenges is pertinent
to the disclosure process, this author built in an activity that includes worksheets for
participants to complete a self-exploration of their individual strengths and challenges
pertaining to their disability. The next step in the presentation includes a discussion
regarding reasonable accommodations in the workplace. The students are introduced to
the Job Accommodation Network (JAN) and Searchable Online Accommodation
Resource (SOAR). Activity 2 allows each participant to look at their challenges from
Activity 1 and consider how those challenges might affect them at a worksite. Based upon their challenges and strengths, the participants determine the appropriateness of the accommodations to fit their specific needs.

The presentation then discusses the laws pertaining to individuals including the ADA, FEHA, and The Rehabilitation Act of 1973. Activity 3 allows the students to explore the advantages and disadvantages inherent in disclosure. Finally, the students create sample scripts depicting possible disclosure scenarios. They are careful to include the how, when, and where of disclosure in the workplace within the scope of Activity 4. The PowerPoint presentation concludes with a question-and-answer session, a list of resources for further study, and a certificate of completion. Upon completion of the To Disclose or Not to Disclose: That is the Question PowerPoint presentation, participants will become self-determined disability advocates who are members of an empowered workforce.
Chapter 4

SUMMARY AND RECOMMENDATIONS

Summary

Because the worlds of academe and work differ so much, the transition from college to career is difficult for individuals with disabilities. In addition, research has shown that most college students do not understand their disability or the impact their disability may have on their employment. These students are also unaware of the risk or benefits affiliated with disability disclosure. Research exhibited that college students are not aware of how the Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973 affect them in the employment setting. All of these dilemmas affect college students with a range of disabilities who are striving to obtain employment within their diminished work capacity in the open labor market.

After interviewing current employees of ARC, this author found the school currently has very limited resources available for students with disabilities in the area of disclosure in the workplace. In addition, information gathered from literature, workbooks, and personal communications illustrated the need for such a resource for students with disabilities on a community college campus. In response to the lack of resources available for ARC DSPS students, the author developed a PowerPoint presentation titled To Disclose or Not to Disclose: That is the Question. With input from the Learning Disabilities Coordinator, Kathleen Cronin, it was determined that students
enrolled in the HCD 382. Specific Learning Strategies class would benefit from a presentation covering employment disclosure.

The review of literature started early on with the workbook the *411 on Disability Disclosure*. This was followed by the review of various journal articles pertaining to college students with disabilities and disclosure. Additional research of the legal aspects involved in disclosure was conducted on government websites such as The United States Department of Labor and The Office of Disability Employment. Additional information on reasonable accommodations was sought using the Job Accommodation Network (JAN) and the Searchable Online Accommodation Resource (SOAR).

This author developed a small workbook to accompany the PowerPoint presentation, which consists of a variety of activities. Activity 1 enables students to conduct a self-exploration of their strengths and challenges as they pertain to their disability. Activity 2 discusses challenges that might impact work performance and insight into appropriate accommodations. Students then evaluate the advantages and disadvantages of disclosing their disability to their employer in Activity 3. In conclusion, Activity 4 enables each student to write practice disclosure scripts.

**Recommendations**

It is important to remember that this project is specific to students at American River College enrolled in the HCD-382, Specific Learning Strategies class. Therefore, if this presentation is to be utilized by other campuses, the material should be reviewed to ensure it is specific to that campus. Furthermore, since this presentation will only be
used in the HCD 382 class being taught by Joe Rust, the author suggests it be adopted as curriculum for all HCD 382 classes on the ARC campus. The author also suggests that this presentation be offered on the ARC campus as a workshop. Students who are not enrolled in the HCD 382 class but who are interested in the disclosure dilemma could also benefit from the information presented.

The author recommends a future study be performed on those students who have graduated from ARC and who previously participated in the *To Disclose or Not to Disclose: That is the Question* presentation. The future study should request feedback from the former students regarding the helpfulness of the information presented when applied to their personal employment situations. Input from this study regarding the presentation would be beneficial since it was not reviewed by ARC college graduates with disabilities prior to development.

Furthermore, the author recommends the online resources in the PowerPoint be reviewed semi-annually to ensure the links and information provided in the presentation are current. The legal aspects of the presentation need to be reviewed yearly to address any changes in laws relating to disability and disclosure in the workplace.
APPENDIX

To Disclose or Not to Disclose: That is the Question
To Disclose or Not to Disclose:
That is the Question
This is what we will cover

1. An Introduction to Disability and Disclosure.
2. What is Self-determination and how does it pertain to you and your disability?
3. A self-exploration of your strengths and weaknesses.
4. Accommodations.
5. The rights and responsibilities of individuals with disabilities under the law
6. The advantages and disadvantages of disclosure.
7. If you choose to disclose, how should you go about it?
8. Conclusion.
Section 1
An Introduction to Disability and Disclosure

What is a disability?

Under the Americans with Disabilities Act (ADA), of 1990 a disability is a physical or mental impairment that substantially limits one or more major life activities.

Some disabilities are visible:

• A person in a wheelchair
• An individual with a physical impairment
• An individual with a service animal

Some disabilities are hidden:

• Learning Disabilities
• An individual with a mental health disorder
• An individual with hearing impairment
A person may have a disability, but this does not mean that they are not intelligent or capable of performing as well as or better than others.

Disclosure

When it comes time for Individuals with disabilities to enter the world of work they need to ask themselves the question, "Should I disclose my disability or not?"
Disclosure is effective when......

Effective disclosure occurs when a person is knowledgeable about his or her disability and is able to describe both his or her disability-related needs and his or her skills and abilities clearly.

Disclosure

1. The decision to disclose or not to disclose is a personal decision.
2. It should be an informed choice.
3. If you have a disability it is not required that you disclose, but if you need accommodations at your worksite you must disclose.
4. An individual who does not want accommodations in the workplace may not want to disclose.
Disclosure continued........

In order to make an informed decision to disclose or not to disclose to an employer, each individual needs to understand themselves and their disability. We all have different strengths and limitations. We need to evaluate how those strengths and limitations might help or hinder us in the workplace.
Section 2
What is self-determination and how does it pertain to you?

Self-determination is........

Your right and ability to direct your own life and the responsibility to accept the consequences of your choices.
A self-determined person can:

• Set goals
• Make decisions
• See options
• Solve problems
• Understand required supports and evaluate outcomes
• Speak for him or herself
• Accept and respect themselves for who they are and what they offer others
• Empowered to seek assistance when needed
Section 3
A self-exploration of one’s strengths and weaknesses as it pertains to your disability

In order to understand yourself a little better
Please turn to
Activity 1
in the workbook provided.
How well do you understand yourself and your disability?

*If you answered YES to many of the questions*

- You have a good sense of yourself and your disability
- You are on the road to being a self-determined individual.
- What can you do to change your no’s (areas of need) to yes’s (strengths)?

*If you answered SOMETIMES to many of the questions*

You possess some understanding of yourself and your disability, but you have other areas that you need to develop.

- List your strengths (the questions you answered “yes” to)
- List your areas that need work. (the questions you answered “no” to).
- Prioritize your areas of need (what are most important to focus on.
- Create short term goals.
- Begin to strengthen your weaker spots.
If you answered NO to many of the questions

You have minimal understanding of yourself and your disability.

- Seek out others whom you trust and know you well to assist you in realizing some of your strengths. (Many times we have more strengths than we realize).
- Are there any other challenges that you feel may impact you in a workplace environment?
Section 4
Accommodations

What is a reasonable accommodation?

Any change or adjustment to a job, the work environment, or the way things usually are done that would allow you to apply for a job, perform a job function, or enjoy equal access.

Some of the most common types of accommodations include

• Physical changes, such as installing a ramp or modifying a workstation or restroom.
• Providing qualified readers and interpreters and/or computer software.
• Providing a quieter workspace or making other changes to reduce noisy distractions.
• Training and other written materials in an accessible format.
• Telecommuting options
Accommodations are *NOT* intended to:

• Justify for or compensate for lack of knowledge
• Justify for or compensate for lack of skills
• Justify for or compensate for lack of abilities necessary to succeed

How might my challenges affect me at work?

Please turn to **Activity 2**

in the workbook provided.
Activity 2

• Look at the challenges that you listed in Activity 1.
• Write down each of the challenges that you feel might impact you in an employment setting.
• Write down how each of those challenges might impact your work.
• Now think about what accommodations might help you perform the essential functions of a job.
• If you do not know what accommodations might be helpful, look at the Job Accommodation Network (JAN), http://askjan.org/indiv/index.htm
• Or you can utilize SOAR Searchable Online Accommodation Resource (SOAR) http://askjan.org/soar/disabilities.html

Example for Activity 2

Joe has anxiety. When he is given a task to complete and it is not clearly explained to him, he suffers from panic attacks. In turn Joe does not get his work done in a timely manner.

Challenge or area of need: Anxiety
Impact on work performance: Work does not get done because Joe panics when tasks are not clearly explained to him.
Accommodation: Joe would perform his job better with written instructions as a guide.
• Remember you don’t have to disclose any of your limitations or challenges to an employer unless you want accommodations in the workplace.

• If your challenges are noticeable and make it hard to perform the essential functions of the job, then disclosing your disability may be much more effective than simply hoping your difficulties will go away.
Section 5
Rights and Responsibilities of Individuals with Disabilities Under the Law

Americans with Disabilities Act (ADA)

Prohibits discrimination on the basis of disability in five general areas:

- Private sector employment
- State and local government services
- Places of public accommodation
- Transportation
- Telecommunication services
A person qualifies as having a disability under the ADA if they meet at least one of the following three criteria:

- A physical or mental impairment that substantially limits one or more major life activities.
- A record of such impairment.
- A perception by others as having an impairment.

Title 1 of the ADA covers employment

- Employers may not discriminate against an individual with a disability in hiring or promotion if the person is otherwise qualified.
- Employers can ask about one's ability to perform a job, but prior to offering a job they cannot inquire if someone has a disability or requires medical examinations.
- Employers cannot use tests that tend to screen out people with disabilities unless the test measures job related skills.
- Employers need to provide "reasonable accommodations" to individuals with disabilities. This includes steps such as job restructuring and modification of equipment.
- Employers do not need to provide accommodations that impose an "undue hardship" on business operations.
Rehabilitation Act of 1973

- Prohibits discrimination on the basis of disability in programs conducted by Federal agencies or those who are receiving federal funding.
- Prohibits employment discrimination by Federal government contractors and subcontractors whose contracts are more than $10,000.
- Requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public.

Fair Employment and Housing Act
FEHA

This is a California law that is intended to ensure that individuals with disabilities are protected in the workplace. Since then California has been at the forefront of guaranteeing that persons with disabilities have equal access to employment.

- California laws are broader than ADA
- Defines disability as an impairment that makes performance of a major life activity “difficult”.

Section 6
Advantages and Disadvantages of Disclosure

Weighing the advantages and disadvantages of disclosure

**Some Advantages:**
- It provides legal protection against discrimination in the workplace.
- It allows individuals with disabilities to receive reasonable accommodations so that they can pursue work more effectively.
- It provides greater freedom of communication, should the individuals need further accommodations.

**Some Disadvantages:**
- Disclosure can be difficult and embarrassing.
- Individuals with disabilities could be overlooked for a job.
- Could lead to exclusion by other employees.
- It could cause individuals to treat them differently.
Scenario 1

Betty has a Non Verbal Learning Disorder (NLD). She works as a real estate broker and is required to attend numerous meetings. Because of her disability, she has difficulty remembering dates and times.

What do you think that Betty should do?

? 

This is one example of how Betty could disclose her disability

I really enjoy working with the staff here and have mastered the computer system. I have noticed one difficulty that I am having due to my non verbal learning disorder, which makes it hard for me to remember dates and times. I am having a hard time remembering my appointments. I really need somebody to review my appointments with me each morning and help me schedule my week.
Scenario 2

Jimmy works in sales and is required to attend a weekly sales meeting. He has difficulties with his fine motor skills, which make it difficult for him to take notes, this is an essential function of his job.

What do you think that Jimmy should do?

This is one example of how Jimmy could disclose his disability

Thank you for acknowledging my contributions to the company during our last meeting. I know that you have asked that we take notes during our weekly staff meetings, but I have difficulties with my fine motor skills. Because of this, I write more slowly and become easily fatigued. If I was able to tape record the weekly meetings, instead of taking written notes as you suggested, I would be able use my strong verbal skills to communicate my ideas during the meetings.
Advantages and disadvantages of disclosure
Please turn to
Activity 3
in the workbook provided

Take a few moments and list some of the advantages and disadvantages of disclosure that you can think of. Then think about how this would impact you in the workplace.
If you decide to disclose remember:

• Keep your disclosure statement short, simple and to the point.
• Try not to go into long explanations.
• Summarize your condition in one or two sentences
• State your challenges
• Explain what specific accommodations will address your challenges.
• Remember to offset any personal weaknesses by strengths that you may have.
Section 7
If you choose to disclose, how should you go about it?

Determining the best moment to tell a prospective employer about the need for reasonable accommodation on the job is a personal decision.

Sometimes, applicants are not aware they may need a reasonable accommodation until they have more information about the job, its requirements, and the work environment. Some applicants choose to inform an employer during the application process others choose to disclose after they better understand the job and its requirements. Waiting until a job offer is received is another option.
Disclosure on the employment application

Sometimes employment applications will ask if the applicant has any mental or physical limitations that may impact their performance on the job.

• If you do not feel that your disability will limit your job performance you might want to answer “no.”
• You may feel that this is an opportunity to indicate to your employer that you have a disability that will not impact your work performance when you are properly accommodated.
• Another response might be to indicate that you would prefer to answer this question when you are called for an interview.

Disclosure in a cover letter

Some individuals decide to disclose their disabilities in a cover letter. If you decide to do this, attach the cover letter to the back of your application package. This allows your positive attributes to be at the focal point of your application.
Disclosure during an interview

During the interview process, remember to talk about your abilities, not your disabilities. Employers need qualified, capable individuals to fill positions. Find a way to show that you are that person. Sell them on what you can do, not on what you cannot do and the interview will go better than you expect. Be positive about yourself and be honest.

There are some positions in which it might be beneficial to disclose your disability during an interview such as: an advocate for individuals with disabilities, or working with disabled students in the college setting or as a Rehabilitation Counselor with the Department of Rehabilitation.

Disclosure after you have been offered a job

Many individuals with disabilities decide to disclose their disability after they have been offered the job. These individuals want to be selected for a position based on their skills and abilities and are afraid that disclosure prior to being offered the job will negatively influence the hiring panel. Therefore these individuals that need accommodations to do the essential functions of the job disclose after being hired.

It is also important to remember that if the job requires medical testing/drug testing it may be necessary to disclose that you take certain medications that will show up in the medical screening, so the employer is aware prior to receiving the test results.
Scenario 3

Michael just graduated from college and is looking for a job. He has a visual impairment and used several accommodations when he was in college. He has an interview coming up at an office that will require him to use a computer for a writing sample. Michael knows that it is unlikely that the screen reader software that he requires will already be loaded on the computer.

What do you think that Michael should do?

?  

This is one example of how Michael could handle this situation

Since Michael needs accommodations for his job interview, he needs to make the personnel representative aware of his visual impairment. While making this request for a screen reader, Michael could indicate that his impairment does not affect his ability to perform the essential functions of the job. This gives him the opportunity to show that he can do the job with the appropriate accommodations. He needs to be positive, and upbeat and show confidence in himself.
Practice Script
Please turn to
Activity 4
in the workbook provided

Steps to preparing a disclosure script

1. The information should be presented in a clear and concise way that is relevant to the position for which you are applying.
2. Write about your strengths and positive attributes first.
3. You may want to discuss your limitations or challenges and what accommodations that have been successful.
4. Discuss how your disability and other life experience can positivity affect your work performance.
5. End on a POSITIVE note.
Conclusion

• Remember the choice to disclose or not to disclose is a personal decision that can only made by you.
• You have the right and ability to direct your own life, and the responsibility to accept the consequences of your choices.
• Be aware of your strengths and weaknesses.
• Keep in mind there are advantages and disadvantages to disclosure.
• It is important to stay informed about the laws and regulations such as the ADA, FEHA and the Rehabilitation Act of 1973.
• Be prepared, write out a script.

Questions?
References


To Disclose or Not to Disclose: That is the Question Workbook
### Activity 1
What do I know about myself and my disability?

Complete the questionnaire below

For each question, check the box (Yes, Sometimes or No)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>Sometimes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you know what your strengths are?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Can you easily explain your skills and strengths to other people?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know how you learn best?</td>
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<td></td>
</tr>
<tr>
<td>Have you ever discussed your disability with an instructor or employer?</td>
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<tr>
<td>Do you ask for help when you need it?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you have confidence in yourself?</td>
<td></td>
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<tr>
<td>Do you disclose your disability to others?</td>
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<td></td>
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<tr>
<td>Do you like the reaction you get when you disclose your disability to others?</td>
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<tr>
<td>Do you practice disclosing your disability to others?</td>
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<tr>
<td>Do you like the reaction you get when you inform someone about your disability?</td>
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<tr>
<td>Are you familiar with the Americans with Disabilities Act (ADA)?</td>
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<tr>
<td>Are you familiar with the Rehabilitation Act of 1973?</td>
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<tr>
<td>Are you familiar with the Fair Employment and Housing Act?</td>
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<tr>
<td>Do you know what &quot;reasonable accommodation&quot; means?</td>
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<tr>
<td>Do you know what accommodations you need on the job in order to be successful?</td>
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<tr>
<td>Did you ask for your own accommodations when you were in school?</td>
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<td></td>
</tr>
<tr>
<td>Do you feel confident explaining how accommodations benefit you?</td>
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</tr>
</tbody>
</table>
List your strengths you noted on the questionnaire and any other strengths you have identified


List the areas you need to work on


Prioritize the areas of need that you feel most important to work


What can you do to strengthen my areas on need?
ACTIVITY 2
How might my challenges affect me at work?

List any of your challenges or areas of need that you feel might impact you in employment.

List how each challenges might impact your work

List what accommodations you think might help you perform the essential functions of a job
If you do not know what accommodations might be helpful to you, utilize the following websites:

Job Accommodation Network (JAN), http://askjan.org/indiv/index.htm

Searchable Online Accommodation Resource (SOAR)
http://askjan.org/soar/disabilities.html
# ACTIVITY 3

**Advantages and disadvantages to disclosure**

List advantages that you see in disclosing your disability to an employer

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

How would this impact you?

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

List disadvantages that you see in disclosing your disability to employer

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________
How would this impact you?
ACTIVITY 4
Practice Script

At what point in the process am I going to disclose?

Who am I going to disclose to?

Where am I going to disclose?

First: Discuss your strengths and positive attributes
Second: Discuss your limitations or challenges and what accommodation have worked for you in the past.

Third: Discuss how your disability and other life experience can positivity affect your work performance.
Fourth: End on a POSITIVE note
## Online Resources

<table>
<thead>
<tr>
<th>Resource</th>
<th>URL</th>
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<tbody>
<tr>
<td>Americans with Disabilities Act (ADA)</td>
<td><a href="http://www.ada.gov/">http://www.ada.gov/</a></td>
</tr>
<tr>
<td>Fair Housing and Employment Act</td>
<td><a href="http://www.dfeh.ca.gov/Publications_FEHADescr.htm">http://www.dfeh.ca.gov/Publications_FEHADescr.htm</a></td>
</tr>
<tr>
<td>Job Accommodation Network (JAN)</td>
<td><a href="https://askjan.org/index.html">https://askjan.org/index.html</a></td>
</tr>
<tr>
<td>JAN Disability Disclosure and Interviewing Techniques for Persons with Disabilities</td>
<td><a href="http://askjan.org.corner_vol01iss13.htm">http://askjan.org.corner_vol01iss13.htm</a></td>
</tr>
<tr>
<td>Rehabilitation Act of 1973</td>
<td><a href="http://www.dfeh.ca.gov/Publications_FEHADescr.htm">http://www.dfeh.ca.gov/Publications_FEHADescr.htm</a></td>
</tr>
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<td>Title I of the ADA</td>
<td><a href="http://www.ada.gov/ada_title_I.htm">http://www.ada.gov/ada_title_I.htm</a></td>
</tr>
</tbody>
</table>
REFERENCES


