



## Disability Access and Inclusion for Tribal Programs

### NIWRC Tribal Safe Housing Center

#### Overview

Disability access and inclusion are essential to creating safe, welcoming, and culturally responsive programs for all our relatives. The **National Indigenous Women's Resource Center (NIWRC) Tribal Safe Housing Center (TSHC)** works alongside Tribal communities to promote equitable access to services and support for people with disabilities.

A disability is any condition that makes it more difficult for a person to do certain activities or interact with the world around them. These conditions or impairments may be cognitive, developmental, intellectual, mental, physical, sensory, or a combination of multiple factors. The term "disability" also encompasses many forms and degrees of these impairments.

Over the past several years, Native survivors of domestic and sexual violence have shared experiences that highlight ongoing barriers to accessibility, privacy, dignity, and care. This fact sheet highlights key themes from those conversations and provides legal context, practical considerations, and resources to support more accessible and inclusive Tribal programs.

#### From the Tribal Safe Housing Center Listening Sessions

- Survivors reported a general lack of concern for people with disabilities accessing shelter and housing.
- Survivors with disabilities report that their confidentiality and privacy are compromised because they are compelled to disclose their disabilities.
- Survivors repeatedly stated that not all disabilities are visible, and this, coupled with a lack of trust in survivors, led to inaccurate assumptions and beliefs regarding their lived experiences.
- Survivors with disabilities noted that housing and shelter programs were seemingly not created with disability access in mind. They stated that oftentimes these spaces did not feel identity-affirming or safe. Survivors reported experiences in shelter and public housing that detrimentally impacted their sense of dignity.



## From the Tribal Safe Housing Center Listening Sessions

- Survivors with disabilities have an additional layer of vulnerabilities, such as isolation and lack of access to basic needs and services, including sidewalks, transportation options, and housing.
- Grandmothers caring for grandchildren were over-represented among the unhoused populations, reporting an absence of support for transitioning into sustainable housing.

## Did You Know?

- **American Indian and Alaska Natives have the highest rate of disability among all American ethnicities and racial groups.** ([CDC: Adults with Disabilities: Ethnicity and Race](#))
- **The rate of violent victimization against persons with disabilities is almost four times the rate for persons without disabilities.** Violence against persons with disabilities is less likely to be reported to the police. ([Bureau of Justice Statistics: Crime Against Persons with Disabilities](#)). It is important to note that risk and prevalence can vary by type of victimization and disability.
- **Persons with disabilities are more likely to be abused by an intimate partner, family member, or someone in their daily routine.** Victims report various types of abuse, including verbal-emotional, physical, sexual, neglect, and financial. ([Spectrum Institute Disability and Abuse Project: Abuse of People with Disabilities, Victims and Their Families Speak Out](#))
- **Women with disabilities experience unique vulnerabilities to interpersonal violence that would be unlikely if a disability were not present.** ([Baylor College of Medicine Center for Research on Women with Disabilities: Types of IPV](#)) Compared to women without disabilities, women with disabilities experience some additional disability-related risks. ([Baylor College of Medicine Center for Research on Women with Disabilities: Vulnerabilities and Risk Factors for Interpersonal Violence](#))
- Individuals may possess “**hidden**” disabilities that, while not immediately apparent, profoundly impact their lives but are **often overlooked by support systems.** ([Utah State University: Non-Apparent Disabilities Fact Sheet](#))



## Did You Know?

- **Partner-Inflicted Brain Injury (PIBI)** is a brain injury caused by an intimate partner through often repeated blows to the head, neck, and face, strangulation, or other assaults that disrupt normal brain function. These injuries often occur alongside ongoing psychological trauma, coercive control, and a history of past abuse that can worsen and compound the harm. **PIBI is incredibly common among survivors of physical violence, yet it is rarely identified by survivors themselves or professionals who work with them.** ([Ohio Domestic Violence Network: Partner-Inflicted Brain Injury: Promising Practices for Domestic Violence Programs](#))

## Application of Key Disability Laws to Tribal Governments

The [Americans with Disabilities Act](#) (ADA) was passed on July 26, 1990. With the passage of this critical legislation, Congress sought to create a more accessible and inclusive world for all our relatives. Tribal Nations are categorically excluded from compliance with Title I of the ADA, which prohibits discrimination on the basis of disability in employment. Title II of the ADA prohibits discrimination based on disability in any public program, service, or activity by any “public entity” defined to include state and local, but not Tribal governments. ([National Council on Disability: Understanding Disabilities in American Indian & Alaskan Native Communities Toolkit Guide](#))

Even though Tribal Nations are not required to adhere to or ensure ADA compliance, just as Tribal Nations have adopted [VAWA-like housing provisions](#), many Tribal Nations have implemented policies, structures, and developed spaces that are inclusive, safe, and accessible. ([Rocky Mountain ADA Center, Region 8: How does the ADA apply to Tribal Nations and what resources are available within Region 8?](#))



## Application of Key Disability Laws to Tribal Governments

**Section 504 of the Rehabilitation Act of 1973 prohibits disability-based discrimination by any housing provider that receives federal funding, including Tribes** and programs funded through agencies such as the Department of Housing and Urban Development (HUD). It also imposes accessibility requirements for new construction and for alterations of housing and non-housing facilities in federally assisted programs, including projects using Indian Housing Block Grant (IHBG) funds under NAHASDA.

Under Section 504, survivors with disabilities:

- Cannot be denied housing or services because of their disability
- Have a right to confidentiality
- Have a right to reasonable accommodations (e.g., a service dog, ramps, zero drop entryway)
- Must be able to access services and supports (e.g., a sign language interpreter for a person who is deaf or hard of hearing).

## Tribal Approaches to Disability Policy

Several efforts have developed disability policy methods that align with ADA principles while respecting Tribal sovereignty and cultural diversity:

- The American Indian Disability Legislation Project surveyed Tribal communities and developed methods for adopting disability legislation consistent with ADA principles. (CMS: Emerging LTSS in Indian Country: Disability and Housing)
- The Tribal Disability Actualization Process, based on Dr. Sidney Stone Brown's Native American Actualization Model and developed by the University of Montana Research and Training Center on Disability in Rural Communities, helps Tribes create disability policy grounded in their own culture and values. Its steps include identifying key leadership, seeking Tribal authorization, hosting talking circles, and presenting recommendations for meeting the needs of people with disabilities. (NCD: People with Disabilities on Tribal Lands)
- HUD later commissioned Housing Needs of American Indians and Alaska Natives in Tribal Areas, a study with policy recommendations.



## Promoting Safe Access

- Contemplate and discuss why advocates and preventionists should incorporate Disability Justice into their work.
- Partner with survivors with disabilities in safety planning.
- Educate program staff and participants on the basic civil rights of survivors with disabilities and assist them in asserting these rights and requesting needed accommodations.
- Learn about and incorporate the Availability, Accessibility, Acceptability and Quality (AAAQ) framework tool to identify potential barriers to accessing services, and the Principles of Inclusive Design, which evolved from the Principles of Universal Design, to develop and enhance spaces and programming.
- Consider using an online assessment tool to see where your program stands in terms of safe and accessible services for people with disabilities and track progress.

Join the End Abuse of People with Disabilities national campaign.

## Resources

Nothing Without Us Collective is a cross-disability group who ground anti-violence practices in disability justice.

Activating Change convenes and bolsters the capacity of people and organizations working in disability, survivor advocacy, and criminal legal system movements. Activating Change can assist organizations in conducting Safety and Access Reviews of programming.

Ohio Domestic Violence Network's Center on Partner-Inflicted Brain Injury provides training, technical assistance, resources, and other support to better understand and address brain injury from violence.

Native American Disability Law Center provides advocacy, referrals, and educational resources to Native Americans with disabilities in the Four Corners States (Arizona, Colorado, New Mexico, and Utah).

National American Indian Housing Council supports Tribal housing entities in their efforts to provide safe, decent, affordable, and culturally appropriate housing for Native communities.

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## Resources

American Indian Vocational Rehabilitation Training and Technical Assistance Center (AIVRTTAC) seeks to improve the capacity of AIVRS projects to provide culturally appropriate and responsive vocational rehabilitation services to eligible Tribal participants.

Juniper & Pine Consulting supports programs serving Native people by utilizing the Indigenous Healing-Centered Regulation Framework ©, which integrates Indigenous wisdom, neuroscience, and trauma-informed practice.

**Every survivor deserves safe, accessible, and affirming services. By strengthening disability access and inclusion, Tribal programs can better support all our relatives.**

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