

OASIS · AT A GLANCE

The ADA at 35: Why Severe Autism Still Gets Left Behind by the Law's Own Framework

Thirty-five years after the Americans with Disabilities Act became law, a July 2025 report argues its core framework, built around binaries like community versus institution and autonomy versus guardianship, still struggles to serve people who need 24/7, specialized, lifelong support.

BY JIM PALASTY · 10 MIN READ · A LANDMARK LAW'S BLIND SPOT, THIRTY-FIVE YEARS IN

35

YEARS SINCE THE ADA BECAME LAW, MARKED BY A JULY 2025 REPORT

The National Council on Severe Autism's 'ADA at 35' report argues the law's foundational binaries fail people who need the most support, not despite the ADA's success, but partly because of how it was framed.

How it works

THREE STEPS

STEP 1

A landmark law reaches a milestone anniversary

Thirty-five years after passage, the ADA remains foundational to disability rights, and also, per a 2025 report, incompletely suited to the highest-support-needs population.



STEP 2

A specific report names the structural problem directly

The National Council on Severe Autism published 'ADA at 35' in July 2025, arguing the law's core binaries don't map cleanly onto severe autism.



STEP 3

The binaries in question have real practical consequences

Community versus institution and autonomy versus guardianship, as framed, can obscure rather than clarify what someone with 24/7 support needs actually requires.

The core tensions this report raises

Community vs. institution as a binary	Does this framing capture the real range of support settings needed?
Autonomy vs. guardianship as a binary	Does this framing capture the real range of decision-making support needed?
Purpose-built housing	Where does specialized, intensive housing fit in this framework?
Integrated multidisciplinary healthcare	Complex medical and behavioral needs together, in one setting
Lifelong support planning	A framework built for varied disability experiences, applied to 24/7 need

A FRAMEWORK THAT DIDN'T HAVE HER SON IN MIND



Adele had spent a decade advocating for her son within a system that kept offering her a choice between two options, an independent community placement he couldn't safely manage or an institutional setting that felt like a step backward, with almost nothing sufficiently supported in between. Reading the NCSA report for the first time, she recognized her own decade of frustration articulated as a structural argument rather than a personal failure to find the right fit.

A DECADE OF FEELING LIKE SHE WAS FAILING TO FIND THE RIGHT OPTION TURNED OUT TO BE A REAL GAP IN THE FRAMEWORK ITSELF.

What matters, at a glance

The ADA's undeniable legacy

Passed in 1990, the ADA fundamentally reshaped disability rights in the United States, establishing legal protections that remain foundational thirty-five years later.

A 2025 report names a specific gap

The National Council on Severe Autism's July 2025 report, 'ADA at 35,' argues the law's core framework was not built with the highest-support-needs population centrally in mind.

The binaries themselves are the argument

Community versus institution, autonomy versus guardianship: these either/or framings, the report argues, don't map cleanly onto lifelong, 24/7 specialized support needs.

What 24/7 specialized support actually requires

Purpose-built housing and integrated multidisciplinary healthcare access, the report argues, don't fit neatly into either side of the community/institution binary as commonly framed.

This is a debate within the disability community itself

The report's arguments are contested by autistic self-advocates who emphasize community integration as a right, not a binary tradeoff. Both perspectives deserve honest engagement.

The practical stakes are real for families

How this framing debate resolves shapes policy, funding priorities, and the range of settings actually available to the highest-support-needs population.

BRING THESE · CHECK AS YOU GO

☐ A copy of the NCSA 'ADA at 35' report for direct reading

☐ Specific examples from your own experience of where existing binaries fell short

☐ Connection to advocacy spaces where this conversation is actively happening

☐ Awareness of the autistic self-advocacy perspective on this debate too

☐ A willingness to engage this as a genuine policy debate, not a settled question

YOUR MOVE

When you're thinking through where your family fits in this debate, here is where to start

1

Read the NCSA 'ADA at 35' report directly, in its own words.

2

Consider where your own family's experience maps onto its central argument.

3

Engage with autistic self-advocacy perspectives on community integration too.

4

Bring specific, concrete gaps you've experienced into any advocacy conversation.

5

Support policy conversations that name specialized housing and healthcare needs directly.

6

Hold both perspectives, community integration rights and specialized support needs, as legitimate.

Thirty-five years in, the ADA's legacy is undeniable, and so is the ongoing work of making its framework serve everyone it was meant to protect.

POLICY AND FRAMEWORK RESOURCES

The National Council on Severe Autism (ncsautism.org) publishes the "ADA at 35" report and related policy analysis centered on high-support-needs autism.

The Autistic Self Advocacy Network (autisticadvocacy.org) publishes the self-advocacy community's perspective on community integration rights and policy framing.

Informational only. Not legal or medical advice. Verify current program rules before acting.

ABOUT THE AUTHOR

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