



# County Technical Assistance Service

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## Qualified Individuals under Title II

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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## Qualified Individuals under Title II

**Reference Number:** CTAS-2035

Under Title II, the definition of an individual with a disability is the same as already described under Title I. However, the definition of a qualified individual with a disability differs slightly.

Under Title II a qualified individual with a disability meets the essential eligibility requirements for the program or activity offered by a public entity.

Essential eligibility requirements vary depending on the program or activity. For some activities, like state licensing programs, there may be skills or performance requirements that are considered essential. Other activities may have minimal eligibility requirements.

42 U.S.C. § 12131(2).

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