

Understanding Your ADA Liability

March 22, 2012

Title II Entities (State and Local Gov't)



Program Access (camps, classes, trails, playgrounds, etc.)

Physical Accessibility (camps, classes, trails, playgrounds, etc.)

Title III Entities

(Private facilities open to the public)

Prohibits discrimination based on disability by private entities in places of public accommodation

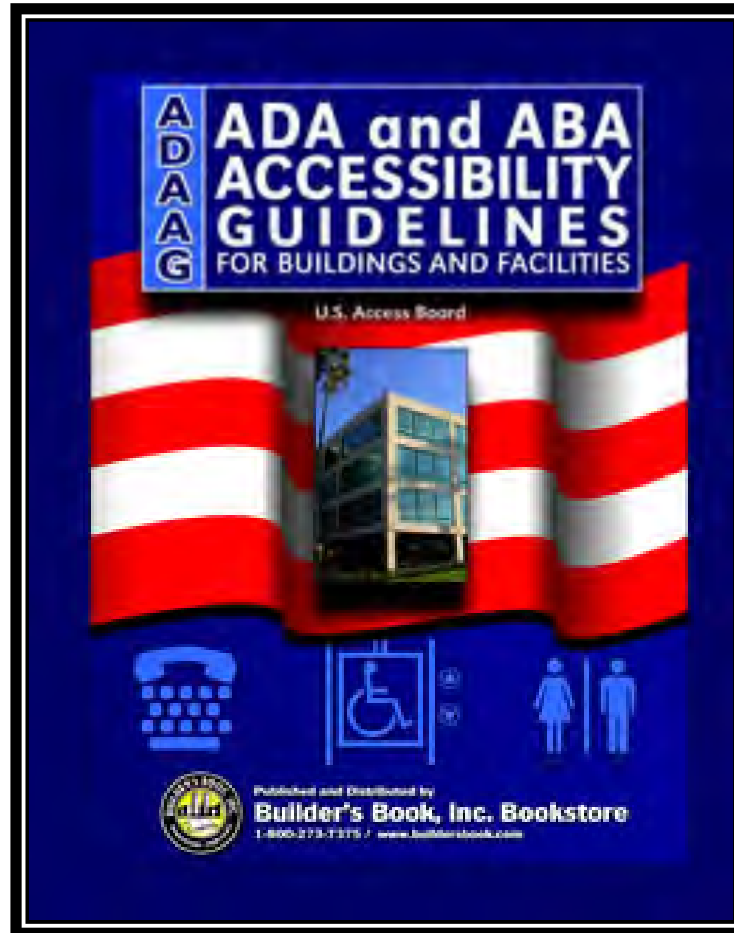
Shopping centers

Restaurants

Movie theatres



All Follow ADAAG



When you build or renovate



You must do **Something**

Dispose with that old school mentality



"It's only a guideline and
not a requirement"

Things to you probably want to avoid ...

**Negative publicity and/or
a potential lawsuit...**



“Tips” for Minimizing:

***Start with the mindset of *how do we make this work for everybody*
= UD**

***Use your ADA resources to achieve clarity:**

- **US Access Board Accessibility Specialists:**

1331 F Street, NW, Suite 1000

Washington, DC 20004-1111

Phone (voice): (202) 272-0080 toll free: (800) 872-2253

Phone (TTY): (202) 272-0082 toll free: (800) 993-2822

Fax: (202) 272-0081

E-mail: info@access-board.gov


- **DBTAC: Mid-Atlantic ADA Center**

401 North Washington Street, Suite 450, Rockville, MD 20850

Toll Free: 800-949-4232 V/TTY (DC, DE, MD, PA, VA, WV) - **Local:** 301-217-0124




More “Tips” for Minimizing:

- *Always use the “guidelines” as your best practice for achieving minimum accessibility in lieu of standards**
 - *Always document (CY_) = why you did what you did!**
 - *QA: Ensure your contractor is accountable to and for ensuring those standards and guidelines are met**
 - *Capture those expectations - standards and guidelines -in your building documents**
 - *Develop a Transition Plan**
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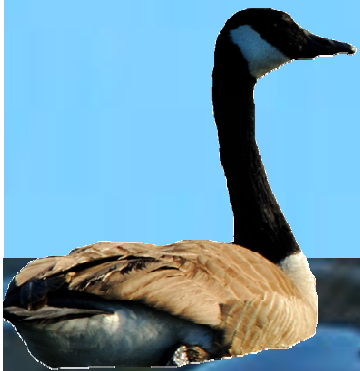


And Still More “Tips” for Minimizing:

***Maintenance Caution: when selecting a surface material such stone dust or blue stone, consider whether or not you’ll be to maintain it - otherwise it could develop into an ADA liability. EWF, engineered wood fiber, holds the same risk as a frequent surface material used in playgrounds.**



Train your “Peeps”









Questions or
Thoughts?

Ox Hill Battlefield Park

