

Improving Disability Access for Schools

New WASB ADA Compliance Program can help districts meet facility access requirements

In 2010, President Barack Obama signed and issued updated regulations for the Americans with Disabilities Act (ADA). The updated regulations apply to public facilities, including school districts, and require that they adhere to stricter ADA standards.

Recognizing that school districts across the state will need to reassess their facilities, the WASB, in partnership with Disability Access Consultants (DAC), a nationwide company that provides ADA consulting services, is offering a compliance program to help districts inspect school facilities and adopt a “transition plan” so that schools meet the new ADA regulations.

At a recent presentation on the new WASB ADA Compliance Program, Tim Mahoney, business development director for DAC and president of the National Playground Compliance Program, said that most districts are already behind on their transition plans. On March, 12, 2012, architectural standards under the updated ADA regulations went into effect and enforcement of the new standards are underway.

The new standards also include updates to playground accessibility and safety regulation, which affects most schools. For instance, most forms of “loose fill” protective surfacing have been

deemed non-complaint. In addition, many playgrounds do not have the necessary path of travel, which are required to attain ADA compliance.

While some districts do have compliance plans, they are most likely out of date and don’t reflect the new ADA requirements. Completing and updating the district’s ADA transition plan can be time-consuming, costly, and hard to manage.

However, Mahoney notes that getting a transition plan in place is important for several reasons: enforcement efforts by the federal government are increasing; public facilities, such as school districts, have lost money due to litigation; and most importantly, Mahoney says, it’s the right thing to do.

Mahoney said that the stricter ADA regulations were adopted to ensure that anybody with disabilities can access products, goods, and services. “What the U.S. Department of Justice really wants is for school districts to

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have a plan in place that provides persons with disabilities access to the programs, services and activities offered by districts,” he said.
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Four Steps

The new ADA regulations for Title II facilities, which include school districts, have four requirements:

- 1) Appoint a ADA coordinator to oversee and administer ADA compliance;
- 2) Conduct a district evaluation of programmatic services;
- 3) Inspect facilities for existing barriers and non-compliances; and
- 4) Develop a transition plan to transition facilities into full ADA compliance over a certain time period and establishing a schedule for barrier removal.

Mahoney noted that compliance looks different in each district, “A lot of people think ‘I’m going to have to build ramps or put an elevator in.’ Not necessarily, it depends on the programs, services and activities you provide, and how you provide them.”

In addition, Mahoney said there is some misinformation out there when it comes to ADA compliance. For instance, some school leaders have been made to believe that if their school is new, then it is compliant or if there aren’t any alterations made to a school facility, then it is grandfathered in.

DACTrak

Developing a transition plan and inspecting facilities for non-compliance is a detailed process. However, DAC offers DACTrak, which is a licensed, do-it-yourself, web-based software and database program that allows school district staff (with some training) to conduct their own inspections in order to fulfill the federally mandated transition plan requirement.

Any confusion regarding accessibility standards is eliminated by the use of DACTrak. The program automatically selects the accessibility standard for whatever feature or area you are inspecting. The program provides schools with an easy, less expensive and more effective method to complete the required inspections and transitions.

The program provides a database and user-friendly intake system on a PC tablet/slate for inspecting facility features such as handrails, sidewalks, etc. The collected data is then processed and DACTrak provides information about needed updates or improvements in the most cost-effective manner.

“We don’t want to just suggest where your problems are, we also want to give you the ability to show how to fix it, budget for it and document your compliance efforts,” Mahoney said.

For example, if a sidewalk needed to be adjusted to provide wheelchair access to an area, the DACTrak program would give steps to adjust the sidewalk and provide an estimated budget on the project’s cost.



These are the areas/features that most often do not comply with the new ADA regulations:

- Parking
- Restrooms
- Playgrounds
- Cafeteria
- Path of Travel
- Protrusion
- Signage
- Counters
- Ramps
- Rails
- Drinking Fountains
- Sports Fields
- Head room
- Door/hardware

Also, some non-compliant items are easy to remediate and are low cost, such as adjusting door pressure, trimming bushes that encroach and narrow the path of travel and restriping parking areas.

Steps to Compliance

In review, school districts need to take several important steps to make sure their facilities meet the new ADA regulations.

The first step is to assess your facilities’ level of compliance (which can be done with the help of the DACTrak software) and then develop your ADA plan. Next, planning should be done to prioritize your ADA plan. As you implement the plan and make updates to the facilities, the district’s process needs to be documented. Finally, when the improvements are made, the plan has to be updated.

WASB ADA Compliance Program

The WASB ADA Compliance Program aims to provide support and assistance with school districts’ ADA inspection and transition plans. This can include assistance with the inspection process, utilizing the DACTrak ADA software, or any combination of support. Either way, the goal of the program is to help school districts update their facilities to meet ADA regulations, avoid costly litigation, and provide a school that all members of the community can access. ■

For more information on the WASB ADA Compliance Program, visit wasb.org.

ACCESSIBLE ROUTE?



NO



YES

ACCESSIBLE SURFACING?



NO



YES