ACCESSIBILITY PLANNING AND RESOURCE GUIDE FOR CULTURAL ADMINISTRATORS

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PLANNING FOR ACCESSIBILITY

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Step-by-Step Guide to Accessible Cultural Programs and Organizations

The *Accessibility Planning and Resource Guide for Cultural Administrators* is an online companion to the printed text *Design for Accessibility: A Cultural Administrator's Handbook* (2003). The *Guide* provides guidance to cultural administrators on how to achieve accessible and inclusive programming for everyone including individuals with disabilities and older adults. It is designed to help your organization not only comply with Section 504 and the Americans with Disabilities Act but also to assist in making access an integral part of your organization, including its staffing, mission, budget, education, meetings, programs and beyond. This document takes these laws and principles and applies them to cultural service organizations and other arts and humanities groups in both the public and private sector.

The *Guide* outlines a step-by-step "nuts and bolts" process for achieving accessible practices by setting the standard and illustrating how cultural organizations can make it happen. It features examples of "best practices" that illustrate specific methods for opening existing programs, services, facilities, and activities to individuals with disabilities and older adults, as artists, arts administrators, board members, volunteers, teachers, students and audience members. This online text takes advantage of Internet

technology by presenting and linking to a wide variety of resources that assist cultural organizations. It is also provides necessary information to enable arts and humanities service organizations to assist their grantees/constituents in achieving accessible programming.

Accessibility Planning and Resource Guide for Cultural Administrators is an update of *Design for Accessibility: An Arts Administrator's Guide* (1994) produced by the National Endowment for the Arts (NEA) and the National Assembly of State Arts Agencies (NASAA). The National Arts and Disability Center at the University of California Los Angeles under contract and in partnership with the NEA and NASAA produced this *Guide*. The *Guide* expands upon the direction provided in the 1994 text by the National Arts Access Task Force and reflects changes over the last decade in technology, methods and resources. We would like to express our deep appreciation to the state arts agencies that provided examples of their work for the *Guide*. Their examples of best practices demonstrate the substantive efforts being made to ensure that people with disabilities and older Americans fully participate in the cultural mainstream.

How to Use Accessibility Planning and Resource Guide for Cultural Administrators

The *Guide* contains sections/parts that may be used individually. In general, the steps are arranged to facilitate a step-by step, sequenced order of actions. Each section includes Web links to recommended additional readings, publications, organizations or resources that provide information or technical assistance.

There are several ways to search and navigate this guidebook. By utilizing the search function, you will find all the information on a topic within the Guide. Cross-references may also be found through the index of all contents.

This document provides both standard legal access requirements, <u>and</u> specific examples of successful efforts undertaken by regional, state and local cultural groups that go above and beyond the law.

The *Guide* contains material that can easily be downloaded. You may reprint any of the materials in the *Guide* itself. Please follow the rules and "terms of use" of all the linked sites.

This *Guide* is a working document and will be updated on a regular basis. If you find that an address or number has changed or is incorrect, please e-mail Suzanne Richards at richard@arts.endow.gov and let us know.

Network

Users are urged to network! Contact information to hundreds of disability, federal, and arts related organizations are listed throughout the document. You are also encouraged to contact your state and/or local arts service organizations, state chapter

of VSA Arts (http://www.vsarts.org/), and other organizations that serve people with disabilities and older adults. Grant-providing organizations may suggest groups that have received grants based on the excellence of their programming and audience development. Disability groups may provide valuable resources and technical assistance.

Keep your state arts or humanities agency updated on your organization's successful access projects! This information may be shared by state and regional arts agencies. In this way, the *Guide* may further facilitate networking and highlight exemplary efforts.

Disclaimer

The information presented in this *Guide* is intended solely as guidance and is neither a determination of an organization's legal rights and responsibilities under Section 504 of the Rehabilitation Act of 1973 as amended; the Americans with Disabilities Act (ADA), or any of the laws referenced to them herein, nor binding on any agency with enforcement responsibilities under Section 504 or the ADA. It is not intended to and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States.

Access Philosophy

Access is a civil rights issue, with a moral imperative. Access to cultural programs is a legal requirement of the Arts and Humanities Endowments' Section 504 Regulations and the 1990 Americans with Disabilities Act. The access laws extend civil rights similar to those now available on the basis of race, color, sex, national origin and religion to people with disabilities.

Access is a diversity issue. Section 504 and ADA promote diversity and inclusion by ensuring broader access to the arts and humanities for all people, regardless of ability. The 504 Regulations and the ADA's definition of a person with a disability extends beyond those who have visual, hearing, mobility or learning disabilities to individuals with life-threatening illnesses including people with AIDS or who are infected with HIV, the AIDS virus.

Reducing the physical and attitudinal barriers to people with disabilities by creating environments accessible to all is the fundamental principle underlying access and universal design. Creating attractive environmental changes that accommodate people with and without disabilities goes beyond minimum access standards and is the intent of universal design.

Access benefits the greater population. Reinforce the idea of universal design: what is an accommodation for one-person maybe a convenience for many. Many people experience temporary disabilities, and most experience the natural process of aging. A person need not self-identify as having a disability in order to make use of

accommodating tools, devices or resources that will allow him/her to participate more fully.

Access should be integrated into all facets and activities of your organization, from day-to-day operations to long range agency goals and objectives. Ultimately, every member of an organization is responsible for access.

Access accommodations and services should be given a high priority and earmarked in the budget process. Since all organizations are legally required to serve staff, participants and others with disabilities, they also must be committed to providing those accommodations, which are reasonable and necessary.

Access has economic benefits. People with disabilities and older adults comprise a significant part of the U.S. population, and are potentially a vast market for the arts. Access is related to audience development in the broadest sense: it provides opportunities for people to be involved in all aspects of the arts, to the fullest extent possible.

Cultural organizations should lead by example, not merely by legal authority. They should strive to meet or exceed federal, state or local legal requirements.

Access is a dynamic work in progress, as new initiatives are developed, art forms change and expand, and new technologies are introduced. *Accessibility Planning and Resource Guide for Cultural Administrators* contains examples of basic, legally required access accommodations as well as specific "best practice" models that go above and beyond the law.

Nondiscrimination Mandates in a Nutshell

The Americans with Disabilities Act (ADA) requires cultural organizations to make their programs, services and activities, including employment, accessible to qualified persons with disabilities. ADA is based on Section 504 of the Rehabilitation Act of 1973 as amended, which mandates nondiscrimination by federal grantees; however, ADA is more comprehensive in its scope. ADA applies whether or not an arts organization receives federal funds.

ADA Title I, 42 U.S.C. Sec. 12111 et seq. mandates equal opportunity in employment. As of July 26, 1994, employers with 15 or more employees are covered. The U.S. Equal Employment Opportunity Commission issued rules, 29 CFR Part 1630, and administers Title I.

ADA Title II, 42 U.S.C. Sec. 12131 et seq. requires all state and local governmental arts and humanities entities make all programs, services and activities (including employment) accessible. There are requirements for self-evaluation, transition plans, grievance procedures and an ADA Coordinator. ADA Title III, 42 U.S.C. Sec. 12181et seq. mandates museums, galleries, theaters and all other places of public

accommodation remove architectural barriers where that is readily achievable and otherwise ensure nondiscrimination in their programs, services and activities. The U.S. Department of Justice issued rule, 28 CFR Parts 35 and 36 and administers Title II and III. There are no exemptions based on the number of employees, physical size, or budget.

ADA does not supersede any state or local law, which gives the person with a disability greater or equal protection than afforded under ADA. Almost all states have laws prohibiting discrimination against persons with disabilities.

Access for All

How does a cultural organization achieve access for all? Cultural organizations need to know their accessibility assets and what they need to do to meet or exceed legal standards. This review would include looking at the organization's physical accessibility; their buildings, grounds, and facilities <u>and</u> their communication with staff, board, program participants and audience members. Programs put on by a cultural organization such as exhibitions, lectures, videos, plays and concerts as well as materials about the programs including catalogues, labeling scripts, brochures, map, Web sites and publicity should be planned and designed to welcome people of all ages and abilities.

Universal Design

Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

–Ron Mace, Design Pioneer and Visionary of Universal Design

Universal design is an affordale, sustainable and inclusive design approach that incorporates and goes beyond the legal requirements of the ADA and 504. The intent of universal design is to simplify life for everyone by making products, communications and the built environment more accessible and usable by as many people as possible at little or no extra cost. Environments are created that are more "people friendly" and open to a diverse population of people of all ages, abilities and size.

There are seven key principles of universal design, each with specific elements that may be applied to develop or evaluate existing environments, products and communications.

Effective Communication for Program Participation

Section 504 and the ADA are intended to provide people with disabilities equal opportunity to participate in programs, activities, goods and services within integrated and inclusive settings. This includes activities conducted by cultural organizations made available to the public such as performances, tours, receptions, lectures, seminars, educational workshops, residencies, exhibitions and conferences. Titles II and III of the ADA require that organizations provide individuals with disabilities with effective communication mechanisms to ensure that they may participate. Auxiliary aids and services include a wide range of communication techniques and devices. These may include services such as qualified interpreters, readers and note takers; devices such as assistive listening systems or adapted computer equipment, written materials for individuals with hearing loss; taped text, computer diskettes, Braille or large print materials for individuals with vision loss.

There are no "one-size-fits-all" solutions to communicating with and about people with disabilities. Organizations need to explore ways to accommodate the diverse needs of each population and develop well thought out policies and procedures for accommodating the need of the population they serve. All staff and volunteers who come in contact with the public needs to be aware of the organization's policies and be

knowledgeable about auxiliary aids and services provided.   Lastly, the public should be informed of the auxiliary aids and services the organization provides through their promotional and marketing materials. This may be done through signage on the facility, advertising, Web site and other means.

See also: Adaptive Environment Center's **Fact Sheet 2: Providing Effective Communication (1992)** (http://www.adaptenv.org/neada/fact2.pdf) This "Fact Sheet" produced by the Adaptive Environment Center, Inc. and Barrier Free Environments, Inc. describes several different methods of making information and communication accessible. Places of public accommodation are required to ensure that customers or clients with disabilities affecting hearing, vision, speech or cognition are provided with effective communication through **auxiliary aids and services** that enable them to fully benefit from facilities, services, goods and programs.

Ten Commandments of Etiquette for Communicating with Persons with Disabilities (United Cerebral Palsy, 1994) (http://www.ucp.org/ucp_generaldoc.cfm/1/9/6573/6573-6573/190) This document is a quick guide for proper etiquette when communicating with persons with disabilities.

See *Design for Accessibility: A Cultural Administrator's Handbook* (2003), **Chapter 5, Effective Communication and Program Access** (http://www.arts.gov/resources/Accessibility/DesignAccessibility.html)

Defining Disability

The information in this Guide is directed towards entities with responsibilities under Section 504 of the Rehabilitation Act, 1973, 29 U.S.C. § 794 and the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. These two principal federal laws share the same definition of disability.

A disability is defined as (1) a mental or physical impairment that substantially limits one or more major life activities (sometimes referred to as an actual, or present, disability (2) a record of a mental or physical impairment that substantially limits one or more major life activities (sometimes referred to as a history of a disability); or (3) being "regarded as" having a mental or physical impairment that substantially limits one or more major life activities (also described as a perceived disability). 42 U.S.C. § 12102(2) (ADA); 29 U.S.C. §§ 705(9)(B) and 705(20)(B) (Rehabilitation Act).

Statistics About People with Disabilities and Older Americans

People with Disabilities

According to Disability Status 2000, A Census Brief published in March 2003 (http://www.census.gov/prod/2003pubs/c2kbr-17.pdf), **49.7 million Americans over the age of 5 have a disability.** They represent **19.3** percent of the 257.2 million people aged 5 and older in the civilian noninstitutionalized population. This means that nearly **one in five Americans has a disability**.

- Within this population, 5.2 million were between the ages of 5 and 20 ; 30.6 million were between the ages of 21 and 64; 14 million were 65 and over.

- 9.3 million (3.6 percent) with a sensory disability involving sight or hearing.

- 21.2 million (8.2 percent) with a condition limiting basic physical activities, such as walking, climbing stairs, reaching, lifting or carrying.

- 12.4 million (4.8 percent) with a physical, mental or emotional condition causing difficulty in learning, remembering, or concentrating.

- 6.8 million (2.6 percent) with a physical, mental or emotional condition causing difficulty in dressing, bathing or getting around inside the home.

- 18.2 million of those aged 16 and older with a condition that made it difficult to go outside the home to shop or visit a doctor.

- 21.3 million of those aged 16 to 64 with a condition that affected their ability to work at a job or business (11.9 percent of the 178.7 million people this age).

HIV/AIDS Surveillance Report, Vol.14, **estimated number** of diagnoses of AIDS through 2002 in the United States is **886,575**. Adult and adolescent AIDS cases total **877,275** with **718,002** cases in males and **159,271** cases in females. Through the same time period, **9,300** AIDS cases were estimated in children under age 13.

Older Americans

Currently 35 million (12.4% of the population) Americans are over the age of 65. According to the U.S. Administration on Aging by the year 2030, 70.2 million Americans will be over the age of 65 (20.1% of the population). **Thus, by 2030 one in five Americans will be over the age of 65.**

See also: For statistics by state, go to demographic profiles at the U.S. Census Bureau Web site (http://censtats.census.gov/pub/Profiles.shtml) Center for Disease Control HIV/AIDS information (http://www.cdc.gov/hiv/stats/hasrlink.htm)

Step-by-Step Guide to Accessible Cultural Programs and Organizations

The next section takes you through a ten-step process to provide increased accessibility to arts and humanities programs and organizations. For each step you will be provided with information that is based on the law, advice from the field, existing resources and examples of practices.

The success of any access effort will require the active participation and involvement of persons with disabilities. Therefore, we strongly recommend that you **involve members of your community with many different types of disabilities to provide ideas, resources, guidance and feedback** regarding your efforts.

Ten Steps to Accessibility

Step 1: **Know the Laws and How They Apply to Your Organization, Patrons and Audiences with Disabilities [link to Step 1]**

Step 2: **Provide Individuals with Equal Employment Opportunities[link to Step 2]**

Step 3: **Designate an Accessibility Coordinator for Your Organization [link to Step 3]**

Step 4: **Create an Access Advisory Committee [link to Step 4]**

Step 5: **Adopt a Policy Statement About Your Organization's Commitment to Accessibility and Establish a Grievance Procedure [link to Step 5]**

Step 6: **Evaluate Your Organization's Accessibility: The Arts and Humanities Accessibility Checklist [link to Step 6]**

Step 7: **Develop an Access Plan [link to Step 7]**

Step 8: **Train Your Staff, Board, Panelists, Grantees and Constituents [link to Step 8]**

Step 9: **Enforce 504/ADA Compliance within Your Organization [link to Step 9]**

Step 10: **Promote and Market Your Accessibility [link to Step 10]**

STEP 1: Know the Laws and How They Apply to Your Organization, Patrons and Audiences with Disabilities

   Guidance About Federal Law and Legal Requirements

   Section 504 Regulations and the Americans with Disabilities Act

   ADA Publications

   ADA and 504 Resource Directory

Guidance About Federal Laws and Legal Requirements

Section 504 and the ADA are **standard legal requirements**, which are intended to provide people with disabilities the same opportunity to be employed and enjoy your organization's programs, services and facilities as non-disabled people. By law, all programs should be accessible.

The four major requirements of accessibility laws are:
1) Non-discrimination

2) Equal opportunity (and the provision of any reasonable modifications, auxiliary aids or services necessary to achieve it)

3) Basic standard of architectural access

4) Equal access to employment, programs, activities, goods and services

Access efforts **should not simply respond to legal requirements**, but celebrate the positive benefits of full access to cultural activities, and the opportunity to serve and educate all segments of the public.

Access laws have clout and financial consequences for non-compliance. "Good faith efforts" in complying with access laws, and an attitude that treats **all people** with equality and dignity, will help avoid complaints and costly lawsuits.

To show that your organization is making a "good faith effort" to comply with the law, you should complete and have on file records that demonstrate your access efforts. This would include a written description of what your organization has completed to date, how you are involving the disability community, an access self-

evaluation, a transition plan (if needed), readily achievable changes that have been accomplished, and other relevant documents, actions or training. These records are your organization's proof of compliance work, and should be made available to requesting parties.

Involving people with various disabilities in the evaluation, education and implementation process is key to successful and cost-effective compliance.

Implementing access does not have to be difficult or expensive, and can be a creative, engaging and instructive process in which your organization's entire staff should take part.

The Americans with Disabilities Act does not supersede state and/or local laws, which provide equal or greater protection for individuals with disabilities, including persons with AIDS. For complete structural requirements, see both the ADA Accessibility Guidelines (http://www.access-board.gov/adaag/html/adaag.htm), and the Uniform Federal Accessibility Standards (http://www.access-board.gov/ufas/ufas-html/ufas.htm). Local ordinances and the state code also apply - and the most stringent specification for any standard must be met for compliance.

Section 504 Regulations and The American with Disabilities Act

Rehabilitation Act of 1973, as amended
(Public Law 93-112)

In 1973, Congress passed the Rehabilitation Act in a national effort to end discrimination on the basis of disability by agencies and organizations, which receive or benefit from federal financial assistance. The Rehabilitation Act included a provision, Section 504, which states:

> "*No otherwise qualified handicapped individual in the United States shall solely by reason of his handicap be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.*"

This provision has come to be regarded as the vital core of the disability rights movement.

The Rehabilitation Act contains five sections that address different aspects of equal opportunity for people with disabilities. In summary, the sections and their requirements are:

Section 501
Prohibits discrimination on the basis of disability in the federal government and requires affirmative action in the hiring of people with disabilities by government agencies.

Section 502
Establishes the Architectural and Transportation Barriers Compliance Board now known as the Access Board (http://www.access-board.gov/) and gives the Board authority to enforce the Architectural Barriers Act of 1968.

Section 503
Prohibits employment discrimination by private sector employers and requires state and local governments receiving federal contracts in excess of $10,000 to have an affirmative action plan for hiring qualified people with disabilities.

Section 504
Prohibits discrimination on the basis of disability and requires federal agencies and any organization that receives federal funding to make its programs and activities accessible to people with disabilities.

Section 508
Amended in 1998, requires that any electronic or information technology developed, maintained, procured or used by federal agencies be accessible and usable by federal employees and members of the public with disabilities seeking information or services. The electronic or information technology includes computer hardware and software as well as web pages.

Federal agencies each have their own Section 504 regulations, and private and public cultural organizations must comply with these regulations if they receive federal funds. This includes organizations that receive funds directly from a federal agency such as the National Endowment for the Arts, or indirectly through pass through money or sub grants from a state agency that receives federal funds. Federal funds are distributed through a number of state agencies such as state arts agencies, humanities councils, state departments of education, rehabilitation services and others. In each case the recipient of the federal funds must comply with the dispensing agency's Section 504 regulations.

The National Endowment for the Arts was the third federal agency to issue its Regulations for Nondiscrimination on the Basis of Handicap, effective May 25, 1979, in order to comply with section 504. The Endowment's regulations state, in part:

> These regulations implement section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112, 29 U.S.C. 794. The regulations define and forbid acts of discrimination against qualified handicapped persons in programs and activities receiving federal financial assistance from the National Endowment for the Arts. As employers, recipients are prohibited from engaging in discriminatory employment practices on the basis of handicap and must make reasonable accommodation to the handicaps of employees unless the accommodation would cause the employer undue hardship. As providers of services, recipients are required to make programs operated in existing facilities accessible to

handicapped persons, to ensure that new facilities are constructed in a manner readily accessible to handicapped persons, and to operate their programs in a nondiscriminatory manner.

Brief Summary of Americans with Disabilities Act (ADA) and its Titles
(Public Law 101-336)

Signed into law on July 26 1990, the Americans with Disabilities Act is wide-ranging legislation intended to make American society more accessible to people with disabilities. It is the nation's first comprehensive civil rights law for people with disabilities. The ADA prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation and telecommunications. While the employment provisions of the ADA apply to employers of fifteen employees or more, its public accommodations provisions apply to all sizes of business, regardless of number of employees. State and local governments are covered regardless of size.

The ADA is divided into five titles that extend different aspects of equal opportunity for people with disabilities. The titles and their requirements are as follows:

Title I- Employment
Requires all employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others.

Title II- State and Local Government
Requires all state and local governments (their departments and agencies) give people with disabilities an equal opportunity to benefit from all public programs, activities and services (e.g. public education, employment, transportation, recreation, healthcare, social services, courts, voting and town meetings).

Title III- Public Accommodation and Services Operated by Private Organizations
Requires places of public accommodation to meet architectural accessibility standards for new construction and modified buildings and remove barriers in existing buildings where such removal is readily achievable; make reasonable modifications to policies, practices and procedures; provide effective communication mechanisms for people with hearing, vision or speech disabilities; and other access requirements.

Title IV- Telecommunications
Amended the Communications Act of 1934 to require common carriers (telephone companies) to provide interstate and intrastate Telecommunication

Relay Services (TRS) 24 hours a day, 7 days a week. This title addresses captioning of public service announcements.

Title V- Miscellaneous Provisions
States, among other provisions, that federal laws shall not supersede state laws with more stringent accessibility provisions.

ADA Publications

Overview of the ADA

Americans with Disabilities Act, A Summary
(http://www.dol.gov/odep/pubs/misc/summada.htm) A description of the enforcement jurisdiction, effective dates and which regulatory agencies are responsible for the enforcement of each of the titles and parts of the Act published by the Department of labor.

Americans with Disabilities Act: Questions and Answers
(http://www.usdoj.gov/crt/ada/q&aeng02.htm) A 15-page publication from the U.S. Department of Justice containing answers to commonly asked questions about the Americans with Disabilities Act. Question topics pertain to: the ADA's requirements for ensuring equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities and transportation.

Facts About the Americans with Disabilities Act, (http://www.eeoc.gov/facts/fs-ada.html) This publication provided by the U.S. Equal Employment Opportunity Commission directly addresses **Title I** of the ADA, which prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment.

ADA Title I

Title I Technical Assistance Manual (http://www.jan.wvu.edu/links/ADAtam1.html) This *Manual* provides guidance on the practical application of legal requirements established in the statutes and EEOC regulations. It also provides a directory of resources to aid in compliance. The *Manual* is designed to be updated periodically with supplements as the Commission develops further policy guidance and identifies additional resources. Part One of the *Manual* explains key legal requirements in practical terms, including:
- Who is protected by, and who must comply with, the ADA;
- What the law permits and prohibits with respect to establishing qualification standards, assessing the qualifications and capabilities

of people with disabilities to perform specific jobs, and requiring medical examinations and other inquiries;

- The nature of the obligation to make a reasonable accommodation;
- How the law's nondiscrimination requirements apply to aspects of the employment process such as promotion, transfer, termination, compensation, leave, fringe benefits and contractual arrangements;
- How ADA provisions regarding drug and alcohol use affect other legal obligations and employer policies concerning drugs and alcohol; and
- How ADA requirements affect workers' compensation policies and practices.

ADA Title II

Title II Highlights (http://www.usdoj.gov/crt/ada/t2hlt95.htm) An 8-page outline published by the Department of Justice highlighting the responsibilities of state and local governments under the Americans with Disabilities Act, Title II. Subtitle A of Title II of the Americans with Disabilities Act, Pub. L. 101-336 prohibits discrimination on the basis of disability by public entities. Subtitle A protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This document gives a detailed overview of:

- Who is covered by Title II of the ADA
- The requirements of local and state governments in complying with the ADA
- What the term "Qualified Individuals with Disabilities" means
- Program access and integration
- Communications
- New constructions and alterations
- Enforcement
- Complaints
- Designated agencies
- Technical assistance

Commonly Asked Questions About Title II of the Americans with Disabilities Act (ADA) (http://www.usdoj.gov/crt/ada/pubs/t2qa.txt) A helpful 5-page publication for state and local government agencies, it provides compliance information in a simple question and answer format. Topics include:

- The accessibility requirements of the ADA
- Providing appropriate auxiliary aids to ensure effective communication
- Printing document and signs in Braille and/or large print
- The availability of government funds in setting up accessibility projects

ADA Title III

Fact Sheet 1: Who Has Obligations Under Title III?
(http://www.adaptiveenvironments.org/neada/fact1.php) Summarizes obligations of commercial facilities, (privately owned, non residential facility) as well as places of public accommodation (non profit or for profit private establishments, including theatres and museums).

Title III Highlights (http://www.usdoj.gov/crt/ada/t3hilght.htm) A 9-page resource produced by the Department of Justice that outlines the key requirements of the ADA for businesses and non-profit agencies. This publication provides detailed information in bullet format for quick reference. Topics covered include:

- Who is covered by title III of the ADA
- Overview of requirements
- "Individuals with disabilities"
- Eligibility for goods and services
- Modifications in policies, practices and procedures
- Auxiliary aids
- Existing facilities: removal of barriers
- Existing facilities: alternatives to barrier removal
- New construction
- Alterations
- Overview of Americans with Disabilities Act Accessibility
- Examinations and courses
- Enforcement of the ADA and its regulations
- Technical assistance

ADA and 504 Resource Directory

The following directory identifies agencies that are responsible for the enforcement of ADA and Section 504 of the Rehabilitation Act of 1973 or provide technical assistance.

Access Board
1331 F Street, N.W. Ste. 1000
Washington, DC 20004-1111
Phone: (202) 272-0080
TTY: (202) 272-0082
Internet: http://access-board.gov
Description: The Access Board is an independent federal agency devoted to accessibility for people with disabilities. It operates with about 30 staff and a governing board of representatives from federal departments and a public member appointed by the President. Key responsibilities of the Access Board include:

- Developing and maintaining accessibility requirement for the built environment, transit vehicles, telecommunications equipment, and for electronic and information technology
- Providing technical assistance and training on these guidelines and standards
- Enforcing accessibility standards for federally funded facilities

Department of Transportation (DOT)
400 Seventh Street, S.W.
Washington, DC 20590
Phone: (202)366-4000
Internet: http.dot.gov/accessibility
Description: The DOT enforces the regulations to implement the transportation requirements of the ADA. Contact DOT for specific information and publications about ADA requirements affecting transportation.

Equal Employment Opportunity Commission (EEOC)
1801 L Street, N.W.
Washington, DC 20507
Phone: (800) 669-4000
(202) 663-4900
TTY: (800) 669-6820
(202) 663-4494
Internet: http://www.eeoc.gov
Description: The EEOC is responsible for enforcing the ADA Title I employment regulations including through settlements, conclusions, mediation and litigation. Investigates charges of employment discrimination and works to resolve problems through conciliation. The 800 numbers will automatically connect you with the nearest EEOC field office and provide information on discrimination laws in English and Spanish, and free publications.

Publications produce by the EEOC that might be of interest include:
· The Americans with Disabilities Act: Your Responsibilities as an Employer (http://www.eeoc.gov/facts/ada17.html)
· Fact Sheet: ADA Discrimination, (http://www.eeoc.gov/facts/fs-ada.html)
· EEOC: Information for the Private Sector and State and Local Governments

Federal Communications Commission (FCC)
445 12th Street
Washington, DC 20544
Phone: (888) CALL-FCC
TTY: (888) TELL-FCC (835-5322)
Internet: http://www.fcc.gov/cgb/dro/
Description: The FCC is an independent United States government agency, directly responsible to Congress. The FCC was established by the Communications Act of 1934

and is charged with regulating interstate and international communications by radio, television, wire, satellite and cable. The FCC is responsible for enforcing the regulations to implement Title IV telecommunications requirements for hearing impaired and speech impaired. The FCC has a "disabilities issues" page with information and resources about available services.

National Endowment for the Arts Civil Rights Office
1100 Pennsylvania Ave., N.W., Room 812
Washington, DC 20506
Phone: (202) 682-5454
TTY: (202) 682-5695
Internet: http://www.nea.gov/about/Civil.html
Description: The NEA's Office of Civil Rights (OCR) investigates and resolves external/internal allegations of discrimination. External allegations of discrimination apply to applicants and recipients of Federal financial assistance, and internal allegations of discrimination apply to employees of the National Endowment for the Arts and applicants for employment with the Endowment. The OCR is responsible for the administration of Title VI and VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act (specifically Title I: Employment of Persons with Disabilities), discrimination on the basis of race, color, national origin, disability, and age in programs and activities receiving Federal financial assistance. Provides copies of the Endowment's Section 504 regulations and the **Section 504 Self-Evaluation Workbook** (free, 32 pp.), a checklist designed to assist Endowment grantees in evaluating the accessibility of their programs, activities and facilities, as well as help them comply with the Section 504 regulations.

Pacific ADA and IT Center
Disability and Business Technical Assistance Centers
Phone: (800) 949-4232
Internet: http://www.adata.org/dbtac.html
Description: Funded by the National Institute on Disability and Rehabilitation Research under the U.S. Department of Education, each of the regional Disability and Business Technical Assistance Centers has a toll-free hotline that can answer specific questions on the ADA. Private businesses, individuals, schools and local or county governments can call for advice and information. Callers also may order materials from the Center's extensive library of ADA and disability-related publications. Go to Web site to obtain information and phone numbers of the applicable regional center.

U.S. Department of Justice
950 Pennsylvania Ave., NW
Civil Rights Division
Disability Rights Section- NYAV
Washington, DC 20530
Phone: (800) 514-0301

TTY: (800) 514-0383
Internet: http://www.ada.gov
Description: The U.S. Department of Justice is responsible for developing and enforcing the ADA state and local government (Title II) and public accommodations (Title III) regulations.   DOJ has many publications, some of which were jointly produced with the Equal Employment Opportunity Commission (EEOC). To get a list of ADA publications go to: (http://www.usdoj.gov/crt/ada/publicat.htm).

For general ADA information, answers to specific technical questions, free ADA materials or information about filing a complaint call their 800 number.

Guidance on Equal Employment

Accessible employment policies must be extended to the wide variety of employees involved in cultural organizations. This includes staff and board members, consultants, panelists, advisors, teachers/instructors and artists.

Cultural organizations have a unique opportunity to provide leadership in non-discriminatory employment. When we recruit and involve people who have disabilities and older individuals, we are not only creating more inclusive communities, but heightening awareness among staff and constituents.

Facts About Employment and People with Disabilities

There exists a vast and untapped labor pool that is ready, willing and able to work. Employers seeking employees should take care to not overlook this segment of the population.

In the 2002, an estimated **31% of civilian, non-institutionalized, men and women with a disability, aged 18-64 in the United States were employed**. In comparison, 85% of men or women without a disability were employed.

Houtenville, Andrew J. 2004. "Disability Statistics in the United States." Ithaca, NY: Cornell University Rehabilitation Research and Training Center, (http://www.disabilitystatistics.org) Posted May 15, 2003. Accessed June 08, 2004.

Resources You Can Use

AIDS Impact and Resource Information
(http://www.nea.gov/manageaward/AIDSinfo.pdf) This informational directive provides recommendations on employment, policies, guidelines and resources pertaining to artists with HIV/AIDS.

Myths and Facts about People with Disability
(http://www.dol.gov/odep/pubs/fact/mythfact.htm) U.S. Department of Labor: Office of Disability Employment Policy.

Statewide Forums on Careers in the Arts for People with Disabilities
(http://www.nadc.ucla.edu/StatewideForums.cfm) Reports and information generated from the Statewide Forums for People with Disabilities initiative. Sponsored by VSA arts, the National Endowment for the Arts and National Arts and Disability Center at UCLA, individual states were provided with support and technical assistance to (1) assess the education and career needs and barriers for artists and arts administrators with disabilities; and (2) develop and implement strategies to overcome barriers and advance careers in the arts for individuals with disabilities.

Statistics About People with Disabilities and Employment
(http://www.dol.gov/odep/pubs/ek01/stats.htm) U.S. Department of Labor Office of Disability Employment.

Targeted Recruiting: People with Disabilities
(http://www.nod.org/content.cfm?id=993) The National Organization on Disability.

Key Requirements for Employers Under the Rehabilitation Act and ADA Title I

Rehabilitation Act

The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in federal employment, in the employment practices of

federal contractors and in programs receiving federal financial assistance, including state and local governments and private entities. **Section 503 of the Rehabilitation Act 1973** specifically prohibits employment discrimination by federal contractors and requires anyone receiving a contact or subcontract from any Federal department or agency in excess of $10,000 to take affirmative action to recruit, hire and promote qualified workers with disabilities.

ADA Title I

The ADA's Title I employment provisions apply to private employers, state and local governments, employment agencies and labor unions with 15 more employees. Title I of the ADA prohibits the discrimination of a qualified individual applicant or employee because of his or her disability. The U.S. Equal Employment Opportunity Commission issued regulations to enforce the provisions of Title I of the ADA on July 26, 1991. The regulations took effect on July 26, 1992, and covered employers with 25 or more employees. On July 26, 1994, coverage was expanded to include all employers with 15 or more employees.

These laws only protect **qualified individuals with disabilities** (see Part 1: "Defining Disability" who:

☑ **meet the job related requirements (education, training or job related)** and

☑ **can perform the essential functions of a job with or without accommodations. The essential functions are the fundamental duties of the job.**

Employers covered by the ADA are required to make sure that individuals with disabilities:
- Have an equal opportunity to be recruited and hired for jobs, and work in jobs for which they are qualified;
- Have an equal opportunity to be promoted;
- Have equal access to benefits and privileges of employment offered to other employees such as employer provided health insurance or training;
- Are not harassed because of their disability; and
- Are provided with a **reasonable accommodation** except when such accommodation would cause an undue hardship.

All employers covered by the non-discrimination and EEO laws are required to post on their premises the poster "Equal Employment Opportunity is the Law." This poster advises employees of their rights under the ADA and Section 504. Such notices must be accessible to persons with visual or other disabilities that affect reading abilities. You can download the poster at
http://www.dol.gov/esa/regs/compliance/posters/pdf/7975epos.pdf

Reasonable Accommodations in the Workplace

Reasonable accommodations are any modifications or adjustments to a job or the work environment that permit a qualified applicant or employee with a disability to apply for a job, perform essential job functions or to enjoy the benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Reasonable accommodations are tools to assist a qualified individual with disability apply for a position or carry out the essential functions of their job. Below are some examples of reasonable accommodations for the application process and job performance:

- Large-print, Braille applications or accessible online applications
- The provision of readers or interpreters
- Job restructuring
- Modified work schedule
- Acquisition or modification of assistive equipment or devices
- TTY number
- Other similar actions

A reasonable accommodation may require the employer to provide **assistive technology** to qualified employees.   Assistive technology (AT) is any item, piece of equipment or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain or improve the functional capabilities of individuals with disabilities (29 U.S.C. Sec 2202(2)). Individuals with disabilities use assistive technology as an accommodation. This includes work accommodations such as large screen computer monitors, adapted keyboards or telephone amplification devices.

Employers do not have to provide a reasonable accommodation that would pose an **undue hardship** on the operation of the business.

When does providing an accommodation impose an undue hardship on an employer?
- An undue hardship is defined as an action that requires significant difficulty or expense relative to the size, finanical resources and the nature and structure of the business.

The following resources can assist you with reasonable accommodations and products that assist individuals with disabilities in the workplace:

ABLEDATA
8630 Fenton Street, Ste. 930
Silver Spring, MD 20910
Phone: (800) 227-0216
TTY: (301) 608-8912

Internet: http//:www.abledata.com
Description: ABLEDATA provides resources, information and publications, and serves as a consumer forum about assistive technology products and services for people with disabilities. They have an online database that contains more than 19,000 listings of adaptive devices for all disabilities. Customized searches give detailed information on available equipment and manufacturers.

The Job Accommodation Network (JAN)
US D.O.L. Office of Disability and Employment
West Virginia University
P.O. Box 6080
Morgantown, WV 26506-6080
Phone/TTY: (800) 526-7234
Fax: (304) 293-5407
Email: jan@jan.icdi.wvu.edu
Internet: http://www.jan.wvu.edu
Description: The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA) and the employability of people with disabilities.

U.S Department of Labor, Office of Disability Employment Policy:
Workplace Accommodation Process
Internet: http://www.dol.gov/odep/pubs/ek97/process.htm
Description: The Workplace Accommodations Process is a publication that discusses the requirements for the provision of reasonable accommodations as well as tax credits and additional resources.

Recruitment and Job Descriptions

Make sure that your organization indicates through its recruitment literature and practices that it welcomes applicants with disabilities. Employers with job hotlines for applicants must make the hotline accessible to people who are deaf or hard-of-hearing, or provide alternative methods of receiving information.

Functional job descriptions that specify the **essential functions** of a job are necessary to determine whether an applicant has the necessary qualifications and skills to perform the tasks required with or without an accommodation.

The following publications identify where you can recruit individuals with disabilities and how to write job descriptions that contain the essential functions of the position.
Recruitment

Recruitment, Recruitment, Recruitment! (2001)
(http://www.dol.gov/odep/pubs/ek01/recruit.htm) This is a publication from the U.S. Department of Labor Office of Disability Employment Policy that offers information and

guidance on the employment of people with disabilities. The publication lists organizations and resources that employers can use in their efforts to recruit employees with disabilities.

Job Descriptions

Job Analysis: An Important Employment Tool (1994) (http://www.dol.gov/odep/pubs/fact/analysis.htm) A publication from the U.S. Department of Labor Office of Disability Employment Policy that describes job analysis, a process whereby the specific requirements and essential functions of the job are defined. This document takes you through the process of developing a job analysis. Items of consideration include: (1) purpose-the reason for the job; (2) essential functions-the job duties which are critical or fundamental to the performance of the job; (3) job setting-the work station and conditions where the essential functions are performed; and (4) job qualifications-the minimal skills an individual must possess to perform the essential functions.

Job Descriptions (2003) (http://www.jan.wvu.edu/media/JobDescriptions.html) Published by the Job Accommodation Network, this document provides a detailed narrative of what is required of employers under Title I of the ADA and to how meet these requirements. The document presents a step-by-step account of how to put together a job analysis.

Guidelines for Interviewing Applicants with Disabilities

An employer may inquire or interview an applicant about skills and abilities to perform specific job functions.

An employer may not inquire about a disability or the nature or severity of a disability on an application, job interview, or background or reference check.

The following information is derived from the Equal Employment Opportunity Commission's *Technical Assistance Manual on the Employment Provisions (Title I) of the Americans with Disabilities Act* (1992). Chapter V, "Nondiscrimination in the Hiring Process: Recruitment; Applications; Pre-Employment Inquiries; Testing," is particularly useful. **All state human and/or civil rights agencies have similar lists of allowable and unallowable questions.**

Interview Questions

Questions you MAY ask:

On applications and in interviews, an employer may ask specific questions to determine whether an applicant can perform specific job functions. The questions should focus on the applicant's <u>ability</u> to perform the job, not on a disability.

1. Describe your attendance record at your present job (or at school).

2. Do you have a license to drive (for positions that require that the incumbent drive)?

3. How did you learn about this vacancy?

4. What are your work goals?

5. What schools/training programs have you attended to learn the skills necessary to qualify for this position?

6. You've given me the names of your previous employers. Why did you take each of these positions? Tell me why you decided to leave them.

7. Are you able to perform the essential tasks and duties of the position as they have been explained to you?

8. Would you please describe or demonstrate how you will perform this job, with or without an accommodation? (This question may be asked only if **all** candidates are asked the same question.)

9. On what basis do you believe you are qualified for this position?

10. Describe the work experience that makes you qualified for this position.

11. What do you consider to be your employment strengths and weaknesses related to this job?

12. Are you willing to accept an employment offer on the condition that you pass a job-related physical examination? [This question may be asked if there is a specific physical activity (e.g., maintenance) required in the job and all other candidates who receive a conditional job offer in the same job category are required to take the same examination.]

The following questions SHOULD NOT be asked:

1. Do you have a physical or mental disability?

2. How did you become disabled?

3. Do you have, or have you been treated for, drug addiction, alcoholism, epilepsy, multiple sclerosis or any other disability?

4. What medication, if any, do you take on a regular basis?

5. Are there any restrictions on you driver's license?

6. Do you often get tired at work in the afternoon?

7. Are you often too tired to get to work on time in the morning?

8. How many days were you absent from work because of illness last year?

9. Can you travel independently?

10. Do any of your children, your spouse or others in your family have physical or mental disabilities?

11. Have you ever had a seizure, heart attack, etc…?

12. Is your diet restricted for any reason?

13. Have you ever filed for workers' compensation insurance?

See also: **Preparing for and Conducting an Effective Job Interview** (2003) (http://www.dol.gov/odep/pubs/ek99/jobinter.htm) This fact sheet, produced by the U.S. Department of Labor, provides guidance to ensure that individuals with disabilities have a fair and equitable opportunity to present their qualifications for a position.

Best Practices: Sample Employment Policies

Maryland State Arts Council

The Maryland State Arts Council developed a document called "Guide to Policies & Procedures Regarding Grantee Accessibility for Persons with Disabilities" (August 28, 2002) to inform their grantees about their requirement to be accessible to and usable by people with disabilities. The following is an excerpt from the document pertaining to employment. The full document is available on line at Maryland State Arts Council's Web site (http://msac.org).

1. GENERAL OPERATING OR ARTS PROGRAM FUNDING

An organization receiving MSAC GENERAL OPERATING OR ARTS PROGRAM FUNDING must provide access to al activities to the extent that they are available to the general public, In addition, the organization must provide access to any administrative offices and must provide accessible employment opportunities. Persons with disabilities must have equal opportunity to apply, work, volunteer and receive consideration for advancement. This implies accessible parking, entry, reception, meeting areas and restrooms. All individual work stations and work spaces need not be accessible, but program or general funding recipients are required to make reasonable accommodations for individual employees as well a to provide accessibility to common use spaces. For example:

- A hiring search may not rule out candidates on the basis of disability or place them at competitive disadvantage.
- Employees with disabilities must have access into and out of their work area(s) and access to equipment and facilities they require to perform their duties.
- Employees with disabilities must be provided with the same benefits as other employees. If, for example, parking is provided for an organization's employees, employees with disabilities must be afforded accessible parking spaces and an accessible route to their work area.
- The backstage catwalk need not be accessible, but an accessible work location would have to be found or created (if the cost is reasonable) for a person who uses crutches, even if they only want to volunteer on the lighting crew.
- Not all offices would have to be accessible, but board meeting would have to be held in accessible locations.

Minnesota State Arts Board Reasonable Accommodation Policy

Policy

The Minnesota State Arts Board is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is a key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of the Minnesota State Arts Board to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Definitions

Disability: For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical impairment that materially or substantially limits one or more major life activities.

Reasonable Accommodation

A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedule; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

    a. To assure equal opportunity in the employment;

    b. To enable a qualified individual with a disability to perform the essential functions of a job; and

    c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Procedure- Current Employees and Employees Seeking Promotion

1. The Minnesota State Arts Board will inform all employees that this accommodation policy can be made available in accessible formats.

2. The employee shall inform their supervisor or the ADA Coordinator designee of the need for an accommodation.

3. The ADA Coordinator designee may request documentation of the individual's functional limitations to support the request. Any material documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.

4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:

    a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.

    b. Determine the precise job-related limitation.

    c. Identify the potential accommodations and access the effectiveness each would have in allowing the individual to perform the essential functions of the job.

    d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Minnesota State Arts Board is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.

5. The ADA Coordinator designee will work with the employee to obtain technical assistance, as needed.

6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time.

7. If an accommodation cannot overcome the existing barriers of if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator designee shall work together to determine whether reassignment may be an appropriate accommodation.

Procedure-Job Applicants

1. The job applicant shall inform the ADA Coordinator designee of the need for an accommodation. The ADA Coordinator designee will discuss the needed accommodation and possible alternatives with the applicant.

2. The ADA Coordinator designee will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

Policy for Funding Accommodations

Funding must be approved by the Minnesota States Arts Board for accommodation that do not cause an undue hardship (M.S. 43A.191(c)).

Definition

Undue Hardship: An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the Minnesota State Arts Board.

Procedure for Determining Undue Hardship

1. The employee will meet with the ADA Coordinator designee to discuss requested accommodation.

2. The ADA Coordinator designee will review undue hardships by considering:

    a. The nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
    b. The impact of the accommodation on the nature or operation of the Minnesota State Arts Board.

3. The ADA Coordinator designee will provide a decision to the employee.

Appeals

Employees or applicants who are classified with the decision(s) pertaining to his/her accommodation request may file an appeal with the agency head, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the agency's complaint as outlined in this plan.

Supported Work

The Minnesota State Arts Board will review vacant positions and assess the current workload and needs of the office, to determine if job asks might be performed by a supported employment worker(s). If appropriate, a list of supported worker candidates will be requested from DOER. The Minnesota State Arts Board will work with the State ADA/Disability Coordinator to recruit and hire individuals for supported employment if such a position is created.

Employment Resource Directory

The following directory contains resources for technical assistance to further understanding and implementation of employer obligations, provision of job accommodations, and recruitment of individuals with disabilities.

ABLEDATA
8630 Fenton Street, Ste. 930
Silver Spring, MD 20910
Phone: (800) 227-0216
TTY: (301) 608-8912
Email: abledata@orcmacro.com
Internet: http//:www.abledata.com
Description: ABLEDATA provides resources, information, publications and serves as a consumer forum about assistive technology products and services for people with disabilities. They have an online database that contains more than 19,000 listings of adaptive devices for all disabilities. Customized searches give detailed information on available equipment and manufacturers.

Arts and Business Council Inc
520 Eighth Ave. 3rd Floor, Ste. 319
New York, NY 10018
Phone: (212) 279-5910
Fax: (212) 279-5915
Internet: http://www.artsandbusiness.org/
Description: The Arts & Business Council was founded in 1965, and is devoted to stimulating partnerships between the arts and business that benefit both sectors and the communities they serve. The Arts and Business Council, through its local and national programs, brings expertise, resources and leadership talent from the business world to the arts community. Businesses benefit through meaningful volunteer opportunities for employees, improved access to arts resources and the opportunity to be part of a community enhanced by the presence of a vibrant arts sector. Programs include management consulting, volunteer training, leadership development, leveraging resources and advocacy.

Equal Employment Opportunity Commission (EEOC)
1801 L Street, N.W.
Washington, DC 20507
Phone: (800) 669-EEOC
          (202) 663-4001
TTY: (800) 800-3302
        (202) 663-4141
Internet: http://www.eeoc.gov
Description: The EEOC is responsible for developing and enforcing the ADA employment regulations. It investigates charges of employment discrimination and works to resolve problems through mediation. 800 numbers provide referrals to local

EEOC offices, information on discrimination laws in English and Spanish and free publications.

Publications produce by the EEOC that might be of interest include:

- **The Americans with Disabilities Act: Your Responsibilities as an Employer** (http://www.eeoc.gov/facts/ada17.html)
- **Fact Sheet: ADA Discrimination***, (http://www.eeoc.gov/facts/fs-ada.html)
- EEOC: Information for the Private Sector and State and Local Governments.

Inter-National Association of Business, Industry and Rehabilitation
P.O. Box 15242
Washington, DC 20003
Phone: (202) 543-6353
Internet: http://www.inabir.org/
Description: The Inter-National Association of Business, Industry and Rehabilitation is a private, nonprofit organization. I-NABIR represents businesses, labor unions and job placement service organizations sponsoring federally funded Projects with Industry programs. These organizations are public-private partnerships that competitively employ people with disabilities. They also represent similar programs that are not federally funded, and provide technical assistance and referral information.

Job Accommodation Network (JAN)
P.O. Box 6080
Morgantown, WV 26506-6080
Phone/TTY: (800) ADA-WORK (United States)
          (800) 526-7234 (United States)
          (304) 293-7186 (Worldwide)
Fax: (304) 293-5407
Email: jan@jan.icdi.wvu.edu
Internet: http://www.jan.wvu.edu
Description: The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the ADA and the employability of people with disabilities. JAN is an international information and consulting resource for employers and job applicants. JAN helps solve specific job accommodation problems through their toll-free hotline. Visit their Web site for a listing of available publication.

Job Opportunities for the Blind
National Federation of the Blind
1800 Johnson Street
Baltimore, MD 21230
Phone: (410) 659-9314
Email: nfb@nfb.org
Internet: http://www.nfb.org/jobpaths.htm
Description: Job Opportunities for the Blind is part of the National Federation of the Blind. The NFB training centers provide the needed training and placement services and have locations across the nation to help secure opportunity for trained blind

workers. The foundation also provides employers with information and technical assistance on reasonable accommodations, techniques and devices.

Just One Break
120 Wall Street
New York, NY 10005
Phone: (212) 785-7300
TTY: (212) 785-4515
Fax: (212) 785-4513
Internet: http://www.justonebreak.com
Description: Devoted to the employment of persons with disabilities they provide tests and counseling, and a job seeking skills program.

National Endowment for the Arts
Civil Rights Office
1100 Pennsylvania Ave., N.W.
Room 812
Washington, DC 20506
Phone: (202) 682-5454
TTY: (202) 682-5695
Fax: (202) 682-5553
Internet: http://www.nea.gov/about/Civil.html
Description: The NEA's Office of Civil Rights (OCR) investigates and resolves external/internal allegations of discrimination. External allegations of discrimination apply to applicants and recipients of Federal financial assistance, and internal allegations of discrimination apply to employees of the National Endowment for the Arts and applicants for employment with the Endowment. The OCR is responsible for the administration of Title VI and VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act (specifically Title I: Employment of Persons with Disabilities), discrimination on the basis of race, color, national origin, disability, and age in programs and activities receiving Federal financial assistance. Provides copies of the Endowment's Section 504 regulations and the Section 504 Self-Evaluation Workbook (free, 32 pp.), a checklist designed to assist Endowment grantees in evaluating the accessibility of their programs, activities and facilities, as well as help them comply with the Section 504 regulations.

National Institute of Mental Health (NIMH)
Office of Diversity and Employee Advocacy Programs
NIMH Public Inquiries
6001 Executive Blvd.
Room 8184
Bethesda, MD 20892-9663
Phone: (301) 443-4513
TTY: (301) 443-8431

Fax: (301) 443-4279
Internet: http://www.nimh.nih.gov/
Description: The NIMH's Office of Diversity and Employment Advocacy Programs reviews and analyzes important information, programs, policies and issues, including legal compliance issues, relating to Equal Employment Opportunity (EEO), work place diversity, and employee "Quality of Work life" (QWL), and provides advice and recommendations to the NIMH Director and senior staff. The office also serves as the focal point for all EEO-related activities that address the concerns of women, minorities and individuals with disabilities.

New York Foundation for the Arts
155 Ave. of the Americas, 14th Floor
New York, NY 10013-1507
Phone: (212) 366-6900 ext: 201
Fax: (212) 366-1788
Email: nyfaweb@nyfa.org
Internet: http//:www.nyfa.org
Description: Their Web site contains a national listing of full and part time jobs and internships where employers can submit postings for open positions in the arts.

Pacific ADA and IT Center
Disability and Business Technical Assistance Centers
Phone: (800) 949-4232
Internet: http://www.adata.org/dbtac.html
Description: Funded by the National Institute on Disability and Rehabilitation Research under the U.S. Department of Education, each of the regional Disability and Business Technical Assistance Centers has a toll-free hotline staffed by specialists who can answer specific questions on the ADA. Private businesses, individuals, schools and local or county governments can call for advice and information on what is required, who is covered, and how to work through a disability-related question in employment, architectural access, public services and other areas. Callers also may order materials from the Center's extensive library of ADA and disability-related publications. Provided free or at low cost, these materials include the full regulations, technical assistance manuals, architectural guidelines, easy-to-read fact sheets and summaries, advice on how to make different types of businesses accessible to the public and consultation on employment issues, such as reasonable accommodation. Go to Web site to obtain information and phone numbers of the applicable regional center.

U.S. Department of Labor
Office of Disability Employment Policy (ODEP)
Frances Perkins Building
200 Constitution Ave., NW
Washington, DC 20210
Phone: (202) 693-7880
TTY: (202) 693-7881
Fax: (202) 693-7888

Internet: http://www.dol.gov/odep/

Description: ODEP's mission is to provide leadership to increase employment opportunities for adults and youth with disabilities. ODEP is a federal agency in the Department of Labor. It serves individuals with disabilities and their families; private employers and their employees; federal, state and local government agencies; educational and training institutions; disability advocates; providers of services; and government employers. ODEP focuses on both the supply and demand side of the labor market related to employment of people with disabilities. ODEP supports the creation of expanded work options and meaningful employment, promotes economic opportunities and independence, encourages self-determination and supports inclusion of people with disabilities in their communities.

- For a directory of State Liaisons go to: (http://www.dol.gov/odep/state/directry.htm)
- For Frequently Asked Questions on disability employment go to: (http://www.dol.gov/odep/faqs/employers.htm)

Rehabilitation Services Administration (RSA)
550 12th SW
Washington, DC 20202
Phone: (202) 245-7488
TTY: (202) 401-3664
Internet: http://www.ed.gov/about/offices/list/osers/rsa/index.html

Description: RSA provides national leadership for, and administration of, basic state and formula grant programs, service projects and rehabilitation training discretionary grant programs. These programs develop and implement comprehensive and coordinated programs of vocational rehabilitation, supported employment and independent living for individuals with disabilities, through services, training and economic opportunities, in order to maximize their employability, independence and integration into the workplace and the community. RSA will provide information on how to contact the agency in your state and provide additional information on other federally funded, community-based employment programs, projects with industry and supported employment programs. For a list of state contacts please go to: (http://www.ed.gov/about/offices/list/osers/rsa/index.html)

RESNA Technical Assistance Project
1700 North Moore Street Suite 1540
Arlington, VA 22209-1903
Phone: (703) 524-6686 ext: 313
TTY: (703) 524-6630
Fax: (703) 524-6639
Email: info@resna.org
Internet: http://www.resna.org/taproject/

Description: The RESNA Technical Assistance Project provides technical assistance to the 56 state and jurisdictional assistive technology programs as authorized under the

Assistive Technology Act of 1998 (P.L. 105-394). The Technical Assistance Project was founded to provide assistance to the AT Act Grantees to assist them reduce barriers and increase access to assistive technology (AT) devices and services for consumers with disabilities of all ages. This project will also provide technical assistance in the areas related to universal design, state procurement actions and funding of AT. Contact RESNA to learn whether your state has a technology project.

STEP 3: Designate an Accessibility Coordinator for Your Organization

Guidance on Designating an Accessibility Coordinator

Standard Job Description for the Accessibility Coordinator

Best Practices: Sample Accessibility Coordinator Job Descriptions

Resources for the Accessibility Coordinator

Guidance on Designating an Accessibility Coordinator

Each organization should appoint a staff member to serve as its Accessibility Coordinator. The Accessibility Coordinator should help lead the organization in its efforts to comply with the ADA. Under the Arts Endowment's 504 Regulations it is required that "a responsible official be designated to coordinate the [grant] recipient's efforts in connection with Section 504" (S1151.42). This person should also sign the completed self-evaluation. Further, there are requirements for an ADA Coordinator under the ADA's Title II for state and local government.

A job description should be developed that demonstrates language that empowers the position: "must," "shall," "may," "required".

> **Example:** The Accessibility Coordinator should serve as an in-house consultant to staff and board in ensuring that all meetings, activities and events sponsored by your organization are accessible.

The Accessibility Coordinator should serve as consultant to board and staff in educating members of your organization about access issues, and should ensure that planning for access is incorporated into all organizational decisions, as needed. The Executive Director and board members, with assistance from the Accessibility Coordinator, should provide leadership in implementing access throughout your organization.

> **Example**: To support the efforts of the Accessibility Coordinator and advance accessibility within your organization, it is recommended that compliance duties for other staff be clarified **in the Accessibility Coordinator's job description**:

A. Executive Director's responsibilities: oversee and insure that access mission, goals and budget are implemented within the agency and by its grant recipients.

B. Board responsibilities: development of mission statement and access policy, appointment of board liaison and documentation of grievance procedure.

Example: Some state arts agencies suggest drafting a 504/ADA (Accessibility) job description for board liaison(s) and/or trustee(s) responsible for access oversight: "Appointing a board member to work with staff on access is a <u>must</u>. If you don't have board involvement, there could be a leadership void."

The Accessibility Coordinator may come from a number of different professional backgrounds, services or programs from within an agency. The ADA/504 Coordinator can be someone who comes to the position out of interest and may acquire information and expertise through training, conferences, consultation and use of resources such as this G*uide*.

Although the Accessibility Coordinator is the designated contact/access facilitator, accessibility must be everyone's responsibility if access to the arts is to be inclusive and effective.

Example: Each staff member should perform a portion of the "Arts and Humanities Accessibility Checklist" (See Step 6) for his/her particular area and work with his/her constituents to encourage and assist access.

Accessibility Coordinators should consider using access consultants.

Quite often, financial limitations will not permit adding a new position. The Accessibility Coordinator's duties may be assigned to a staff position that currently exists. In most cultural organizations, the Accessibility Coordinator has other agency responsibilities that limit the amount of time he/she able to spend in this area.

Example: The duties of the Accessibility Coordinator do not necessarily have to be limited to access for older individuals and people with disabilities. Some agencies include access responsibilities in the job description of a Cultural Diversity Program Director or the Arts in Education Coordinator.

Example: In addition to the Accessibility Coordinator, some agencies train their entire staff to be access advocates.

As mandated by the ADA, job descriptions should provide an in-depth analysis of the essential functions of the position. Job descriptions may be developed in the following manner:

> **Example:** Job Title: **Accessibility Coordinator**
> Definition:
> Equipment/Job Location:
> Essential Functions of the Job:
> Additional Examples of Work Performed:
> Required Knowledge and Abilities:
> Qualifications:

Standard Job Description for the Accessibility Coordinator (formerly called the 504/ADA Coordinator)

The following job description for an Accessibility Coordinator is meant to serve as a guide for all cultural organizations, including state, regional and local cultural agencies. When preparing your organization's job description, be sure to consult with the appropriate department in your state, e.g., Division of Personnel Services.

- **Establish an Access Advisory Committee**. Create and staff an advisory committee that includes people with various disabilities, staff and board members.

- **Educate [your organization] on access issues**. Work with the Access Advisory Committee to develop and conduct periodic awareness seminars and training for staff, board, panelists and grantees.

- **Conduct a self-evaluation and create a transition plan**. Work with the Access Advisory Committee to conduct an evaluation of [your organization's] policies, programs, services and facilities to identify where access improvements are needed. Create a self-evaluation document and transition plan (if needed). Use this evaluation to eliminate any physical, programmatic and policy barriers, as required by law.

- **Insure that access issues are integrated into the daily operation of [your organization]**, including budget, policy, education and public information. Insure that the staff implements access considerations in their specific area of specialization, including funding guidelines, panels and other meetings.

- **Educate and assist contractors and grantees** (including service groups) in implementing access services and policies. Work with grantees/constituents to organize and convene access education seminars as separate meetings or as a

part of other meetings. The ultimate goal is to make access part of <u>all</u> education efforts.

- **Budget for accessibility**. Work with staff and board to ensure access accommodations and services are budgeted, and are provided for in all activities undertaken by [your organization] and by its grant recipients. You may also work with staff to develop special funding initiatives that encourage and assist grantees with accessibility.

- **Develop and implement a grievance procedure** for dealing with any complaints, and keep staff and board members updated on its progress. (See Step 5).

- **Ensure representation on staff, board and panels**. Encourage the inclusion of individuals with disabilities from arts and humanities disciplines (such as artists, museum professionals, librarians, media makers) and cultural administrators. Encourage staff and others to consider qualified individuals with disabilities for staff, panelists and board members.

- **Outreach**. Maintain good working relationships and attend meetings of organizations representing people with disabilities and older adults.

- **Act as a resource/referral, and develop resource lists.** Working with your Access Advisory Committee to research and compile a directory of access services and equipment within your locality would be helpful to staff, grantees and others. Update resources list periodically or as needed.

- **Ensure that the Self-Evaluation and Transition Plan are implemented**, and update staff and board on its progress, through ongoing work with your Access Advisory Committee (See Step 4).

- **Follow up**. Meet with staff on a regular basis to discuss access issues, including panel composition (representation of people with disabilities on panels), budget, the state of access among constituents/grantees, access needs within [your organization], new access developments/technologies, and universal access to programs and activities. Work with staff to ensure that services are appropriately provided to board, staff, panelists, grantees and applicants.

- **Use the appropriate sections of this *Guide*** to assist with implementation.

Best Practices: Sample Accessibility Coordinator Job Descriptions

Ohio Arts Council
Job Description for Accessibility Coordinator

♦ Serves as the agency's Americans with Disabilities Act (ADA) Coordinator for the State of Ohio and also serves as agency liaison to organizations, institutions and government agencies;

♦ Administers the 504/ADA program as outlined by the NEA;

♦ Collects and maintains 504/ADA regulations and supplementary materials, correspondence and documentation of the compliance procedure;

♦ Works with staff and board to clarify responsibilities under 504/ADA;

♦ Works with Artists with Disabilities Network Ohio which serves as OAC's ADA advisory committee;

♦ Must develop and maintain good working relationships with people and artists with disabilities, as well as organizations representing people with disabilities;

♦ Must keep 504/ADA resource materials updated and distributed to staff;

♦ Generates and updates a pool of people with disabilities who could serve as panelist;

♦ Ensures that access issues are integrated into the daily operations of OAC;

♦ Ensures that access accommodations and services are included in agency budget;

♦ Conducts workshops on accessibility to the field as needed to staff;

♦ Provides sensitivity training to staff, board and the field periodically;

♦ Orientates all new staff regarding OAC policies on 504/ADA;

♦ Attends meetings in the field sponsored by organizations, agencies, etc., on topics dealing with accessibility;

♦ Keeps staff and board updated on programs sponsored by arts organizations, agencies both locally and nationally that are programmatically accessible to people with disabilities;

♦ Serves as the initial contact person for ADA grievances.

Florida Arts Council
Job Description for the Access (ADA/504) Coordinator

- Designated to coordinate the grant recipient's efforts in connection with Section 504 (S1151.42).

- Designated to monitor ADA's Title II for state and local government.

- Serves as consultant to Division staff, Florida Arts Council, and the constituency about access issues.

- Implement policy recommended by the ADA Resolution Committee and approved by the Florida Arts Council.

- Represents agency at national, state, and regional conferences, including the Governor's ADA Working Group.

Mississippi Arts Commission
Job Description for Arts Industry Program Director/Access (ADA) Coordinator

December 2003

The Arts Industry Program Director, one the five program direction positions at the Mississippi Arts Commission, has recently had its title changed to: ***Arts Industry Program Director/ ADA Coordinator***. Currently in recruitment, applicants for this position have been given an overview of job duties/expectations that include:

> The Arts Industry Program Director/ADA Coordinator will show a strong commitment to Mississippi artists and arts organizations through grants administration, special initiatives, and technical assistance. Other duties include:
>
> Providing staff leadership as agency ADA liaison; working with Very Special Arts Mississippi and other service organizations to build awareness of and opportunities for artists and audiences with disabilities.

Tennessee Arts Commission
Job Description for Access (ADA) Coordinator

The designated ADA Coordinator has these duties:

1) Survey the Tennessee Arts Commission and State Museum on a yearly basis to insure compliance with Affirmative Action policies, procedures, and regulations.
2) Investigate compliance and non-compliance to regulation.
3) Submit recommendations for policies, programs, regulations and procedures relative to Affirmative Action.
4) Make revisions to Agency's Affirmative Action Plan.
5) Monitor the hiring to see that equal employment practices conform to state policies.
6) Maintain information and records on EEO results and progress.
7) Disseminate information and records on EEO results and progress.
8) Counsel employees on promotion opportunities and encourage minority, persons with disabilities, and female employees to participate in promotional examinations.
9) Administer an employee relation program which deals with the relationship between management and individuals in such matters as supervisor-employee relations, communications, employee benefits, employee services, employee conduct, rights, grievances and appeals.
10) Provide a day-to-day advisory service to supervisors. Maintain a working relationship with State Department of Personnel in the areas of employee relations.

504/ADA Coordinator for WV Commission on the Arts has also been appointed ADA Compliance Officer for the WV Department of Education and the Arts.

Title II Americans with Disabilities Act Compliance Officers

Each department or other major organizational unit will designate an Americans with Disabilities Act (ADA) Compliance officer. Officers will participate in collecting information regarding his/her department's policies and practices; inform staff within the department of ADA requirements; participate in the overall planning and decision making to bring his/her department into compliance with the ADA; and serve as the contact person regarding ADA issues within the department.

Specific Responsibilities:

- Become familiar with the ADA and its regulations as they apply to his/her department;

- Conduct an internal review of their departments' policies, practices and activities including general nondiscrimination provisions such as equal opportunity to participate and benefit in the program(s), eligibility criteria for the program(s), integration of the program(s); communication such as the availability of auxiliary aids and services and the availability of printed materials in alternate formats such as Braille and large print; program and facility accessibility;

- Participate in the development of an action plan for making his/her departments' policies, practices, activities and facilities accessible to people with disabilities;

- Ensure clients his/her departments' services are aware of their rights under the ADA;

- Serve as his/her departments' contact person in the ADA;

- grievance procedure; and

- Serve on the State ADA Compliance Team.

Skills needed:

- Extensive knowledge of the programs and services of the appointing department;

- Extensive knowledge of state and federal laws which govern the departments' activities;

- Awareness of disability issues;

- Direct access to the head of the department; and

- Awareness of financial aspects of the department.

Resources for the Accessibility Coordinator

National Association of ADA Coordinators (NAACAC)
(http://janweb.icdi.wvu.edu/naadac/)
NAADAC is a non-profit organization that educates entities regarding both the requirements and the opportunities of the ADA. They provide conferences and workshops for ADA Coordinators employed by both public and private employers.

State Arts Agency and Regional Arts Organizations 504/ADA Coordinators
(http://www.nea.gov/resources/Accessibility/504.html)
This is a list provided by the National Endowment for the Arts of all the Accessibility Coordinators of State Arts Agencies and Regional Arts Organizations in the United States and its territories.

STEP 4: CREATE AN ACCESS ADVISORY COMMITTEE

Guidance on the Creation and Use of An Access Advisory Committee

Composition of the Access Advisory Committee

Functions and Goals of the Access Advisory Committee

Finding Access Advisory Committee Members

Planning for Your Access Advisory Meeting

Best Practices: Access Advisory Committees and Groups

Guidance on the Creation and Use of An Access Advisory Committee

While there are many successful methods to ensure that access is provided, such as focus groups, task forces, and individual or team consultancies, **an Access Advisory Committee can be an effective method to develop ongoing technical assistance for your organization and constituents.**

The concept of an "Access Advisory Committee" can be very broad. All of the members of the Advisory Committee may not necessarily have to meet at one time. These advisors may serve as a core resource group, which may be contacted on a one-on-one basis or by phone most of the time; **however, it is highly recommended that they meet at least once a year, and more often if possible.**

Membership of the Advisory Committee may change over time. Subcommittees could be formed to work on creating focused access programs and projects. **Each agency should create an Advisory Committee network that is responsive to their agency's particular needs and planning strategies**.

Networking is the most important means of getting sound advice. This concept is not new: it is only through direct consultation with the targeted audiences that outreach or audience development will be truly successful.

Composition of the Access Advisory Committee

In general, the Access Advisory Committee should consist of board member(s), executive director, program directors, Accessibility Coordinator, and consultants who represent and/or have disabilities. The consultants may be artists, cultural administrators, educators, accessibility experts, interested legislators, participants and audience members. **It is extremely important to gain the expertise of a person who uses a wheelchair, who is blind, who is deaf, or hard of hearing, who has a learning disability, or who has speech or motor coordination difficulty; these individuals will be able to give the best advice about what is needed for increased accessibility.** Bear in mind that individuals with similar disabilities do not always share the same opinions and/or needs.

The board should officially establish the Advisory Committee in order to have any impact on policy, decision-making and day-to-day agency operations. **Remember that advisory committee can only advise; the board must approve action. The Advisory Committee should make recommendations for action to the board.** It is strongly recommended that all boards include a member with a disability or a disability access advocate.

Strive for diversity of committee members. Advisors should be recruited from and reflect the agency's community, including people of color, individuals with various disabilities and older adults. Reinforce the idea that the Advisory Committee can double as a multiculturalism task force.

It is imperative to gain advice from **qualified** people within the community to properly implement access accommodations.

> **Example:** Independent Living Centers provide many services, including surveying facilities and recommending architects/engineers with reliable access expertise.

All members of the Access Advisory Committee are ultimately advocates of disability issues.

Functions and Goals of the Access Advisory Committee

The Advisory Committee exists to:

- Assist in evaluating the accessibility of an agency's facilities, programs and services;

- Make recommendations for needed improvements;

- Provide guidance in developing access policy and a plan for action;

- Provide guidance and/or assistance with technical issues and funding sources to implement access improvements;

- Serve as an access resource and review mechanism, which may include consultation on new programs, policies and services;

- Assist in educating staff, board and grantees concerning disability services and access issues, which may include conducting awareness seminars and participating on conference panels and workshops;

- Assist grantees/constituents with access referrals, which may include developing a resource manual on local services and equipment; and

- Assist in developing outreach to people in the community who are older or have disabilities, i.e. ways to participate in arts and humanities activities; provide assistance in finding what programs are available in their city and state; and advertise what your arts organization has to offer them.

Finding Access Advisory Committee Members

The following resource directories or organizations may assist you in finding advisory group members in your state.

State Resources *(http://www.nichcy.org/states.htm)***:** NICHCY compiles disability resources in each state serving children and youth with disabilities; state chapters of disability organizations and parent groups; parent training and information projects.

State Agencies and Organizations for ADA Compliance and Technical Assistance (http://nadc.ucla.edu/states.htm)The National Arts and Disability Center publishes state directories that include disability agencies and organizations for creating an access and advisory committee or conducting outreach to the disability community.

VSA arts Affiliates (http://www.vsarts.org/affiliates/) VSA arts is a national and international organization that creates learning opportunities through the arts for people with disabilities. It carries out its range of programs through a network of affiliates.

Planning for Your Access Advisory Meeting

This section contains information on how to plan for and conduct an accessible advisory committee meeting. Considerations include:

- Budgeting
- Invitation
- Transportation and Location
- Setting an Agenda
- Communication

Budgeting

The costs of your access advisory meetings should be worked into the annual budget of your organization or agency. Advisory consultants should receive travel expenses, per diem and/or honorarium if your agency provides such for other panelists/consultants. Generally, consultants are more reliable when support and/or expenses are provided, and it encourages greater accountability.

Budget considerations may also include teleconference costs, print material and potential accommodation services including alternative formats such as Braille or sign language interpreter. Your agency must provide and pay for advisors' access accommodations, such as an assistive listening system, readers, or sign language interpreter.

Invitation

Your invitation to attend an access advisory board meeting should inquire whether any services and/or accommodations are needed to participate in the meeting.

Transportation and Location

Meetings must be held in an accessible location, taking into consideration parking as well as accessible public transportation.

Setting an Agenda

Make sure your meeting has a clear, stated purpose that all participants know and understand. Write an agenda organized to achieve that purpose and circulate it before the meeting. Be clear about the objective or desired outcome of the meeting. At the beginning of the meeting briefly review the agenda with the group and adjust it, if necessary to accommodate new and relevant items. Focus participants by giving them a time for discussing agenda items.

The following is a sample meeting agenda of the **West Virginia Accessibility to the Arts Advisory Committee.**

Accessibility to the Arts Advisory Committee
November 16, 2001

9:00 - 9:30	Optional Bagels and Coffee
9:30 - 9:50	Introductions & why are we here?
9:50 - 10:30	How do we identify professional artists with disabilities?
	Group consensus of 4 or 5 ideas
10:30 - 11:15	What should the priorities be for recommendation to WVDCH/WVCA?
	Group consensus of 4 or 5 ideas
11:15 - 11:25	Quick break
11:25 - 11:55	What types of information and resources are the most important and useful to our constituents?
	Group consensus of 4or 5 ideas
11:55 - 12:00	Brief discussion of accessibility/ADA workshop and call for volunteers for subcommittee
12:00 - 12:20	Summarize -what did we just say? How often do we meet? Where do we go from here?
12:20 - 12:30	Trash, gas and ice…. Travel reimbursement forms etc.

See also: Planning Accessible Conferences and Meetings:
An ERIC/OSEP Information Brief for Conference Planners
ERIC/OSEP Special Project
The ERIC Clearinghouse on Disabilities and Gifted Education
The Council for Exceptional Children
1110 N. Glebe Road
Arlington, VA 22201-5704
Internet: http://ericec.org/digests/e735.html
Description: The brief produced by ERIC provides information and
guidelines on convening an accessible meeting. Considerations include

picking an accessible site, social functions, meals, marketing and outreach, and accommodating those with mobility, visual or hearing impairments.

Guide to Accessible Meetings
National Organization on Disability
910 Sixteenth Street, N.W., Suite 600
Washington, DC 20006
Phone: (202) 293-5960
Internet: http://www.nod.org/cont/dsp_cont_item_view.cfm?contentId=155
Description: These guidelines give some basic points to think about when planning meetings so that they can be welcoming to all people including older adults, people with temporary injuries, and others with physical, sensory and mental disabilities.

Communication
Ensure that any requested services such as a sign language interpreter, note taker, assistive listening device or alternative formats for written materials such as Braille or large print materials are provided. The visual materials used during the meeting need to be accessible as well, such as any handouts, videos or overheads. In addition, attention must be paid to the communication techniques used in the meeting to ensure all participants comfort and involvement.

Use appropriate and current terminology when speaking with, writing about or referring to people with disabilities. It is important to use language that is respectful and emphasizes the person, not the disability. This is referred to as "people-first" language and seeks to avoid generic labels such as "the disabled."

National Endowment for the Arts
Office for AccessAbility

Guidance for Writing and Speaking about People with Disabilities and Older Adults

People with disabilities and older adults, like other underserved groups, actively seek full civil rights including participation in cultural activities as creators, audiences, staff, board members, panelists, volunteers, teachers, and students.

The way you portray people in what you write or say may enhance their dignity and promote positive attitudes. For example, **refer to the person first, rather than a disability; this emphasizes a person's worth and abilities.**

Vocabularies change constantly, but the following five "NEVER USES" are here to stay.

- **NEVER USE the word "handicapped"**; the word is <u>disability</u>.

- **NEVER USE "disability" as an adjective.** For example, not "a blind writer," but "a writer who is blind." <u>Focus on the person</u>, NOT the disability.

- **NEVER USE "special"**; this separates the individual from the group. For example, information is not required regarding the "special needs of the group," but "needs of the group" or "accommodations for individuals with disabilities." Tours are not "special tours," but "tours that include people with disabilities."

- **NEVER USE euphemisms**, such as "physically challenged" or "handicapable." These are condescending and suggest that barriers may be good or that disabilities exist to build the person's character. The person has a disability.

- **NEVER USE labels: "the disabled," "the blind," "the deaf", "A.B.s" (able-bodied); "T.A.B.s" (temporarily able-bodied); or "normal."** Labeling people is never acceptable. "Able-bodied" is a relative, judgmental term. "Normal" implies that people with disabilities are not normal. Although most people have some

limitations, "non-disabled person" is acceptable in describing a person without disabilities.

Affirmative	Negative
• People with disabilities • A disability	• The handicapped • The impaired • The disabled • The unfortunate
• Person without disabilities • Non-disabled person	• Able bodied • Normal person • *This implies a person with a disability is not normal.*
• Person who is blind • Person who is partially sighted or has low vision	• The blind
• Person who is deaf • Person who is hard-of-hearing	• The deaf or deaf mute • Suffers a hearing loss • *"Suffers" dramatizes a disability.*
• Person who uses a wheelchair • Person with limited mobility • *People use wheelchairs for mobility and freedom*	• Wheelchair bound • Confined or restricted to a wheelchair • Cripple
• Person who has muscular dystrophy • Person who has multiple sclerosis • Person who had polio	• Stricken by MD • Afflicted by MS • Polio victim • *"Stricken," "afflicted," and "victim," all imply helplessness, and emotionalize and sensationalize a person's disability.*
• Person who does not speak • Non Verbal	• Dumb • Mute
• Person with epilepsy • Person with a seizure disorder	• Epileptic
• Person with learning disabilities	• The learning disabled
• Older person • Older adult • Mature adult	• The aged • The elderly • Senior citizen
• Person of short stature • Little people	• Dwarf • Diminutive person • Midget
• Person who lives in a nursing home or long-term care	• The infirmed • The institutionalized

Affirmative	Negative
institution • Person who stays at home because of limited mobility, fragile health, etc.	• The homebound

See also: **Suggestions for Communicating, Working With and Writing About People with Disabilities** (http://www.iowaartscouncil.org/info/info18.htm) Iowa Arts Council.

Communicating With and About People With Disabilities (http://nadc.ucla.edu/communic.cfm) National Arts Disability Center.

Best Practices: Access Advisory Committees and Groups

Sample Letter for Membership on the Access Advisory Committee

WEST VIRGINIA DIVISION OF
CULTURE AND HISTORY

October 23, 2001

Dear _____,

I am spearheading the Accessibility to the Arts Advisory Committee. The purpose of the committee is to lead West Virginia toward a universal or inclusive environment in the arts where programs, services, activities and employment are accessible to everyone, people with and without disabilities and people of all ages.

The goals are as follows: 1. Identify and attract professional artists with disabilities to the programs and services of the WV Commission on the Arts/ WV Division of Culture & History. 2. Develop a plan for recommendation to the WVCA & WVDCH relevant to

achieving the purpose. 3. Provide constituents with information and resources necessary to assure that their programs/facilities are usable to all citizens. 4. Plan/Conduct Accessibility/ADA workshops throughout the state.

We plan to have four "face to face" meetings throughout the year and communicate via email and telephone as needed. Your participation will be voluntary but your travel expenses will be reimbursed. Our first meeting is November 16, 2001, in Charleston at the Goodwill. I am including the meeting agenda. As promised, subsequent meetings will be held in other parts of the state.

Your contribution will be valuable to the Accessibility to the Arts Advisory Committee. If you have any questions or would like more information please call me at 304/558-0220, ext. 145 or email me.

Sincerely,

Coordinator
Arts in Education/504 ADA
West Virginia Division of Culture & History
West Virginia Commission on the Arts

Examples of Different Types of Access Advisory Committees and Groups

Florida Arts Council
ADA Access Resolution Committee-
Job Description

Established in 1995, the Florida Arts ADA Access Resolution Committee:

- Serves in an advisory capacity to the Florida Arts Council.
- Reviews and makes recommendations to the Florida Arts Council concerning resolution or consequences of ADA non-compliance with grantees.
- The Chairman of the ADA Resolution Committee is a current member of the Florida Arts Council.

Kentucky Arts Council Diversity Committee
Statement of Purpose and Goals

The Kentucky Arts Council Diversity Committee is an ad hoc committee composed of volunteers representing the state's various special constituencies. The Committee's purpose is to advise the Arts Council on the most appropriate means by which to make its programs accessible to Kentucky's citizens, to assist in the development of new programs to serve constituencies and communities not currently reached by the Arts Council, and to promote positive intercultural relations among the state's various communities.

These constituencies include, but are not restricted to, the following:

- Persons of minority ethnic and racial groups
- Persons with disabilities
- Geographically or economically isolated communities
- Disadvantaged and at-risk persons
- Older Americans
- Persons in institutions
- Women
- Gay, lesbian and transgender communities

The Committee's advisory activities include the following:

- Assisting the Arts Council in the development of technical-assistance programs to aid Arts Council-funded organizations in their full compliance with civil-rights and Americans with Disabilities legislation;
- Advising on the best methods of designing and implementing audience development strategies that maximize the arts participation of underserved constituencies;
- Identifying additional underserved constituencies and suggesting the means by which these constituencies may be contacted and served by the Arts Council and/or its funded organizations;
- Providing the Arts Council with feedback, relevant to accessibility issues, on the design of program materials and information, such as grant applications, conference materials, agency newsletters and other announcements, the agency web site, etc.;
- Acting as an interface with other programs and organizations promoting accessibility in the state, the region, and the nation;
- Suggest special Arts Council initiatives to promote the inclusion in the arts of all the state's citizens;
- Assisting the Arts Council in the promotion of arts as a basic in education, and the awareness of the arts as an essential life experience;
- Assisting in the expansion of Kentuckians' understanding of the arts to include the state's diverse cultures.

Service on the Diversity Committee will entail attending semi-annual meetings in a centrally located site. Committee membership will be for one year. Invitations to committee membership will be made by the Arts Council on an annual basis.

MSAC ACCESSIBILITY ADVISORY PANEL

Maryland State Arts Council (MSAC)
"Guide to Policies & Procedures Regarding Grantee Accessibility for Persons with Disabilities" (2002)

1. **Purpose of the Panel**
   The MSAC Accessibility Advisory Panel is charged with the responsibility of reviewing and periodically revising the <u>Maryland State Arts Council Guide to Policies & Procedures Regarding Grantee Accessibility For Persons With Disabilities</u>. The Accessibility Advisory Panel also acts as a dispute resolution board to review unusual or difficult accessibility issues identified through the Accessibility Review Process.

2. **Makeup of the Panel**
   The MSAC Accessibility Advisory Panel is a voluntary body. Members are appointed for three-year terms by the Council. The 504/ADA Coordinator acts as chairperson of the Panel. The Panel may be made up of individuals with an interest in arts and accessibility matters from the following groups:
   - MSAC Staff
   - Public
   - People with disabilities
   - Grantees
   - Legal Specialists
   - Accessibility Specialists

3. **Meetings**
   The Accessibility Advisory Panel meets at least once a year (or as needed) at the call of the MSAC 504/ADA Coordinator.

New Jersey Arts Task Force

The New Jersey Arts Access Task Force was created in 1992 to assist all cultural arts organizations in making their programs and facilities accessible to individuals with disabilities. The Arts Access Task Force is comprised of individuals with specific knowledge and expertise in areas relating to accessible programming and facilities. Since its inception, the Arts Access Task Force has been a resource for New Jersey's Arts community to use as they make structural and programmatic changes in order to comply with the Americans with Disabilities Act (ADA). All of the Arts Access Task Force's programs and services are made possible by the New Jersey State Council on the Arts/Department of States, a partner agency of the National Endowment for the Arts.

The **New Jersey Arts Access Task Force** provides:

- **Technical Assistance Workshop-** These workshops, offered throughout New Jersey, provide training and technical information to assist in the creation of strong long-range ADA plans. Topics include architectural assessment, the development of accessible marketing publications, staff and board sensitivity training, and overview of the ADA plan.

- **Self-Assessment Surveys-** A user-friendly survey helps identify areas of your operation that are and are not accessible and what is readily achievable regarding access. The survey will also act as a guide as you develop your long-range ADA plan.

- **Referral and Information Services-** If you have specific questions with regards to sign-interpretation, architectural access, employment issues, etc. The Arts Access Task Force will provide appropriate information or the resources to find it.

- **Review of ADA Long-Range Plans-** Members of the Arts Access Task Force will review ADA plans prior to their submission to the New Jersey State Council and the Arts. Comments and suggestions will be made to applicants as to how they can improve the plan and what elements need clarification. (This service is available only to first time applicants to the NJSCA and does not guarantee the plan's approval by an independent panel review process.)

- **Cultural Access News-** This semi-annual publication informs the arts community about the latest advancements and accomplishments in arts accessibility in New Jersey and across the nation. Special features highlight valuable tools and programs that will assist in the implementation of your organization's ADA plan.

Ohio Arts Council

Ohio Arts Council formed their 504/ADA Advisory Committee in 1989, as a result of an in-depth survey that was conducted to identify artists with disabilities in Ohio and their needs. The committee was charged with finding ways for OAC to become more accessible to people with disabilities. The committee consists primarily of artists with disabilities.

The committee has been very instrumental in providing assistance in developing OAC's accessibility and compliance plan. The committee itself has grown in many ways since their formation and have accomplished the following:

❖ They are in the process of becoming a 501(c) 3.   They are called: *The Artists with Disabilities Network Ohio* (here after referred to as Network).

❖ The Network meets with the OAC staff quarterly and meets monthly as a group. The OAC provides accommodations for all of their meetings and reimburses travel to those from other cities.

❖ OAC has assigned a consultant, with organizational development background, to work with the Network to assist them in establishing a 501 (c) 3 service organization. They have developed their mission and by-laws and goal and objectives.

❖ An annual two-day retreat with the Network and OAC staff is held to plan and set the agenda for the coming year.

❖ The Network received training along with OAC staff from the Cultural Access Institute in preparation of the "Road shows". This training also prepared them to be added to our consultant pool, thus creating employment opportunities for artists with disabilities.

❖ A budget has been set-aside annually for the Network since 1990.

Step 5: Adopt a Policy Statement About Your Organization's Commitment to Accessibility and Establish a Grievance Procedure

Guidance on Access Policies

Best Practices: Policy Statements That Include Access Language

504/ADA Grievances and Formal Complaints

Establish a Standard Grievance Procedure for Resolving 504/ADA Grievances and Formal Complaints

Best Practices: Sample Grievance Procedures

Guidance On Access Policies

Experience has shown that when access to services, programs, activities and employment are given a high priority, it is reflected in an organization's **mission statement, policies and guidelines**.

Having an access policy in place demonstrates that your organization is making a "good faith effort" to comply with Section 504 and the Americans with Disabilities Act regulations.

People with disabilities and older adults have a legal right to equal access to programs, services and facilities. **Access policies should have "teeth," stating that your organization and its constituents must comply with the laws.** Grant making organizations should have access policies to enforce the laws and to use as a review criterion for funding.

Access policies should include **how electronic or information technology will be usable by individuals with disabilities**.

A successful method for developing effective access policies is to **work with your Access Advisory Committee** before submitting them for full board approval.

Access policies should be implemented as part of your overall access plan. **Your organization should be ensuring access, and be prepared to provide access accommodations prior to publicizing its accessibility**.

An effective and comprehensive accessibility policy should include a standard grievance procedure for resolving 504/ADA grievances and formal complaints. Organizational staff should be knowledgeable of accessibility policies and be prepared to address any grievances in an appropriate and efficient manner.

Best Practices: Policy Statements That Include Access Language

Cultural Participation and Vision Statement

**APPROVED RESOLUTION
THE NATIONAL COUNCIL ON THE ARTS
February 7, 1988**

The National Council on the Arts believes that the arts are essential to leading a full and productive life, and reaffirms its support for making the arts available to <u>all</u> people, including those with physical and mental disabilities. Therefore, the Endowment should continue to exercise leadership in enhancing opportunities for full participation in the arts by people with disabilities people and assure their needs are taken into account in all elements of the operations of the Endowment, its grantees, and sub-grantees.

National Assembly of State Arts Agencies (NASAA)

NASAA works to ensure that accessibility issues are a critical component of state arts agency planning, and that SAA goals should include making all of the arts available to all of the people. Of particular importance is reaching previously underserved audiences such as individuals with disabilities, people in institutions, including those who are incarcerated, older Americans, and those who are economically disadvantaged.

Enabling everyone to both observe and participate in the artistic experience will result in a broadened understanding and commitment to the arts, and an increasing awareness of the value of the arts in shaping who we are and what we can become, as individuals and as a nation.

The National Assembly of State Arts Agencies (NASAA) believes the arts are central to the educational, economic and cultural well being of our society. Such a society values the unique capacities of individuals, the diversity of the cultural groups to which they belong and the communities in which they live. NASAA sees itself as a leader and catalyst in building increased support for and access to the arts*

*From NASAA's Vision Statement

Ohio Arts Council

Cultural Participation Policy

Legal Requirements and Ohio Arts Council Rules (n. d.) Retrieved October 26, 2003 from http://www.oac.state.oh.us/grantsprogs/guidelines/guide_legal.asp#culture

Ohio benefits from a rich heritage of many cultural groups that provide a wealth of arts resources. The Ohio Arts Council requires efforts by applicants to make programs, facilities and volunteer opportunities accessible to everyone in the community. Our application forms allow you to describe the diverse composition of those served by your programs and involved in the executive, administrative and volunteer operations of your organization. The Ohio Arts Council has adopted the following policy to help arts organizations define and better serve their communities.

Individuals and organizations in two basic groups need special attention. They are:

Specific Populations, which include:

- African Americans

- Appalachians

- Asians

- Latinos and Hispanics

- Native American Indians

- People with Disabilities

- Seniors aged 62 and older

Under-served People, who are:
Potential arts participants who are not currently served. For example, these groups might be identified by your organization as members of European ethnic groups, rural residents, youth, unemployed people or others.

What Are the Benefits of Reaching Members of These Groups?

- Reassessing your organization's sense of its community and clarifying your mission.

- Strengthening your organization's relationship to the community.

- Building partnerships between arts and community groups and encouraging collaborations.

- Utilizing previously unknown or underused resources.

- Expanding programming opportunities and encouraging cultural exchanges.

- Building audiences.

How Can These Groups Be Included?
Individuals from the two groups—specific populations and under-served people—should be included in the programming and planning of your organization. They can serve as members of special advisory committees or task forces; as contributing editors, guest curators and artists; as members of your governing body or board; and as full- or part-time staff.

The Ohio Arts Council is committed to the broadest possible range of participation in the arts. It has adopted this policy of cultural participation to be used in evaluating grant proposals. The OAC expects to see broad interests reflected in the governing of arts organizations and in their program planning, as well as a commitment by organizations to serve the widest possible range of Ohio citizens.

If you would like further information or assistance in developing your own cultural participation policy, contact the Building Diverse Audiences coordinator at the Ohio Arts Council.

Non-Discrimination Policies and Assurances of Compliance

Wisconsin Arts Boards
Artistic Program Support II, 2001

Organization Assurances Form
The grant applicant is required to sign the form assuring that:

The Applicant HEREBY ASSURES THAT

1) A. It will comply with Title VI of the Civil Right Acts of 1964 (42 U.S.C. 2000d et seq.); Section 504 of the Rehabilitation Act of 1973 (229 U.S.C. 799u); the Americans with Disabilities Act of 1990; the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) where applicable; Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and all regulations of the National Endowment for the Arts. Title VI, Section 504 and Title IX prohibit discrimination on the basis of age, race, color, national origin, disability or sex in any program or activity receiving federal assistance. The Applicant HEREBY GIVES ASSURANCE that it immediately will take any measures necessary to comply.

Wisconsin Arts Board's Artistic Program Support II Application also requires applicant to make note of what aspects of a facility are accessible to people with disabilities, i.e. parking, entrance, washrooms, level access, etc.

Kentucky Arts Council

The KAC Grants Agreement Form (2002-2003), contains an assurance that all applicants must agree to. It states that the applicants must:

Assures that no person shall, on the grounds of race, color, religion, national origin, sex or disability, while other otherwise qualified, be excluded from participation in, be denied benefits of, or by otherwise subjected to discrimination under any program or activity including employment supported in whole or in part by funds provided hereunder.

Ohio Arts Council

Nondiscrimination Policy

The Ohio Arts Council's intent to operate in accordance with the nondiscriminatory requirements pursuant to Title VI of the Civil Rights Act of 1964, Section 504 of Rehabilitation Act of 1973 as amended and the Age discrimination Act of 1975, the Americans with disabilities Act of 1990, and where applicable, the Omnibus Budget Reconciliation Act of 1981. No individual shall on the grounds of race, color, national origin, handicap, age, sex or religion, be excluded from participation in, be denied benefits of or be otherwise subjected to discrimination under any program, service or benefit advocated, authorized by the State of Ohio.

Accessibility Policy

People with disabilities have the right to access our programs. All services and facilities of organizations that receive OAC funding should be provided in a way that best suits individuals' needs. Here are important parts of the federal law known as the American with Disabilities Act: No individual shall be denied the full and equal enjoyment of services, facilities, privileges, advantages and accommodations of any public place on the basis of disability. This rule applies to owners, operators and those who lease any place of public accommodation.

The law prohibits:

➢ Imposing eligibility criteria to screen out individuals with disabilities.

➢ Failing to make reasonable changes in policies, practices and procedures that affect access for people with disabilities.

➢ Failing to take steps necessary to ensure that no individual with a disability is excluded, denied services, segregated or treated differently from other individuals.

Failing to remove architectural and other barriers: aisles must accommodate wheelchairs; stairs must be ramped; telephones should be within easy reach; elevator controls should be marked in Braille.

Legal Requirements and Ohio Arts Council Rules (n. d.) Retrieved October 26, 2003 from http://www.oac.state.oh.us/grantsprogs/guidelines/guide_legal.asp#nondisc

New Hampshire State Council on the Arts

Grant Information for All Applicants

Making Your Programs and Services Accessible

(last updated September 11, 2003)

http://www.state.nh.us/nharts/grantsandservices/accessible.htm

The New Hampshire State Council on the Arts supports universal access to the arts. The Council abides by state and federal laws that prohibit public support to organizations (people or entities) that discriminate against people with disabilities. Therefore, each grantee is required to assure that they are in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

Your Obligation a Grantee
By signing a State Arts Council application or grant agreement, grantees are in effect acknowledging that their programs, services, and facilities are accessible, or a plan to make them accessible is in place and being followed. Section # 6 of the grant application must be completed as a prerequisite for the State Arts Council to consider funding an organization. Funds will not be granted unless applicants are able, if requested, to provide documentation of their efforts to be in compliance. The State Arts Council expects every arts organization to have assigned a staff person, board member, or other volunteer the responsibility of being the organization's 504/ADA Compliance Coordinator to ensure that every reasonable effort has been extended to make the arts accessible to everyone.

In addition, the State Arts Council expects to see:

- Evidence of inclusive programming policies, e.g., outreach activities.

- Affordable admissions, ADA compliance, culturally diverse programming.

- Evidence of audience development planning.

- Efforts to make the arts accessible to special constituencies.

- Community support and need.

- Efforts to broaden audience appreciation of new or unfamiliar work.

How to Get More Information
The State Arts Council has a collection of material to help you with your accessibility efforts. Don't hesitate to call for more information on what is available in the form of videos, notebooks, books, and grants. For more information contact The State Arts

Council's 504/ADA Coordinator http://www.state.nh.us/nharts.

Information is also available through the ADA hotline at 1-800-949-4232 voice/TDD and/or the National Endowment for the Arts Office for Special Constituencies (202-682-5532 voice or 202-682-5496 TDD) for additional information and assistance with accessibility as it relates to the arts and Section 504.

The State Arts Council strongly encourages all arts organizations in the state to foster integration for individuals of all ages and abilities, whether audience members or artists, in all of their arts programs. The following symbols represent some ways to integrate people with disabilities into your own programs.

Access Language in Grants and Applications

Colorado Council on the Arts

CCA's 2003 Grants to Artists and Organizations, states under "Other Conditions of Funding" that:

Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act of 1990 prohibit discrimination against persons with disabilities. Organizations receiving CCA funding must have an access plan approved by VSA Arts Colorado, outlining changes anticipated in programs, services and physical structure to allow accessibility to activities and facilities by persons with disabilities. Artist receiving funding must ensure that facilities used for public presentations will be accessible to people with disabilities. Questions about these requirements may be directed to VSA Colorado at (303)777-0797.   Grant applicants must also sign an assurance form stating that they are in complete compliance with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

Massachusetts Cultural Council

Massachusetts Cultural Council (MCC) outlines its access policy in their 2003 *Organizational Support Guidelines* under a section entitled "Legal and Other Requirements."

Access Policy

The MCC encourages applicants from all segments of the state's communities in order to encourage diversity in the cultural life of the Commonwealth. In accordance with state law, Massachusetts cultural organizations may not discriminate in their programs or in staff and board membership in the basis of race, gender, religion, creed, color national origin, disability, sexual orientation or age.

The MCC is committed to access not only as a matter of state and federal law, but also as a policy designed to encourage the participation of all segments of the Commonwealth's population in MCC-funded programs. The Massachusetts Office of Affirmative Action currently designates the following as underserved: African Americans, Asian Americans, Latin Americans, Native Americans, people with disabilities, Vietnam-era veterans and women. The MCC also considers low-income communities, rural populations and citizens over 65 years old as underserved populations.

Organizations funded by the MCC and/or by local cultural councils that present public programs and/or offer services to the public must make reasonable accommodations to insure that people with disabilities have equal physical and communications access, as defined by federal law. Accessibility involves both the location (the facility) and the content (the activity or product) of the program.

Accommodation Policies

Kentucky Humanities Council

Kentucky Humanities Council, Inc.
206 East Maxwell Street
Lexington, KY 40508

Phone: (859) 257-5932; **Fax:** (859) 257-5933
E-Mail: *Smith@kyhumanities.org*

This agency is committed to providing accessibility to individuals with disabilities. If you are in need of an accommodation, please contact our office.

(Retrieved August 9, 2003 from, http://www.kyhumanities.org/keyingredients.html)

Maryland Arts Council

TYPES OF ACCESS REQUIRED

2. Project Funding

An organization receiving MSAC PROJECT FUNDING must also provide persons with disabilities access to the funded activities to the extent that they are available to the general public. The most reliable way of achieving this is for an organization to provide accessible facilities for all public performances or displays of the funded project. Where all facilities are not accessible, it may be possible to provide program access through alternative measures. For example:

- An organization presenting an exhibit on an inaccessible level of a historic building may provide an overview of the collection as well as representative and any requested pieces of the collection in an accessible room of the building. This places a significant administrative responsibility on the exhibit staff to quickly respond to request of visitors with disabilities.
- An organization presenting a play or vocal concert may choose not to sign language interpret every performance, but could instead provide and widely publicize a limited schedule of sign language interpreted performances of the play.

Electronic and Information Technology Policies

Michigan State

Michigan State's governmental Web site, where the Michigan Council for Arts and Cultural Affairs can be found contains the following Accessibility Policy Statement (© 2001-2003):

> Michigan recognizes the importance of making it digital government services available to the largest possible audience and has attempted to design the Michigan.gov Web site to be accessible by everyone. This Web site was coded to comply with both the Americans with Disabilities Act and the Priority 1 Level Checkpoints of the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines 1.0.
>
> Along with Priority 1 Compliance, efforts have been made to ensure compatibility with common technologies utilized by the adaptive community. This site has been tested for compliance with Zoom Text for image magnification, Jaws for Windows screen reader for speech synthesis and Lynx for web browsing.
>
> Michigan will continued to test future releases of this site and remains committed to maintaining its compliance and serving the widest possible audience for Michigan's digital government services.

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Tennessee State

Accessibility Statement
(Retrieved February 9, 2004 from
http://www.Tennesseeanytime.org/tnanytime/accessibility.html)

Accessible Web design provides benefits to both those using assistive technology, as well as others. It provides benefit to users with text-based browsers, low-end processors, slow modem connections, or users who do not have state-of-the-art computer equipment. It also allows for easier access to the Internet via technologies such as internet-enabled phones or personal digital assistants.

Tennessee executive branch agency Web sites are subject to the same accessible Web standards as federal agencies. Section 508 of the Federal Register establishes requirements for federal electronic and information technology, and the federal Access Board has issued the standards to meet those requirements.

We are committed to making Tennessee.gov accessible to all users and we have included several features designed to improve accessibility for all users. We welcome comments on how to improve the site's accessibility for users with disabilities.

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See also: Step 2: Best Practices: Sample Employment Policies
                   Step 9: Enforce 504/ADA Compliance within Your Organization

504/ADA Grievances and Formal Complaints

Included within your policies and other plans for accessibility there needs to be an established process whereby an individual may communicate a grievance or a formal complaint. Honest good faith efforts to comply with access laws through good accessibility practices maximize the opportunity for compliance and minimize the risk.

Definitions of Grievances and Formal Complaints

According to the National Endowment for the Arts:
- A **grievance** is an informal, verbal complaint.
- A **formal complaint** is a written complaint, filed with the appropriate agency.

Develop a Report That Clearly States What Your Agency is Doing to Increase Access

This report should clearly explain what your organization has accomplished and is doing to increase access to facilities, programs and services, and who to contact with complaints or grievances, etc.; this information may be included in your policies and plans. The report may include a complete listing of access accommodations and services offered, access self-evaluation, access transition plan, documentation of steps taken to make any needed improvements or remove barriers, documentation of the involvement of people with disabilities (such as minutes from an advisory committee), access education efforts with staff and constituents, access language in grant application guidelines and other publications and notices or communications to potential participants with disabilities.

If non-compliance is alleged, a Civil Rights Office or other mediating Agency will look for "good faith" compliance with Section 504 and/or ADA Regulations and gestures of "reasonable accommodation" toward constituents with disabilities; this report will help inform the public concerning your access efforts and assist in making these determinations.

Establish a Standard Grievance Procedure for Resolving 504/ADA Grievances and Formal Complaints

A grievance procedure is an established formal or informal system within a cultural organization that identifies responsible staff persons, defines responsibilities, sets forth a clearly identified procedure, establishes criteria for judgment, describes hearing procedures and sets time limits for resolution of differences between the organization and its staff or its users. It is a particularly useful technique for settling local or in-house differences, without resorting to outside intervention and invoking federal complaint mechanisms.

A grievance procedure is required of state and local governmental arts and humanities entities 28 CFR Sec. 35.107 (b). Similarly, alternative dispute resolution mechanisms, which may include a grievance process, are encouraged under Title III of ADA 28 CFR Sec. 36.350. Realize that use of the grievance process is neither a prerequisite for nor a preclusion of the pursuit of alternative forums or filing of a formal complaint.

Resolving Grievances (Informal, Verbal Complaints)

Most informal (verbal) grievances may be resolved by working with the cultural organization and the complainant to determine and correct any access deficiencies. Complaints are sometimes about how a person was treated (i.e., a service or employment issue) rather than an issue of an inaccessible facility.

The agency should make every effort to resolve a grievance before it becomes formal (written) complaint, through mediation and providing any needed technical assistance and resources to the grantee. This timely action will not only save money, but the many

hours of staff time required to resolve formal complaints. In addition, there is often unfavorable publicity associated with formal complaints.

For example, if it is informally determined that the cultural organization is not in compliance, provide the organization with any needed technical assistance and/or facilitate contact with an appropriate person or organization that may help make improvements. Follow-up and frequent contact with both parties is important until the grievance is resolved.

A standard procedure should be followed to resolve the matter, and documented in writing.

Agency staff should be prepared to process the grievance, and to take appropriate actions. This includes familiarity with state requirements and officials if the complaint should become formal.

The arts or humanities organization should clearly define and publish their agency's jurisdictional limits and resources.

Most important, develop partnerships with non-arts agencies to process complaints; many state or local government agencies provide counsel, mediation, or technical assistance free of charge. For example your organization may work with the state or Mayor's office for Persons with Disabilities.

> **Example:** **When the Illinois Arts Council receives a grievance or formal complaint, the IAC refers the complainant to the Department of Human Rights (DHR), Division of Public Accommodations.** If the DHR determines that a violation of the ADA has occurred and the respondent is an IAC grant recipient, the Council will initiate procedures to negate the grant and recover any funds that have been dispersed.

> **Example**: **Michigan Council for Arts and Cultural Affairs has an agreement with the Michigan Department of Civil Rights (MDCR) to resolve grievances.** Staff from the MDCR review files, consider additional information either party submits and offers assistance in resolving differences in an effort to secure voluntary compliance. Whenever an amicable resolution cannot be achieved, the MDCR issues a written staff determination to the Arts Council; thereafter, either party may petition the MDCR for a hearing, which is provided in the rules of the Michigan Civil Rights Commission. In all cases, the Michigan Council for Arts and Cultural Affairs works to assist its grantees by investigating allegations of non-compliance, providing technical assistance, information, and workshops.

Example: **The Ohio Arts Council** has a partnership with the Ohio Civil Rights Commission to resolve complaints against its grantees. Their ADA Grievance Procedure states, "If anyone feels that an event or facility funded by the Ohio Arts Council is inaccessible to them, they are encouraged to file a complaint with the Ohio Civil Rights Commission, 1111 East Broad Street, 3rd Floor, Columbus, OH 43205; 1-888-278-7101." Once the complaint is verified, and if the organization is found to be in non-compliance by the OCRC, the OAC will then put a hold on any grant funds that organization may have from the OAC as well as withhold final decisions on any pending applications until that organization has addressed its non-compliance issues.

Resolving Formal Complaints (Written, Filed with Appropriate Agency)

Determining Which Regulations Apply to the Complaint

Section 504 of the Rehabilitation Act of 1973 prohibits **recipients of federal funds** from discriminating on the basis of disability in their programs or services.

The Americans with Disabilities Act of 1990 (ADA), which became effective in 1992, prohibits discrimination on the basis of disability under **Title I** employment regulations (25 or more employees as of July 26, 1992; 15 or more employees as of July 26, 1994).

As of January 26, 1992, the ADA extended the requirements of Section 504 to:

1. All activities of state and local government under **Title II**; and

2. Places of public accommodation and commercial facilities operated by private entities, including places of "public display or collection" such as museums, under **Title III**.

Therefore:

1. Cultural groups operated by state or local governments are covered by **Title II**

2. Title III covers cultural groups operated by private entities, which do not receive federal funds. If the complaint falls under ADA, the grant-making agency technically may not be legally involved, but should have previously determined what its role will be in helping to settle the dispute, e.g., provide/suggest technical assistance, serve as mediator, direct the parties to the appropriate local, state or federal agency, etc.

2. Public accommodations that are also recipients of federal financial assistance must comply with the requirements of **both** Title III of the ADA **and** Section 504. If the formal complaint falls under Section 504, the state arts or humanities agency is legally involved, and must have a Grievance Procedure to follow in resolving the complaint. If all efforts to secure voluntary 504/ADA compliance fail, steps should be taken to enforce the law.

Complaint Procedures Relating to Section 504

Individuals, who believe that a recipient of federal financial assistance through the National Endowment for the Arts or Humanities has subjected them to discrimination, may file a formal complaint under Section 504 with the Arts Endowment's Office for Civil Rights. If the recipient is a state or local government entity, the National Endowment for the Arts or National Endowment for the Humanities will consider the requirements of both Title II of the ADA and Section 504 in processing the complaint. Individuals may also file their complaints in court.

The enforcement procedures under Title II of the ADA are based on the Section 504 procedures. There are many equally effective ways to file a 504 complaint against any organization that receives federal financial support. Any citizen may file a 504 complaint, e.g., with the funding organization, the state arts or humanities agency, the National Endowment for the Humanities or the National Endowment for the Arts. However, it is best to file complaints with the Department of Justice for institutions that receive federal funding. The Department of Justice will refer the complaint to the appropriate agency. Many cultural organizations receive funding from the National Endowment for the Arts, National Endowment for the Humanities, and the US Department of Education, or the National Science Foundation.

When investigating and seeking to resolve a complaint, try to obtain as much information as possible. Seek specific information as to who did what to whom, where, when and how. Try to ascertain what the problem is, what solutions the complainant seeks, and what is feasible from the perspective of the arts or humanities provider. If you are unable to immediately resolve the matter, encourage alternative dispute resolution mechanisms, such as mediation.

If you need more information concerning 504 complaints filed with the National Endowment for the Arts, contact the NEA's Civil Rights Division at (202) 682-5454 (V) or (202) 682-5695 (TTY).

See also: **Section 504 of the Rehabilitation Act of 1973 Discrimination Complaint Form** (http://www.usdoj.gov/crt/ada/t2cmpfrm.htm), From the U.S. Department of Justice Web site.

Complaint Procedures Relating to the ADA

Complaints against state and local government entities may also be filed under Title II with the federal agency designated as the enforcement agency for that government entity by the Department of Justice's regulation implementing Title II.

Administrative complaints against places of public accommodation operated by private organizations may be filed with the Department of Justice, which enforces the ADA. (If the organization **is also** a recipient of assistance from either the National Endowment from the Arts or National Endowment for the Humanities, a complaint may be filed under Section 504 with either of those agencies. In addition, under either Title II or Title III, a complainant may elect to file a private suit in court, without exhausting the administrative complaint procedures.

Private individuals may bring lawsuits in which they can obtain court orders to stop discrimination. Individuals may also file complaints with the Attorney General at the Department of Justice, who is authorized to bring lawsuits in cases of general public importance or where a "pattern of practice" of discrimination is alleged. In these cases, the Attorney General may seek monetary damages and civil penalties. Civil penalties may not exceed $50,000 for a first violation or $100,000 for any subsequent violation.

The ADA public accommodations provisions permit an individual to allege discrimination based on the reasonable belief of a person with a disability that discrimination **is about to occur**; the individual does not have to wait for the discrimination to occur. For example, a person who uses a wheelchair can challenge the planned construction of a new place of public accommodation, such as a performing arts facility, which would not be accessible to wheelchair users. The resolution of such a challenge **prior** to the construction of an inaccessible facility would enable any necessary remedial measures to be incorporated in the building at the planning stage, when such changes would be relatively inexpensive.

Employment provisions of the ADA are enforced under the same procedures applicable to race, sex, national origin and religious discrimination under Title VII of the Civil Rights Act of 1964; complaints may be filed with the Equal Employment Opportunity Commission or designated State human rights agencies.

1.   Filing with the Equal Employment Opportunity Commission is required before a complaint can be filed in court under ADA Title I. This is different than the law under Title II, <u>supra</u>. Available remedies include hiring, reinstatement, back pay and court order to stop discrimination.

2.   Damages are also an available remedy as a result of the Civil Rights Act of 1991. The maximum damage award is $300,000.

3. Complaints under state laws may be filed in state court or with state agencies, as the state law (not federal) allows.

Best Practices: Sample Grievance Procedures

Minnesota State Arts Board
Internal Harassment/Discrimination Complaint Procedure

The Minnesota State Arts Board has established the following discrimination complaint procedure to be used by all employees, applicants, or eligibles. Coercion, reprisal, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

Responsibility of Employees

All employees shall respond promptly to any and all requests by the Affirmative Action Officer designee for information and for access to data and records for the purpose of enabling the Affirmative Action Officer designee to carry out responsibilities under this complaint procedure.

Who May File

Any employee, applicant, or eligible of the Minnesota State Arts Board who believes that s/he has been discriminated against by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation; however, complaints will be taken for a reasonable accommodation period of time subsequent to the actual separation date.

The Complaint Procedure

The internal complaint procedure provides a method for resolving complaints involving violations of the Minnesota State Arts Board's nondiscrimination policy within the agency. Employees, applicants, and eligibles are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited. The Affirmative Action Officer designee may contact the Office of Diversity and Equal Opportunity if s/he wants information about filing a complaint.

Filing Procedures

1. The employee, applicant, or eligible completes the "Complaint of Discrimination Form" provided by the Affirmative Action Offer designee. Employees are encouraged to file a complaint within a reasonable period of time after the

individual becomes aware that a situation(s) may involve discriminatory harassment. The Affirmative Action Officer designee will, if requested, provide assistance in filling out the form.

2. The Affirmative Action Officer designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complaint is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer designee shall also discuss other options for resolutions, such as the Workplace Pilot Project.

   a. If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer designee will inform the complainant, in writing, within ten (10) working days.

   b. If the complaint is related to discrimination, the Affirmative Action Officer designee will, within ten (10) working days, contact all parties named as respondent(s) and outline the basic facts of the complaint. The respondent(s) will be asked to provide a reason to the allegations within a specific period of the time.

3. The Affirmative Action Officer designee shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer designee shall notify the complainant(s) and respondent(s) that s/he has completed the investigation. The Affirmative Action Officer designee shall than review the findings of the investigations.
   a. If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.

   b. If insufficient evidence exists to support the complaint, a letter will be sent to the complainant(s) and the respondent(s) dismissing the complaint.

4. A written answer will be provided to the parties within sixty (60) days after the complaint(s) is filed. The complainant(s) will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.

5. Dispensation of the complaint will be filed with the Commissioner of the Department of Employee Relations within thirty (30) days of the final determination.

6. All documentation associated with a complaint shall be considered investigation data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complainant(s) and respondent(s). After an

investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.

7. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but is not limited to, the following types of data:

   a. Interviews or written interrogatories with all parties involved in the complaint, e.g., complainant(s), respondent(s), and their respective witnesses; officials having pertinent records or files, etc.

   b. All records pertaining to the case i.e., written, recorded, filmed, or in any other form.

8. The Affirmative Action Officer designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

NATIONAL ENDOWMENT FOR THE ARTS PROCEDURES FOR FILING CIVIL RIGHTS COMPLAINTS

Who Can File

An individual may file a formal complaint with the Office of Civil Rights if they believe that they have been discriminated against by an organization, which has received Endowment funds, on the basis of race, color, sex, national origin, disability and age. In order to be eligible to file a formal complaint with OCR, you must be a member or a representative for a "protected class." A protected class is comprised of persons who fit into any of the aforementioned categories. Thus, if you believe that you have been discriminated against on the basis of your race, color, national origin, disability, sex, or age, you are a member of a protected class. Federal law prohibits discrimination against any of these classes of individuals.

RESOLVING YOUR COMPLAINT PRIOR TO CONTACTING OCR

Resolution through Institutional Grievance Procedures

An individual who believes that he or she has been discriminated against based on race, color, national origin, disability, sex, or age may choose to exercise their rights under the civil rights statutes applicable to all applicants and recipients of Endowment funds. The Endowment requires organizations that apply for and receive funding to comply with the following civil rights laws:

Title VI of the Civil Rights Act of 1964
Section 504 of the Rehabilitation Act of 1973 as amended
Americans with Disabilities Act
Age Discrimination Act of 1975
Title IX of the Education Amendments of 1972, as amended

Organizations that are recipients of Endowment funds are required by law to maintain internal procedures for resolving complaints of discrimination. Before filing a formal complaint with OCR, individuals are strongly encouraged to avail themselves of these internal procedures.

If a complaint cannot be resolved at the informal level or if the individual chooses not to use an organization's internal procedures, he or she should contact in writing the director or staff of the Civil Rights Office at:

Civil Rights Office
National Endowment for the Arts
1100 Pennsylvania Avenue, NW, Room 812
Washington, DC 20506
Voice: (202) 682-5454

TDD: (202) 682-5695
FAX: (202) 682-5553

How to File a Complaint with NEA's Civil Rights Office (OCR)

What To Do
All complaints filed with OCR must be in writing and include the following information:
Your name, address, and telephone number (home/business).
A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (race, color, national origin, sex, disability, or age).

When To File A Complaint
A complaint must be filed with OCR within 90 days of the date of the alleged discriminatory act, unless the time for filing is extended by OCR.

Evaluation Of A Complaint
Upon receiving a complaint of discrimination, OCR will conduct a pre-investigation to determine:

1. Jurisdiction
Did the Endowment fund the program or activity? If OCR determines that your complaint is not within its funding jurisdiction, it will close its case file on the matter. If it is determine that another Federal agency might have jurisdiction in the matter, OCR will transfer your case to that agency.

2. The Individual is a Member of a Protected Class
In order for OCR to investigate an individual's complaint of discrimination, the person complaining must be a member of or a representative for a protected class. A valid complaint involves discrimination against a person because of race, color, national origin, sex, disability, or age.

3. Timeliness
If an individual fails to file their complaint with OCR within 90 days of the alleged act of discrimination, the complaint is deemed untimely unless it involves an ongoing series of discriminatory acts.

Investigation of a Complaint
If OCR determines that it has jurisdiction, an acknowledgment letter is sent to the complainant and a notification letter is sent to the recipient organization. Based on a review of the documentation submitted by the complainant, the OCR may send an interrogatory letter to the recipient organization requesting information to facilitate the preinvestigation of the allegations. Additional information from the complainant may be necessary or an on-site investigation of the recipient organization.

Retaliation and Intimidation

A recipient of Endowment funds may not retaliate against any person who has filed a complaint, testified, assisted or participated in any manner in an investigation or proceeding under the five statutes enforced by OCR. If an individual believes that he or she is the victim of such retaliatory action, he or she may file a complaint too with OCR.

Prohibitions against Intimidation or Retaliation

A recipient may not intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone who has either taken action or participated in an action to secure rights protected b the civil rights statutes enforced by OCR. If any individual believes that he or she is being harassed or intimidated by a recipient because of the filing of a complaint or participating in the resolution of it, a complaint alleging such harassment or intimidation may be filed with OCR.

Letters of Finding and Enforcement

The letter of finding issued to the recipient organization found in noncompliance with the regulations includes recommendations to come into compliance. If the recipient organization is willing to comply with the recommendations in the finding letter, a compliance agreement between the recipient organization and the Endowment is entered. The compliance agreement specifies what the recipient organization agrees to do to come into compliance, including timeframes for completion and submission of reports to assist the OCR in monitoring compliance. If the recipient organization is unwilling to comply, the OCR will move immediately to initiate enforcement actions which include, but are not limited to suspension of Endowment funding.

What to do if you disagree with OCR's Resolution of Your Complaint

OCR is committed to ensuring that every complaint is appropriately resolved. Questions or concerns about OCR's resolution of a complaint, should be directed to the Director of OCR.

The Right to File a Separate Court Action

The complainant should be aware that a separate court action may be filed regardless of OCR's findings. If the complainant wishes to file a court action, he/she may do so through an attorney.

Other Ways Complaints Can be Filed

OCR may also consider a complaint resolved when any of the following occur:

If the complaint has been investigated by another agency, and the resolution of the complaint meets OCR standards;

If OCR determines that the evidence is insufficient to support a finding of a violation;

If the complainant withdraws his or her complaint; or,

If OCR obtains information indicating that the allegations raised by the complaint have been resolved.

Investigatory Uses of Personal Information

OCR processes complaints of discrimination and conducts compliance reviews on organizations that receive Federal financial assistance from the Endowment. The resolution of such complaints may involve the collection and analysis of personal information such as student records (including academic standing) and, in some cases, employment records. No law requires a complainant to give personal information to OCR, however, if OCR is unable to obtain information needed to investigate or to otherwise resolve allegations of discrimination, it may be necessary to discontinue the complaint resolution process. There are two laws governing personal information submitted to all Federal agencies, including OCR: the **Privacy Act of 1974 (Privacy Act), 5 U.S. ¤ 552a**, and the **Freedom of Information Act (FOIA), 5 U.S. ¤ 552**. The Office of Civil Rights does not reveal the name or other identifying information about an individual unless it is necessary for the completion of an investigation or for enforcement activities against an institution that violates the laws, or unless such information is required to be disclosed under the **FOIA** or the **Privacy Act**.

(Retrieved June 11, 2004 from http://www.nea.gov/about/Civil.html#civil)

STEP 6: EVALUATE YOUR ORGANIZATION'S ACCESSIBILITY: THE ARTS AND HUMANITIES ACCESSIBILITY CHECKLIST

Guidance on Self Evaluation

Selecting an Evaluator

About the Arts and Humanities Accessibility Checklist

Arts and Humanities Accessibility Checklist

Additional Guidelines and Survey Tools

Guidance on Self Evaluation

A key administrative requirement of Section 504 and ADA regulations are for state agencies and cultural organizations that receive federal funds to conduct a self evaluation to identify barriers to accessibility.

Both Section 504 and the ADA require that an **access self-evaluation document** (and transition plan, if needed) be completed and kept on file. **Under the ADA, state and local government services should have accomplished this within one year of January 26, 1992.**

Overcome your fear barrier: **a self-evaluation process helps your organization comply with Section 504 and the ADA**, and avoid litigation and penalties for non-compliance. It is intended to serve as an education tool to identify barriers and create solutions.

A self evaluation includes a review of all policies, practices, and programs to determine if they are equally available to people with and without disabilities.

A thorough evaluation of an organization includes a survey for physical or architectural accessibility of owned or leased **facilities** where cultural events occur, as well as the **policies**, **programs** and **services** are provided.

Section 504 and ADA Regulations resulted in the development of **minimum standards for physical access, including the Uniform Federal Accessibility Standards (UFAS) and the American's with Disabilities Act Accessibility Guidelines (ADAAG). Use a checklist or tool** that is based on the UFAS and ADAAG, as well as state and local accessibility codes.

Use the principles of universal design as a guide to evaluate the usability of your cultural facility, policies and programs by people of all ages, sizes and abilities.

Self-evaluation documents and transition plans are management tools. Reviewing when, how, what and where programs, services and activities (including employment) are conducted as related to persons with disabilities is in reality an opportunity to review the intrinsic merits and values of programs themselves, including the impact on all persons with or without disabilities.

The self-evaluation will be a **useful tool for developing your organization's preliminary and long-range access plans**, including a method to determine how access improvement may be implemented.

A self evaluation must be prepared in consultation with individuals with disabilities. Your organizations Access Advisory Committee should assist in conducting the self evaluation, reviewing the results, and making recommendations for action. (See Step 4).

The self-evaluation is not intended to be a Pass/Fail grading mechanism, and acknowledges that **access is a work in progress**.

Because access is "work in progress", **it is recommended that your organization be evaluated on a regular basis** (i.e. annually) to insure continued and upgraded 504/ADA compliance.

Selecting an Evaluator

There are several options as to who could conduct the survey. They include:
* **The Accessibility Coordinator** (See Step 3).

* **A Consultant.** Perhaps neither the Access Coordinator nor other staff feels qualified to undertake an ADA survey and put together a master plan. There are numerous consultants who do this type of work. It's important to find someone who not only knows the law, but also uses common sense in applying it. You will want someone who can provide the type of documentation, which will be useful during implementation. Can the barriers be compiled in a spreadsheet to be used as a tracking tool? Does the consultant offer design solutions and estimate costs? Will the person you hire be able to outline acceptable alternatives to expensive architectural modifications?

- **Other Staff within the Organization.** An organization may identify and train individuals who will do the actual site survey. The training may be acquired through workshops, conferences and consultation with experts in the field. Training should include a basic overview of access regulations and a workshop with a hands-on, step-by-step approach to the site evaluation process.

- **Your Access Advisory Committee.** Engage knowledgeable individuals with disabilities from your committee to assist in the self-evaluation or recommend an evaluator. (See Step 4).

About the Arts and Humanities Accessibility Checklist

Purpose

The *Arts and Humanities Accessibility Checklist* **is designed to assist arts and humanities organizations in performing on-site evaluations of their organizations' policies, programs, services and facilities.** This process should help cultural groups to plan, budget and complete necessary access improvements to meet or exceed legal standards.

The *Arts and Humanities Accessibility Checklist* **was developed specifically for arts and humanities groups.** It is an updated version of the of the Arts Accessibility Checklist published in *Design for Accessibility: An Arts Administrator's Guidebook* (1994). This checklist was reviewed for accuracy by the National Endowment for the Arts legal representatives. This review should help insure attention and support from state arts and humanities agency administrations for budget allocations toward completing necessary access improvements. Ultimately, the *Checklist* could be used as both an "access report card", and to highlight those states that have achieved outstanding access.

The intent of the *Arts and Humanities Accessibility Checklist* is to help cultural groups think in terms of a **universal design approach**—designing spaces, programs and activities that are usable by the broadest spectrum of people. It covers the major access considerations to comply with the laws and **includes requirements pertaining to cultural programs that are sometimes overlooked by designers and cultural administrators** such as:

- Integrated into and dispersed seating throughout regular seating areas;
- Wheelchair accessible stage, back stage and orchestra pit;
- Audio description and captioned film;
- Signage at inaccessible entrances directing people to accessible entrances, which must be unlocked and open the same hours as other entrances; and

- The proper height for box office, registration tables, food service counters, as well as display cases and pedestals for art.

The *Arts and Humanities Accessibility Checklist* includes many of the major requirements of the law as indicated by references to the ADA Regulations and the ADA Accessibility Guidelines (ADAAG).

The *Arts and Humanities Accessibility Checklist* has been reworded from legal language into language that is easier to read and understand. A "No" answer to a question indicates non compliance or inaccessibility. These areas of needed improvements will form the basis for the development of a transition plan to achieve access and a time frame for the implementation.

The *Arts and Humanities Accessibility Checklist* is designed so that separate components may be removed, administrated and/or reviewed.

Arts and Humanities Accessibility Checklist

Table of Contents

Q. Marketing and Publicity

Note: Within the guidance section of this checklist, there are frequent references to the text *Design for Accessibility: A Cultural Administrators Handbook*.   The page numbers given refer to the hard copy text.   The PDF version of the text may be found at (http://www.nea.gov/resources/Accessibility/DesignAccessibility.html) The guidance section also frequently references sections of *the Accessibility Planning and Resource Guide for Cultural Administrators.*

A. Policies and Practices

Questions	Yes	No	Guidance
Appointed and trained a staff member as your organization's Accessibility Coordinator. Name:_____ Title:_____ Office:_____ [28 CFR Sec. 35.107 (6)]	☐	☐	A staff member of your organization must sign self-evaluation document and a transition plan (if required) committing your organization to accommodations for disabled visitors and staff. See *Guide* **Step 3:** Designate an Accessibility Coordinator. See *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 2, pp. 24-25.
Identified and contact people and organizations representing people with disabilities in the you serve. [28 CFR Sec. 35.105]	☐	☐	See *Guide* **Step 4**: Finding Advisory Committee Members.
Established a grievance procedure to resolve complaints relating to or involving people with disabilities. [28 CRF Sec. 35.107 (b)] Date: _____	☐	☐	See *Guide* **Step 5:** 504/ADA Grievances and Formal Complaints.

Questions	Yes	No	Guidance
Appointed a Access advisory committee to assist in evaluating your policies, facility, programs, and other activities. 504/ADA Advisory Committee members include:			The Advisory Committee should be included in evaluating access to your facility and programs, staff awareness education, planning for improved access, implementing improvements, and marketing/audience development efforts.
• At least one board member as Accessibility board liaison	☐	☐	See *Guide* **Step 4**: Create an Access Advisory Group or Committee.
• Staff members, including program and administrative	☐	☐	See *Design for Accessibility: A Cultural Administrator's Handbook (*2003)*, Chapter 1, pp. 8-9.
• Person with limited mobility	☐	☐	
• Person who is deaf or hard-of-hearing	☐	☐	
• Person who is blind or partially sighted	☐	☐	
• Person who has a learning disability	☐	☐	
• Representatives from other groups, including those who serve older adults, people with developmental disabilities, arts service groups, and potential funders. Frequency of meeting/consultations: _____	☐	☐	

Questions	Yes	No	Guidance
Educated your organization's staff and board members on how Sections 504 and the ADA impact programs and activities. Dates of access seminars: _____	☐	☐	The Advisory Committee may help plan and conduct awareness seminars for staff, board members, and panelists. See *Guide,* **Step 8:** Train Your Staff, Board, Grantees and Constituents.
Conducted and completed the 504/ADA self-evaluation, and have the completed, signed form on file. The self-evaluation contains:	☐	☐	Recipients of Arts Endowment funds are required to certify that their programs and activities are and/or will be conducted in compliance with the Endowment's regulations implementing Section 504 and Title II of the Americans with Disabilities Act (ADA). "The Checklist for Existing Facilities" and Addendum should be helpful in evaluating structural access. Also see "Assembly Areas" and "Emergency Evacuations." These checklists may be used to satisfy a portion of the Endowment's self-evaluation requirements. Grantees shall at the time of application to National Endowment for the Humanities certify that their programs operate in compliance with the requirements of nondiscrimination statutes and their implementing regulations. Grants are subject to the provisions of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 (as amended), Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination Act of 1975 (as amended), and the regulations issued pursuant thereto
• Your 504/ADA Advisory committee members	☐	☐	
• A description of each of the organization's current programs in terms of its access to each kind of disability	☐	☐	
• Present programs modifications that improve accessibility	☐	☐	
• A description of employment practices (including methods of advertising and recruiting)	☐	☐	
• A description of proposed improvements to policies, practices, and services and time scheduled to accomplish the modifications	☐	☐	
• An evaluation of each building (including rented spaces) where programs and administrative activities take place	☐	☐	

• Access requirements for public amenities (parking, telephones, water fountains, toilets, building guides, signs, restaurants, gift shops, etc.)	☐	☐	by NEH (Code of Federal Regulations, Title 45, Chapter XI).

Accessibility is a work in progress as new technologies and ways to increase access are developed. It is recommended that the evaluation plan be reviewed and updated on a regular basis. |
| • Identified physical barriers that limit access | ☐ | ☐ | |
| • Suggestions to overcome those limitations

Reference/date: _____

[28 CFR Sec. 35.105] | ☐ | ☐ | See *Guide*, **Step 5:** Develop an Access Plan.

See *Guide,* Part 2: Resources and Discipline Specific Materials.

See *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 3, pg. 59, "Surveying for Accessibility." |

If any physical barriers exist, create a transition plan that is incorporated in to your long-range plan, which establishes when and how needed improvements will be made. The plan includes: • All physical barriers that limit access to your services and programs • Methods, including fundraising, that will be used to make facilities accessible • A schedule for completion of steps necessary to achieve full accessibility Completion date: _____ Date last reviewed: _____ [28 CFR Sec. 35.150(d)]	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	ADA requires that all public accommodations requiring structural changes to have been completed by January 26, 1995. Under the Endowment's 504 Regulations, this work should already be completed. The self-evaluation document and transition plan should be reviewed plan should be reviewed periodically to assess the organization's progress. [28 CFR Sec. 35.105 (a)] See *Guide*, **Step 7:** Develop an Access Plan. See *Design for Accessibility: A Cultural Administrator's Handbook* Chapter 3: Architectural Design.
Board developed resolution, mission statement, and goals concerning access for people with various disabilities. Date approved: _____	☐	☐	Your organization's policies, mission statement, and guidelines should clearly communicate commitment to make activities and programs accessible to citizens with disabilities. These goals maybe included with initiatives for underserved audiences, cultural diversity, etc. Policies and practices should be reviewed in terms of accessibility, e.g., employment procedures, and fee structure. See *Guide*, **Step 5:** Examples of Policy Statements That Include Access Language.

Publicized your policy that states your programs/activities do not discriminate on the basis of disability in admission, access, or employment. [28 CFR Sec. 35.106] [426.S.C. Sec. 12115]	☐	☐	See *Guide*, **Step 10:** Promote and Market Your Accessibility.
Clear language concerning access for people with various disabilities is included in:			**Examples for Funding Guidelines:** **Access.** Because the achievement of access for disabled people, as directed by federal law, frequently requires long-ranged planning and budgeting, the [Organization] encourages applicants to consider access issues in early planning stages of programs and services. Costs of programs accommodations for people with various disabilities (e.g. audio description, sign language interpreters, cassettes recordings of printed materials, or large print labeling) are generally eligible project costs. **Review Criteria.** Demonstration of a partnership with community through programming activity and actions designed to include a board range of culturally diverse audience members as well as older adults and individuals with disabilities. See *Guide*, **Step 9:** Assisting and Enforcing Compliance with Grantees.
• Organization's official publications	☐	☐	
• Guidelines	☐	☐	
• Orientations packages for staff, grantees/constituents, or volunteers	☐	☐	
• Materials and presentations for public meetings, conference, and forums	☐	☐	
Established budget for on going access services.	☐	☐	Budget for access services (e.g., sign language interpreters, readers, personal assistants for panelists) maybe line itemed in budgets. At a minimum, these costs should be included in administrative expenses and staff/volunteers notified of its availability for such services.

B. Employment
Is covered under Title I and II of the 1990 Americans with Disabilities Act

Questions	Yes	No	Guidance
Individual(s) with disabilities participate in this organization as:	☐	☐	The ADA defines an "individual with a disability" as a person who has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having such an impairment. This includes people with life threatening illnesses, such as individuals with AIDS/HIV.
• Employees (including administrators, educators, artists)	☐	☐	
• Board Members*	☐	☐	
• Panelists/Consultants*	☐	☐	See *Guide*, **Step 2**: Provide Individuals with Equal Employment Opportunities.
• Artists*	☐	☐	
• Volunteers*	☐	☐	
• Interns*	☐	☐	* May or may not be employees, depending on your particular relationship.
• Program/class participants*	☐	☐	
Recruitment materials contain a nondiscrimination policy statement.	☐	☐	The ADA prohibits discrimination in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-relate activities. Sample Language: [Organization] does not discriminate on

	☐	☐	the basis of disability… in admission or access to, or employment in, its programs or other activities.
A reasonable accommodation was made for an employee.	☐	☐	Reasonable accommodation may include modification to a facility, modified work schedule, computer-adapted hardware, restructuring a job, providing qualified readers or interpreters, or a desk magnifier.
Employment notices, and other relevant information are in accessible multimedia primarily used by people with various disabilities.	☐	☐	Multimedia includes print media such as newsletters and printed job announcements as well as electronic media such as online message boards and Web sites used by people with disabilities, as well as radio reading services, and presentations at meetings organized by groups that serve disabled people.
Provide and support appropriate services for applicants or employees with disabilities.	☐	☐	Accommodations may include a qualified sign language interpreter for an interview and for staff meetings or providing job announcements in alternate formats.
A recruitment-outreach plan was created.	☐	☐	
Employment policies and practices do not discriminate against disabled people in all terms, conditions, and privileges of employment: • Recruitment • Hiring, promotion, termination, or rehiring • Rates of pay or compensation	☐ ☐ ☐	☐ ☐ ☐	Both Section 504 and Title I of the ADA require that organizations shall not discriminate against an applicant with a disability if he or she is qualified for the position. **A qualified individual with a disability** is a person who meets legitimate skill, experience, education, or other requirements of an employment position that he or she holds or seeks, and who can perform the "essential functions" of the position with or without reasonable accommodation. All employer-sponsored activities (e.g., staff meetings, training, luncheons, and

• Job classifications	☐	☐	social events must be held in physically accessible access services (e.g., sign language interpreters or audio describers) must be provided.
• Sick leave and other leave policies	☐	☐	
• Fringe benefits	☐	☐	
• Financial support for training	☐	☐	
• Employer sponsored activities, including social or recreational programs [29 CFR Sec. 1630.4]	☐	☐	
Hold periodic access seminars for administrative and front-line staff including receptionists, program staff, volunteers, interns, guards, ushers, and box office staff. How often: _____	☐	☐	Seminar may include: • How to hire and work with sign interpreters and readers • How your organization makes its print materials available in alternate formats • Awareness seminars
People with disabilities assist with the training [ADA Title I, 42 U.S.C. Sec. 12111 et seg., and implementing regulations issued by the U.S. Equal Employment Opportunity Commission 29 CFR Part 1630] [ADA Title II, 42 U.S.C. Sec. 12131 et seg., and implementing regulations of the U.S. Department of Justice, 28 CFR Part 35, especially 28 CFR Sec. 35.140]	☐	☐	• How to use the teletypewriter • Emergency evacuation procedures for people with disabilities See *Guide*, **Step 8:** Train Your Staff, Board, Grantees and Constituents.

C. Checklist for Existing Facilities (version 2.1) (1995)

(http://adaptenv.org/publications/checklist-pdf.pdf)

This checklist was produced by Adaptive Environments Center, Inc. It will help you identify accessibility problems and solutions in existing facilities in order to meet your obligations under the ADA. The Checklist for Existing Facilities should be used as part of your survey of your facility and program. See next page.

Checklist for Existing Facilities version 2.1

ADA
TITLE III
COMPLIANCE MATERIALS

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The Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal

Checklist for Existing Facilities version 2.1

Introduction

Title III of the **Americans with Disabilities Act** requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from our country's businesses and services, and to afford our businesses and services the opportunity to benefit from the patronage of all Americans.

The regulations require that architectural and communication barriers that are structural must be removed in public areas of **existing facilities** when their removal is **readily achievable**—in other words, easily accomplished and able to be carried out without much difficulty or expense. **Public accommodations** that must meet the barrier removal requirement include a broad range of establishments (both for-profit and nonprofit)—such as hotels, restaurants, theaters, museums, retail stores, private schools, banks, doctors' offices, and other places that serve the public. People who own, lease, lease out, or operate places of public accommodation in existing buildings are responsible for complying with the barrier removal requirement.

The removal of barriers can often be achieved by making simple changes to the physical environment. However, the regulations do not define exactly how much effort and expense are required for a facility to meet its obligation. This judgment must be made on a case-by-case basis, taking into consideration such factors as the size, type, and overall financial resources of the facility, and the nature and cost of the access improvements needed. These factors are described in more detail in the ADA regulations issued by the Department of Justice.

The process of determining what changes are readily achievable is not a one-time effort; access should be re-evaluated annually. Barrier removal that might be difficult to carry out now may be readily achievable later. Tax incentives are available to help absorb costs over several years.

Purpose of This Checklist

This checklist will help you identify accessibility problems and solutions in existing facilities in order to meet your obligations under the ADA.

The goal of the survey process is to plan how to make an existing facility more usable for people with disabilities. The Department of Justice (DOJ) recommends the development of an Implementation Plan, specifying what improvements you will make to remove barriers and when each solution will be carried out: "…Such a plan…could serve as evidence of a good faith effort to comply…."

Technical Requirements

This checklist details some of the requirements found in the ADA Standards for Accessible Design (Standards). The ADA Accessibility Guidelines (ADAAG), when adopted by DOJ, became the Standards. The Standards are part of the Department of Justice Title III Regulations, 28 CFR Part 36 (*Nondiscrimination on the basis of disability… Final Rule*). Section 36.304 of this regulation, which covers barrier removal, should be reviewed before this survey is conducted.

However, keep in mind that full compliance with the Standards is required only for new construction and alterations. The requirements are presented here as a guide to help you determine what may be readily achievable barrier removal for existing facilities. The Standards should be followed for all barrier removal unless doing so is not readily achievable. If complying with the Standards is not readily achievable, you may undertake a modification that does not fully comply, as long as it poses no health or safety risk.

In addition to the technical specifications, each item has a scoping provision, which can be found under Section 4.1 in the Standards. This section clarifies when access is required and what the exceptions may be.

Each state has its own regulations regarding accessibility. To ensure compliance with all codes, know your state and local codes and use the more stringent technical requirement for every modification you make; that is, the requirement that provides greater access for individuals with disabilities. The barrier removal requirement for existing facilities is new under the ADA and supersedes less stringent local or state codes.

What This Checklist is Not

This checklist does not cover all of the requirements of the Standards; therefore, it is **not** for facilities undergoing new construction or alterations. In addition, it does not attempt to illustrate all possible barriers or propose all possible barrier removal solutions. The Standards should be consulted for guidance in situations not covered here.

The Title III regulation covers more than barrier removal, but this checklist does **not** cover Title III's requirements for nondiscriminatory policies and practices and for the provision of auxiliary communication aids and services. The communication features covered are those that are **structural** in nature.

Priorities

This checklist is based on the four priorities recommended by the Title III regulations for planning readily achievable barrier removal projects:

Priority 1: Accessible **approach and entrance**
Priority 2: Access to **goods and services**
Priority 3: Access to **rest rooms**
Priority 4: Any **other measures** necessary

Note that the references to ADAAG throughout the checklist refer to the Standards for Accessible Design.

How to Use This Checklist

✓ **Get Organized:** Establish a time frame for completing the survey. Determine how many copies of the checklist you will need to survey the whole facility. Decide who will conduct the survey. It is strongly recommended that you invite two or three additional people, including people with various disabilities and accessibility expertise, to assist in identifying barriers, developing solutions for removing these barriers, and setting priorities for implementing improvements.

✓ **Obtain Floor Plans:** It is very helpful to have the building floor plans with you while you survey. If plans are not available, use graph paper to sketch the layout of all interior and exterior spaces used by your organization. Make notes on the sketch or plan while you are surveying.

✓ **Conduct the Survey:** Bring copies of this checklist, a clipboard, a pencil or pen, and a flexible steel tape measure. With three people surveying, one person numbers key items on the floor plan to match with the field notes, taken by a second person, while the third takes measurements. ***Be sure to record all dimensions!*** As a reminder, questions that require a dimension to be measured and recorded are marked with the ruler symbol. Think about each space from the perspective of people with physical, hearing, visual, and cognitive disabilities, noting areas that need improvement.

✓ **Summarize Barriers and Solutions:** List barriers found and ideas for their removal. Consider the solutions listed beside each question, and add your own ideas. Consult with building contractors and equipment suppliers to estimate the costs for making the proposed modifications.

✓ **Make Decisions and Set Priorities:** Review the summary with decision makers and advisors. Decide which solutions will best eliminate barriers at a reasonable cost. Prioritize the items you decide upon and make a timeline for carrying them out. Where the removal of barriers is not readily achievable, you must consider whether there are **alternative methods** for providing access that *are* readily achievable.

✓ **Maintain Documentation:** Keep your survey, notes, summary, record of work completed, and plans for alternative methods on file.

✓ **Make Changes:** Implement changes as planned. Always refer directly to the Standards and your state and local codes for complete technical requirements before making any access improvement. References to the applicable sections of the Standards are listed at the beginning of each group of questions. If you need help understanding the federal, state, or local requirements, contact your Disability and Business Technical Assistance Center.

✓ **Follow Up:** Review your Implementation Plan each year to re-evaluate whether more improvements have become readily achievable.

To obtain a copy of the Title III regulations and the Standards or other technical information, call the U.S. Dept. of Justice ADA Information Line at (800) 514-0301 Voice, (202) 514-0381 TDD, or (800) 514-0383 TDD. For questions about ADAAG, contact the Architectural and Transportation Barriers Compliance Board at (800) USA-ABLE.

Priority

❶ Accessible Approach/Entrance

People with disabilities should be able to arrive on the site, approach the building, and enter as freely as everyone else. At least one route of travel should be safe and accessible for everyone, including people with disabilities.

Yes No

Route of Travel (ADAAG 4.3, 4.4, 4.5, 4.7)

Is there a route of travel that does not require the use of stairs?

☐ ☐

- ☐ Add a ramp if the route of travel is interrupted by stairs.
- ☐ Add an alternative route on level ground.

Is the route of travel stable, firm and slip-resistant?

☐ ☐

- ☐ Repair uneven paving.
- ☐ Fill small bumps and breaks with beveled patches.
- ☐ Replace gravel with hard top.

Is the route at least 36 inches wide?

☐ ☐
☐ width

- ☐ Change or move landscaping, furnishings, or other features that narrow the route of travel.
- ☐ Widen route.

Can all objects protruding into the circulation paths be detected by a person with a visual disability using a cane?

☐ ☐
☐ distance from wall/ height

In order to be detected using a cane, an object must be within 27 inches of the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear head room. It is not necessary to remove objects that protrude less than 4 inches from the wall.

- ☐ Move or remove protruding objects.
- ☐ Add a cane-detectable base that extends to the ground.
- ☐ Place a cane-detectable object on the ground underneath as a warning barrier.

Do curbs on the route have curb cuts at drives, parking, and drop-offs?

☐ ☐

- ☐ Install curb cut.
- ☐ Add small ramp up to curb.

Ramps (ADAAG 4.8)

Are the slopes of ramps no greater than 1:12?

☐ ☐
☐ slope

Slope is given as a ratio of the height to the length. 1:12 means for every 12 inches along the base of the ramp, the height increases one inch. For a 1:12 maximum slope, **at least** one foot of ramp length is needed for each inch of height.

- ☐ Lengthen ramp to decrease slope.
- ☐ Relocate ramp.
- ☐ If available space is limited, reconfigure ramp to include switchbacks.

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Ramps, continued
Do all ramps longer than 6 feet have railings on both sides? ☐ ☐

☐ Add railings.

Are railings sturdy, and between 34 and 38 inches high? ☐ ☐

height

☐ Adjust height of railing if not between 30 and 38 inches.
☐ Secure handrails in fixtures.

Is the width between railings or curbs at least 36 inches? ☐ ☐

width

☐ Relocate the railings.
☐ Widen the ramp.

Are ramps non-slip? ☐ ☐

☐ Add non-slip surface material.

Is there a 5-foot-long level landing at every 30-foot horizontal length of ramp, at the top and bottom of ramps and at switchbacks? ☐ ☐

length

☐ Remodel or relocate ramp.

Does the ramp rise no more than 30 inches between landings? ☐ ☐

rise

☐ Remodel or relocate ramp.

Parking and Drop-Off Areas (ADAAG 4.6)
Are an adequate number of accessible parking spaces available (8 feet wide for car plus 5-foot access aisle)? For guidance in determining the appropriate number to designate, the table below gives the ADAAG requirements for new construction and alterations (for lots with more than 100 spaces, refer to ADAAG): ☐ ☐

number of accessible spaces

Note widths of existing accessible spaces:

☐ Reconfigure a reasonable number of spaces by repainting stripes.

Total spaces	Accessible
1 to 25	1 space
26 to 50	2 spaces
51 to 75	3 spaces
76 to 100	4 spaces

Are 8-foot-wide spaces, with minimum 8-foot-wide access aisles, and 98 inches of vertical clearance, available for lift-equipped vans? ☐ ☐

width/ vertical clearance

☐ Reconfigure to provide van-accessible space(s).

At least one of every 8 accessible spaces must be van-accessible (with a minimum of one van-accessible space in all cases).

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Parking and Drop-Off Areas, continued

Are the access aisles part of the accessible route to the accessible entrance?
☐ ☐

- ☐ Add curb ramps.
- ☐ Reconstruct sidewalk.

Are the accessible spaces closest to the accessible entrance?
☐ ☐

- ☐ Reconfigure spaces.

Are accessible spaces marked with the International Symbol of Accessibility? Are there signs reading "Van Accessible" at van spaces?
☐ ☐

- ☐ Add signs, placed so that they are not obstructed by cars.

Is there an enforcement procedure to ensure that accessible parking is used only by those who need it?
☐ ☐

- ☐ Implement a policy to check periodically for violators and report them to the proper authorities.

Entrance (ADAAG 4.13, 4.14, 4.5)

If there are stairs at the main entrance, is there also a ramp or lift, or is there an alternative accessible entrance?
☐ ☐

Do not use a service entrance as the accessible entrance unless there is no other option.

- ☐ If it is not possible to make the main entrance accessible, create a dignified alternate accessible entrance. If parking is provided, make sure there is accessible parking near all accessible entrances.

Do all inaccessible entrances have signs indicating the location of the nearest accessible entrance?
☐ ☐

- ☐ Install signs before inaccessible entrances so that people do not have to retrace the approach.

Can the alternate accessible entrance be used independently?
☐ ☐

- ☐ Eliminate as much as possible the need for assistance—to answer a doorbell, to operate a lift, or to put down a temporary ramp, for example.

Does the entrance door have at least 32 inches clear opening (for a double door, at least one 32-inch leaf)?
☐ ☐

clear opening

- ☐ Widen the door to 32 inches clear.
- ☐ If technically infeasible, widen to 31-3/8 inches minimum.
- ☐ Install offset (swing-clear) hinges.

Is there at least 18 inches of clear wall space on the pull side of the door, next to the handle?
☐ ☐

clear space

A person using a wheelchair or crutches needs this space to get close enough to open the door.

- ☐ Remove or relocate furnishings, partitions, or other obstructions.
- ☐ Move door.
- ☐ Add power-assisted or automatic door opener.

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Entrance, continued

Is the threshold edge 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?

☐ ☐

☐ height

- ☐ If there is a single step with a rise of 6 inches or less, add a short ramp.
- ☐ If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.

If provided, are carpeting or mats a maximum of 1/2-inch high?

☐ ☐

☐ height

- ☐ Replace or remove mats.

Are edges securely installed to minimize tripping hazards?

☐ ☐

- ☐ Secure carpeting or mats at edges.

Is the door handle no higher than 48 inches and operable with a closed fist?

☐ ☐

☐ height

- ☐ Lower handle.
- ☐ Replace inaccessible knob with a lever or loop handle.
- ☐ Retrofit with an add-on lever extension.

The "closed fist" test for handles and controls: Try opening the door or operating the control using only one hand, held in a fist. If you can do it, so can a person who has limited use of his or her hands.

Can doors be opened without too much force (exterior doors reserved; maximum is 5 lbf for *interior* doors)?

☐ ☐

☐ force

- ☐ Adjust the door closers and oil the hinges.
- ☐ Install power-assisted or automatic door openers.
- ☐ Install lighter doors.

You can use an inexpensive force meter or a fish scale to measure the force required to open a door. Attach the hook end to the doorknob or handle. Pull on the ring end until the door opens, and read off the amount of force required. If you do not have a force meter or a fish scale, you will need to judge subjectively whether the door is easy enough to open.

If the door has a closer, does it take at least 3 seconds to close?

☐ ☐

☐ seconds

- ☐ Adjust door closer.

QUESTIONS	POSSIBLE SOLUTIONS

Priority

❷ Access to Goods and Services

Ideally, the layout of the building should allow people with disabilities to obtain materials or services without assistance.

Yes No

Horizontal Circulation (ADAAG 4.3)

Does the accessible entrance provide direct access to the main floor, lobby, or elevator?

☐ ☐

- ☐ Add ramps or lifts.
- ☐ Make another entrance accessible.

Are all public spaces on an accessible route of travel?

☐ ☐

- ☐ Provide access to all public spaces along an accessible route of travel.

Is the accessible route to all public spaces at least 36 inches wide?

☐ ☐
☐ width

- ☐ Move furnishings such as tables, chairs, display racks, vending machines, and counters to make more room.

Is there a 5-foot circle or a T-shaped space for a person using a wheelchair to reverse direction?

☐ ☐
☐ width

- ☐ Rearrange furnishings, displays, and equipment.

Doors (ADAAG 4.13)

Do doors into public spaces have at least a 32-inch clear opening?

☐ ☐
☐ clear opening

- ☐ Install offset (swing-clear) hinges.
- ☐ Widen doors.

On the pull side of doors, next to the handle, is there at least 18 inches of clear wall space so that a person using a wheelchair or crutches can get near to open the door?

☐ ☐
☐ clear space

- ☐ Reverse the door swing if it is safe to do so.
- ☐ Move or remove obstructing partitions.

Can doors be opened without too much force (5 lbf maximum for interior doors)?

☐ ☐
☐ force

- ☐ Adjust or replace closers.
- ☐ Install lighter doors.
- ☐ Install power-assisted or automatic door openers.

Are door handles 48 inches high or less and operable with a closed fist?

☐ ☐
☐ height

- ☐ Lower handles.
- ☐ Replace inaccessible knobs or latches with lever or loop handles.
- ☐ Retrofit with add-on levers.
- ☐ Install power-assisted or automatic door openers.

Are all threshold edges 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?

☐ ☐
☐ height

- ☐ If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.
- ☐ If between 1/4- and 3/4-inch high, add bevels to both sides.

QUESTIONS	POSSIBLE SOLUTIONS

Rooms and Spaces (ADAAG 4.2, 4.4, 4.5)

Yes No

Are all aisles and pathways to materials and services at least 36 inches wide?

☐ ☐

☐ width

☐ Rearrange furnishings and fixtures to clear aisles.

Is there a 5-foot circle or T-shaped space for turning a wheelchair completely?

☐ ☐

☐ width

☐ Rearrange furnishings to clear more room.

Is carpeting low-pile, tightly woven, and securely attached along edges?

☐ ☐

☐ Secure edges on all sides.
☐ Replace carpeting.

In circulation paths through public areas, are all obstacles cane-detectable (located within 27 inches of the floor or higher than 80 inches, or protruding less than 4 inches from the wall)?

☐ ☐

☐ height/ protrusion

☐ Remove obstacles.
☐ Install furnishings, planters, or other cane-detectable barriers underneath.

Emergency Egress (ADAAG 4.28)

If emergency systems are provided, do they have both flashing lights and audible signals?

☐ ☐

☐ Install visible and audible alarms.
☐ Provide portable devices.

Signage for Goods and Services (ADAAG 4.30)

Different requirements apply to different types of signs.

If provided, do signs and room numbers designating permanent rooms and spaces where goods and services are provided comply with the appropriate requirements for such signage?

☐ ☐

☐ Provide signs that have raised letters, Grade II Braille, and that meet all other requirements for permanent room or space signage. (See ADAAG 4.1.3(16) and 4.30.)

Y N

• Signs mounted with centerline 60 inches from floor.
☐ ☐   height

• Mounted on wall adjacent to latch side of door, or as close as possible.
☐ ☐

• Raised characters, sized between 5/8 and 2 inches high, with high contrast (for room numbers, rest rooms, exits).
☐ ☐   character height

• Brailled text of the same information.
☐ ☐

• If pictogram is used, it must be accompanied by raised characters and braille.
☐ ☐

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Directional and Informational Signage
The following questions apply to directional and informational signs that fall under Priority 2.

If mounted above 80 inches, do they have letters at least 3 inches high, with high contrast, and non-glare finish?

letter height

☐ Review requirements and replace signs as needed, meeting the requirements for character size, contrast, and finish.

Do directional and informational signs comply with legibility requirements? (Building directories or temporary signs need not comply.)

☐ Review requirements and replace signs as needed.

Controls (ADAAG 4.27)
Are all controls that are available for use by the public (including electrical, mechanical, cabinet, game, and self-service controls) located at an accessible height?

height

☐ Relocate controls.

Reach ranges: The maximum height for a side reach is 54 inches; for a forward reach, 48 inches. The minimum reachable height is 15 inches for a front approach and 9 inches for a side approach.

Are they operable with a closed fist?

☐ Replace controls.

Seats, Tables, and Counters (ADAAG 4.2, 4.32, 7.2)
Are the aisles between fixed seating (other than assembly area seating) at least 36 inches wide?

width

☐ Rearrange chairs or tables to provide 36-inch aisles.

Are the spaces for wheelchair seating distributed throughout?

☐ Rearrange tables to allow room for wheelchairs in seating areas throughout the area.
☐ Remove some fixed seating.

Are the tops of tables or counters between 28 and 34 inches high?

height

☐ Lower part or all of high surface.
☐ Provide auxiliary table or counter.

Are knee spaces at accessible tables at least 27 inches high, 30 inches wide, and 19 inches deep?

height/
width/
depth

☐ Replace or raise tables.

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Seats, Tables, and Counters, continued
At each type of cashier counter, is there a portion of the main counter that is no more than 36 inches high?

☐ ☐

☐ height

- ☐ Provide a lower auxiliary counter or folding shelf.
- ☐ Arrange the counter and surrounding furnishings to create a space to hand items back and forth.

Is there a portion of food-ordering counters that is no more than 36 inches high, or is there space at the side for passing items to customers who have difficulty reaching over a high counter?

☐ ☐

☐ height

- ☐ Lower section of counter.
- ☐ Arrange the counter and surrounding furnishings to create a space to pass items.

Vertical Circulation (ADAAG 4.1.3(5), 4.3)
Are there ramps, lifts, or elevators to all public levels?

☐ ☐

- ☐ Install ramps or lifts.
- ☐ Modify a service elevator.
- ☐ Relocate goods or services to an accessible area.

On each level, if there are stairs between the entrance and/or elevator and essential public areas, is there an accessible alternate route?

☐ ☐

- ☐ Post clear signs directing people along an accessible route to ramps, lifts, or elevators.

Stairs (ADAAG 4.9)
The following questions apply to stairs connecting levels *not* serviced by an elevator, ramp, or lift.

Do treads have a non-slip surface?

☐ ☐

- ☐ Add non-slip surface to treads.

Do stairs have continuous rails on both sides, with extensions beyond the top and bottom stairs?

☐ ☐

- ☐ Add or replace handrails if possible within existing floor plan.

Elevators (ADAAG 4.10)
Are there both visible and verbal or audible door opening/closing and floor indicators (one tone = up, two tones = down)?

☐ ☐

- ☐ Install visible and verbal or audible signals.

Are the call buttons in the hallway no higher than 42 inches?

☐ ☐

☐ height

- ☐ Lower call buttons.
- ☐ Provide a permanently attached reach stick.

Do the controls inside the cab have raised and braille lettering?

☐ ☐

- ☐ Install raised lettering and braille next to buttons.

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Elevators, continued
Is there a sign on both door jambs at every floor identifying the floor in raised and braille letters?

☐ ☐

☐ Install tactile signs to identify floor numbers, at a height of 60 inches from floor.

If an emergency intercom is provided, is it usable without voice communication?

☐ ☐

☐ Modify communication system.

Is the emergency intercom identified by braille and raised letters?

☐ ☐

☐ Add tactile identification.

Lifts (ADAAG 4.2, 4.11)
Can the lift be used without assistance? If not, is a call button provided?

☐ ☐

☐ At each stopping level, post clear instructions for use of the lift.
☐ Provide a call button.

Is there at least 30 by 48 inches of clear space for a person in a wheelchair to approach to reach the controls and use the lift?

☐ ☐
☐
clear space

☐ Rearrange furnishings and equipment to clear more space.

Are controls between 15 and 48 inches high (up to 54 inches if a side approach is possible)?

☐ ☐
☐
height

☐ Move controls.

Priority

❸ Usability of Rest Rooms

When rest rooms are open to the public, they should be accessible to people with disabilities.

Getting to the Rest Rooms (ADAAG 4.1)
If rest rooms are available to the public, is at least one rest room (either one for each sex, or unisex) fully accessible?

☐ ☐

☐ Reconfigure rest room.
☐ Combine rest rooms to create one unisex accessible rest room.

Are there signs at inaccessible rest rooms that give directions to accessible ones?

☐ ☐

☐ Install accessible signs.

Doorways and Passages (ADAAG 4.2, 4.13, 4.30)
Is there tactile signage identifying rest rooms?

☐ ☐

☐ Add accessible signage, placed to the side of the door, 60 inches to centerline (not on the door itself).

Mount signs on the wall, on the latch side of the door, complying with the requirements for permanent signage.

QUESTIONS	POSSIBLE SOLUTIONS

Doorways and Passages, continued

Are pictograms or symbols used to identify rest rooms, and, if used, are raised characters and braille included below them?

Yes ☐ No ☐

☐ If symbols are used, add supplementary verbal signage with raised characters and braille below pictogram symbol.

Is the doorway at least 32 inches clear?

Yes ☐ No ☐

clear width ☐

☐ Install offset (swing-clear) hinges.
☐ Widen the doorway.

Are doors equipped with accessible handles (operable with a closed fist), 48 inches high or less?

Yes ☐ No ☐

height ☐

☐ Lower handles.
☐ Replace knobs or latches with lever or loop handles.
☐ Add lever extensions.
☐ Install power-assisted or automatic door openers.

Can doors be opened easily (5 lbf maximum force)?

Yes ☐ No ☐

force ☐

☐ Adjust or replace closers.
☐ Install lighter doors.
☐ Install power-assisted or automatic door openers.

Does the entry configuration provide adequate maneuvering space for a person using a wheelchair?

Yes ☐ No ☐

clear width ☐

A person in a wheelchair needs 36 inches of clear width for forward movement, and a 5-foot diameter or T-shaped clear space to make turns. A minimum distance of 48 inches clear of the door swing is needed between the two doors of an entry vestibule.

☐ Rearrange furnishings such as chairs and trash cans.
☐ Remove inner door if there is a vestibule with two doors.
☐ Move or remove obstructing partitions.

Is there a 36-inch-wide path to all fixtures?

Yes ☐ No ☐

width ☐

☐ Remove obstructions.

Stalls (ADAAG 4.17)

Is the stall door operable with a closed fist, inside and out?

Yes ☐ No ☐

☐ Replace inaccessible knobs with lever or loop handles.
☐ Add lever extensions.

Is there a wheelchair-accessible stall that has an area of at least 5 feet by 5 feet, clear of the door swing, OR is there a stall that is less accessible but that provides greater access than a typical stall (either 36 by 69 inches or 48 by 69 inches)?

Yes ☐ No ☐

length/ width ☐

☐ Move or remove partitions.
☐ Reverse the door swing if it is safe to do so.

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Stalls, continued
In the accessible stall, are there grab bars behind and on the side wall nearest to the toilet? ☐ ☐

☐ Add grab bars.

Is the toilet seat 17 to 19 inches high? ☐ ☐

☐ Add raised seat.

height

Lavatories (ADAAG 4.19, 4.24)
Does one lavatory have a 30-inch-wide by 48-inch-deep clear space in front? ☐ ☐

clear space

A maximum of 19 inches of the required depth may be under the lavatory.

☐ Rearrange furnishings.
☐ Replace lavatory.
☐ Remove or alter cabinetry to provide space underneath.
☐ Make sure hot pipes are covered.
☐ Move a partition or wall.

Is the lavatory rim no higher than 34 inches? ☐ ☐

height

☐ Adjust or replace lavatory.

Is there at least 29 inches from the floor to the bottom of the lavatory apron (excluding pipes)? ☐ ☐

height

☐ Adjust or replace lavatory.

Can the faucet be operated with one closed fist? ☐ ☐

☐ Replace with paddle handles.

Are soap and other dispensers and hand dryers within reach ranges (see page 7) and usable with one closed fist? ☐ ☐

☐ Lower dispensers.
☐ Replace with or provide additional accessible dispensers.

Is the mirror mounted with the bottom edge of the reflecting surface 40 inches high or lower? ☐ ☐

height

☐ Lower or tilt down the mirror.
☐ Add a larger mirror anywhere in the room.

Priority
❹ Additional Access

Note that this priority is for items not required for basic access in the first three priorities.
When amenities such as drinking fountains and public telephones are provided, they should also be accessible to people with disabilities.

Drinking Fountains (ADAAG 4.15)
Is there at least one fountain with clear floor space of at least 30 by 48 inches in front? ☐ ☐

clear space

☐ Clear more room by rearranging or removing furnishings.

QUESTIONS	POSSIBLE SOLUTIONS

Yes No

Drinking Fountains, continued

Is there one fountain with its spout no higher than 36 inches from the ground, and another with a standard height spout (or a single "hi-lo" fountain)?

☐ ☐

[   ] height

- ☐ Provide cup dispensers for fountains with spouts that are too high.
- ☐ Provide accessible cooler.

Are controls mounted on the front or on the side near the front edge, and operable with one closed fist?

☐ ☐

- ☐ Replace the controls.

Is each water fountain cane-detectable (located within 27 inches of the floor or protruding into the circulation space less than 4 inches from the wall?

☐ ☐

[   ] height/ protrusion

- ☐ Place a planter or other cane-detectable barrier on each side at floor level.

Telephones (ADAAG 4.31)

If pay or public use phones are provided, is there clear floor space of at least 30 by 48 inches in front of at least one?

☐ ☐

[   ] clear space

- ☐ Move furnishings.
- ☐ Replace booth with open station.

Is the highest operable part of the phone no higher than 48 inches (up to 54 inches if a side approach is possible)?

☐ ☐

[   ] height

- ☐ Lower telephone.

Does the phone protrude no more than 4 inches into the circulation space?

☐ ☐

[   ] protrusion

- ☐ Place a cane-detectable barrier on each side at floor level.

Does the phone have push-button controls?

☐ ☐

- ☐ Contact phone company to install push-buttons.

Is the phone hearing-aid compatible?

☐ ☐

- ☐ Have phone replaced with a hearing-aid compatible one.

Is the phone adapted with volume control?

☐ ☐

- ☐ Have volume control added.

Is the phone with volume control identified with appropriate signage?

☐ ☐

- ☐ Add signage.

If there are four or more public phones in the building, is one of the phones equipped with a text telephone (TT or TDD)?

☐ ☐

- ☐ Install a text telephone.
- ☐ Have a portable TT available.
- ☐ Provide a shelf and outlet next to phone.

Is the location of the text telephone identified by accessible signage bearing the International TDD Symbol?

☐ ☐

- ☐ Add signage.

D. Addendum to Checklist for Existing Facilities

Question	Yes	No	Guidance
Programs and activities are held in spaces that are accessible to people with limited mobility. This includes classrooms, studios, auditoriums, gallery spaces, and reception areas. Complete the "Assembly Areas," "Emergency Evacuation," and "Interior Signage" section of the *Checklist for Existing Facilities.*	☐	☐	If not, relocate or reschedule the activities to an accessible facility while planning and making the primary space accessible. List optional locations: _____ _____ _____ (or) Relocate to an accessible facility or modify one to be accessible. See *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 3, pp 62-84.
The accessible entrance(s) is unlocked and open to the general public [*ADAAG* 4.14]	☐	☐	If it is not possible to make the main entrance of an existing building accessible, the alternate accessible entrance(s) must be open to the general public, and be unlocked and open the same hours as the main entrance.
Exterior signage at primary entries meets *ADAAG* 4.1.2 (7)(c). [28 CFR Sec. 35.107 (b)]	☐	☐	The accessible entrance(s) should be marked with the international accessible symbol if it is not the main entrance or if it is one of several main entrances that are accessible. Further, signs should be displayed at inaccessible entrances(s) directing visitors to accessible entrance(s). [*ADAAG* 4.1.2(7) (c)]

Raised-line orientation map or tactile model of building and room layouts (including accessible restrooms, emergency exists, programs areas, and food services areas) is displayed inside the building's main accessible entrance. [*ADAAG* 4.30]	☐	☐	Tactile maps should be available for each complex and on display where anyone can use them. They are of no value if they cannot be easily located. Further, a seated person should be able to reach all parts of the map or model.
A unisex, accessible bathroom is available with enough space for a wheelchair user and a personal assistant.	☐	☐	Ideally, a unisex bathroom should be provided that is large enough for a wheelchair user and spouse, friend, or personal assistant.
If your organization does not own its space/facility and it is not program accessible, your organization is working with the owner to achieve such accessibility. Date scheduled for completion: _____	☐	☐	Facilities that do not comply with *ADAAG* cannot be legally used for public programs. It is your responsibility to work with the owners to encourage and assist compliance with the law (e.g., organizing an advisory committee or conducting an evaluation to determine needed improvements and presenting the results in writing to the owner). You may also offer help raise funds (e.g., CDBG funds) to accomplish the work (See *Guide*, **Step 7:** Financial Considerations). During this process, you should hold your activities in an accessible first floor or temporarily relocate your activities to an accessible space (e.g. school).

If your organization tours or uses auxiliary spaces for programming, there is language in the contractual agreement that the space is fully accessible to people with various disabilities.			If it is determined that they designated space is not in compliance with the *ADAAG,* an accessible space should be located. If the owner/management of the facility assures access but it is found to be inaccessible features and advising that your organization cannot use the space until it is brought into full compliance. It would be helpful to refer the owner to his or her local or nearest Independent Living Center. Sample language: Owner certifies that the premises leased are in compliance with the Americans with Disabilities Act, 42 U.S.C. Sec. 12101 et seq. and all access standards issued there under or under applicable state law.

E. Emergency Evacuation

Questions	Yes	No	Guidance
All alarms have both visual and audible signals. [*ADAAG* 4.28.2-.3]	☐	☐	
Lifts are equipped with emergency generator/power. [*ADAAG* 4.1]	☐	☐	In case of power outage, people must be able to exit and/or move through the building independently.
Accessible emergency exists are clearly marked with access symbols. [*ADAAG* 4.14, 4.30, 4.3.10]	☐	☐	
There is sufficient lighting along the accessible routes, corridors, and exists. [*ADAAG* 4.30.8, 4.3]	☐	☐	
Floor plans (e.g., print or tactile maps and models) include designated accessible exits and/or refuge areas, which are clearly marked.	☐	☐	Floor plans to be posted in plan view of staff and visitors. This helps to familiarize staff and visitors with such important information.
Emergency signage/information, including floor plans, is mounted at an appropriate height above floor and meets signage requirements. [*ADAAG* 4.30]	☐	☐	See *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 3, pg. 75.
Staff education on emergency evacuation, including evacuation procedures.	☐	☐	Staff should be trained to assist and to direct people with disabilities to accessible exits or areas of refuge (e.g., how to assist someone using an evacuation chair).

F. Interior Signage
Used to communicate direction, access, rules, safety, and other information

Questions	Yes	No	Guidance
Signs are displayed at an approximate height to be read by a person in a seated position. [*ADAAG* 4.30.6]	☐	☐	Sign should centered at 60" as a center line above the floor. [*ADAAG* 4.30.6] See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 3, pg. 75
Characters and symbols have a solid background. [*ADAAG* 4.1.2(7); 4.30.5)]	☐	☐	*ADAAG* requires signage background or characters to be eggshell, matte, or other non-glare finishes.
Characters and symbols contrast with background (a minimum of 70%).	☐	☐	
Characters and letters are in sans serif or simple serif fonts with no script or serifed italics.	☐	☐	**Example:** Ramped Entrance Sans serif and simple serif are a class of font such as Helvetica or Arial.
Characters and letters have a width-to-height ratio between 3:5 and 1:1 and a stroke width-to-height ratio between 1:5 and 1:10. [*ADAAG* 4.30.2]	☐	☐	**Example:** Width to Height Ratio
Characters and letters are sized according to viewing distance but none are smaller than 18 point (1/4") at least 3" tall when displayed on a wall or suspended 80" or more from the floor. [*ADAAG* 4.30.3]	☐	☐	Characters should be at least 1" tall when mounted on a wall within 66" of the floor.

Access symbol are used to communicate information. [*ADAAG* 4.30.4]	☐	☐	Symbols not only highlight access accommodations but also are understood by people who do not read English, including young children. For example, the TTY symbol is used to indicate the location of a teletypewriter.
			See Disability Access Symbols
			http://www.gag.org/resources/das.php
			See *Guide*, **Step 10:** Tools for Effective Communication in Promotional and Marketing Materials.
			See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 5, pp. 97-112.

Symbols are accompanied with appropriate language that refers to the accommodation (not who may use it).	☐	☐		Accessible Parking
				Ramped Entrance
				Volume Control Telephone
				Assistive Listening System

G. Assembly Areas
For performing arts, film presentations conferences, seminars, and other programs

Questions	Yes	No	Guidance
The number of wheelchair seating spaces meets or exceed *ADAAG* minimum. [*ADAAG* 4.1.19] 	☐	☐	Capacity of Seating in Assembly Areas — Number of Required Wheelchair Location 4-25 — 1 26-50 — 2 51-300 — 4 301-500 — 6 Over 500 — 6, plus 1 additional space for each total seating capacity increase of 100 [*ADAAG* 4.1.19]
The size and floor surface of wheelchair seating spaces meet *ADAAG* 4.33.2 guidelines.	☐	☐	Minimum requirement for wheelchair seating space is 48" deep if entered from rear and 60" deep if entered from the side. Floor surface must be level, stable, firm, and slip resistant. [ADAAG 4.33.2-4]
Wheelchair seating spaces are integrated into and dispersed throughout the seats are that used by general public—with sight lines comparable to those of all viewing areas: [*ADAAG* 4.33.3]	☐	☐	Integrated and dispersed seating spaces provide a choice of ticket prices and a choice of locations within the regular seating area and adjacent seating for friends, spouses, or personal assistants.

For fixed seating areas	☐	☐	
For movable seating areas	☐	☐	
A seat is reserved directly adjacent to each wheelchair space for friends/spouse. [*ADAAG* 4.33.3]	☐	☐	Everyone should be able to sit with whoever comes with him or her.
A minimum of 1% of all fixed seats are aisle seats with removable or no armrest on the end/aisle seats, which are identified with a sign or marker. [*ADAAG* 4.1.3(19)]	☐	☐	Seats with removable armrests make it easier for people with wheelchairs, people who use crutches, and people with limited mobility to transfer from and out of seats.
Adjacent fixed seats to wheelchair spaces have removal armrest for easy transfer. [*ADAAG* 4.1.3(19)]	☐	☐	When wheelchair users choose to transfer to a seat, the seating space provides a place to store the chair. The wheelchair should always be at their side so they may move about independently and in case of emergency. Also, the space may be used for a guide dog.
Fixed seats with an installed listening system are located within a viewing distance of 50 feet from the stage area. [*ADAAG* 4.33.6]	☐	☐	A permanent assistive listening system must be installed if the assembly area has fixed seats and either accommodates 50 persons or more, or has an audio amplification system. [*ADAAG* 4.1.3(19) and 4.33]

front row wheelchair position
omit two chairs, 33" x 48" clear floor space

Interpreter

5' min.

66" x 48" clear
floor space

midpoint wheelchair
position, 33" x 60"
clear floor space

3' to 5'   3' to 5'   3' to 5'

back row
wheelchair position
omit two chairs
33" x 48" clear
floor space

doors 5lbf max. opening force
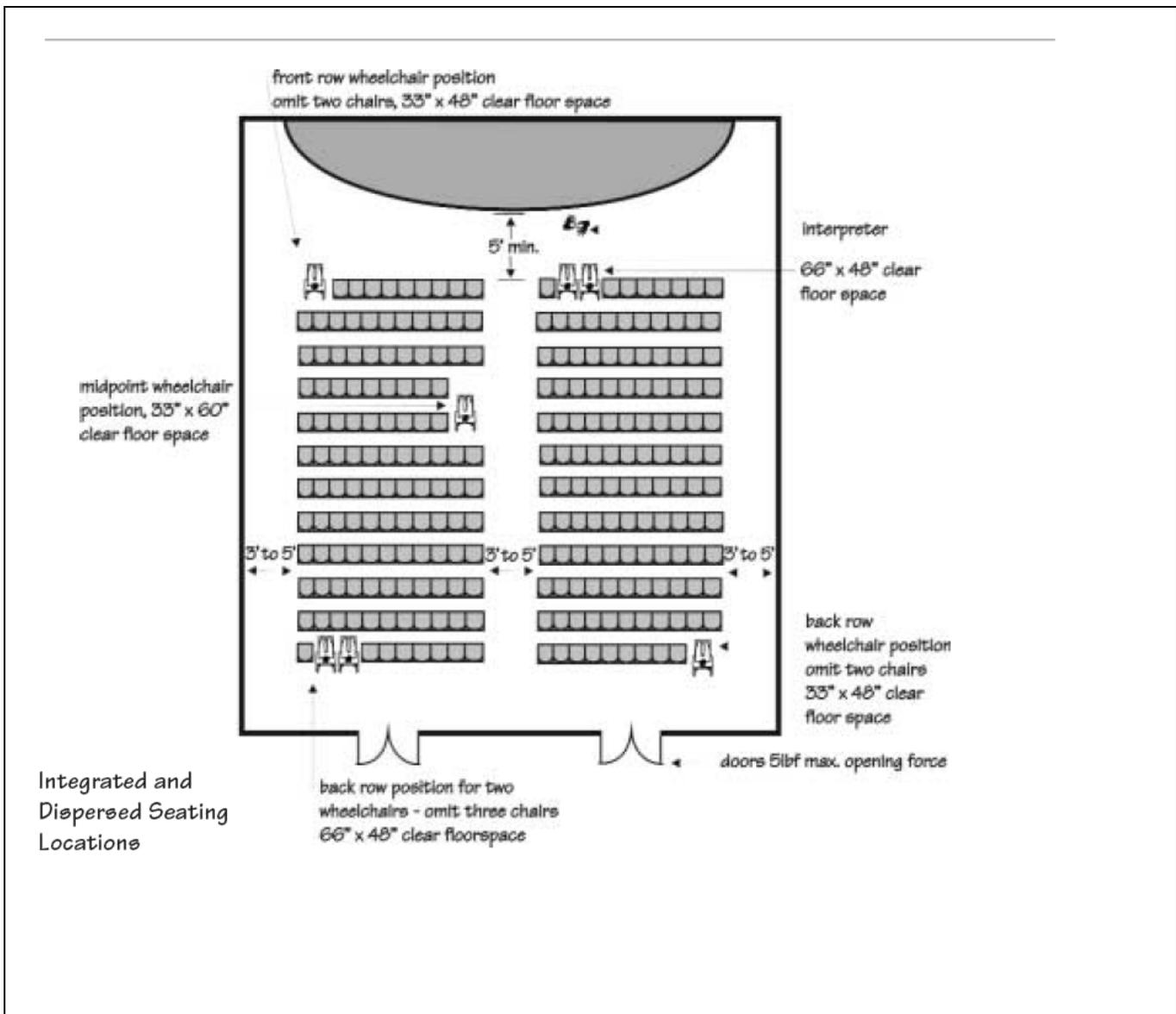
Integrated and
Dispersed Seating
Locations

back row position for two
wheelchairs - omit three chairs
66" x 48" clear floorspace

Signage notifying patrons of the availability of wheelchair accessible seating is posted at the ticket office. [*ADAAG* 4.1.3(19)]	☐	☐	**Example:** Wheelchair Accessible Seats Are Available
The following are wheelchair accessible:			Maximum slope of ramps to stage to platform areas is 1:12 (1' vertical rise

• Performance areas, including stage and pathway or egress to it [ADAAG 4.33.5]	☐	☐	to 12" horizontal run). A 1:20 slope is more comfortably used by people with limited mobility and individuals with heart or upper respiratory problems. Further, level landings at prescribed distances are required for longer ramps. See *ADAAG* 4.8 for details on minimum requirements for ramps, slope, width, landings, handrails, and surfaces.
• Classrooms and pathway or egress to them	☐	☐	
• Platform for speakers, panelists, and pathway or egress to it.	☐	☐	
• Orchestra pit and pathway or egress to it. [ADAAG 4.33.5] .			
• Dressing rooms with restroom and pathway or egress to them [*ADAAG* 4.1.3(21) and 4.33.5]	☐	☐	
• Control booths and pathway or egress to it [*ADAAG* 4.33.5 and 4.35.1-.5]	☐	☐	Controls and mechanisms used to perform various operations should be within reach and operable with one hand [*ADAAG* 4.27]
• Controls (e.g., light switches, stage controls, faucets, and controls for video displays) meet height, reach, and grasp requirements [*ADAAG* 4.33.5]	☐	☐	

H. Registration, Box Office, or Reception Area

Questions	Yes	No	Guidance
Service counter top is a maximum of 36" high. [*ADAAG* 7.2(2)]	☐	☐	A section of the counter with 36" maximum height may be provided adjacent to the inaccessible one. See *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 3, pp 75-76.
Aisle is at least 36" of clear width leading:			A 60" diameter for a 180-degree turn is required. It is important to train staff, including maintenance and cleaning staff, concerning the importance of keeping trash receptacles, boxes, ashtrays, and furniture clear of the accessible pathways and elevator panels. See *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 3, pg. 68.
• To and in front of the service counter [*ADAAG* 7.2(2)]	☐	☐	
• From ticketing location to reserved wheelchair space to the main entry and restrooms [*ADAAG* 4.3)]	☐	☐	
Raised-line orientation map or tactile model of building and room layouts (including program areas, accessible restrooms, food service areas, and emergency exists) is displayed for visual and tactile use. [*ADAAG* 4.30]	☐	☐	Tactile map or model should be displayed appropriately so that a seated person may reach all parts of it comfortably.

If telephones information/registrations are provided to the general public, registration or information areas/box office equipped with a teletypewriter (TTY/TT). [*ADAAG* 4.30, 4.31]	☐	☐	TTY indicates a device used with the telephone for communication with and between deaf, hard of hearing, speech impaired and/or hearing persons.
A teletypewriter (TTY/TT) is on a separate line dedicated to that service.	☐	☐	
A public phone is equipped with a teletypewriter (TTY/TT). Or The TTY located at the information area/box office is available for public use.	☐ ☐	☐ ☐	Signage with TTY logo is posted indicating its location. At a minimum, provide a shelf and an electrical outlet next to a public phone to accommodate a portable teletypewriter. [*ADAAG* 4.31.9]
A public phone is equipped with a volume control device and identified with the symbol.	☐	☐	For new construction, 25% of, but never less than one, public telephones provided are equipped with a volume control. [ADAAG 4.1.3(17b)]
A teletypewriter (TTY/TT) is on a separate line dedicated to that service. • Personal assistants • On fixed/low income, including students, retired people, and others	☐ ☐	☐ ☐	Offering free and/or discounted tickets should be based on need—a person's need for a personal assistant, or their economic needs. Some groups offer people with disabilities the same discount as students or older adults on a request basis.

I. Meetings
Including conferences, seminars, and panels
ADA 28 CFR Secs. 35.149, 35.160, 35.161, 36.303, and 36.308

Questions	Yes	No	Guidance
Care is taken to assure that people with disabilities, as with individuals who are culturally diverse, are represent at meetings as:			Studies show that when underserved populations are under represented in cultural activities, they are underserved as well.
• Speakers	☐	☐	
• Panelists	☐	☐	
• Artists	☐	☐	
• Participants	☐	☐	
Recruitment materials contain a nondiscrimination policy statement.			
• TTY phone number where other phone number are listed	☐	☐	TTY symbol
• Relay phone number	☐	☐	
For meeting held in locations outside the organization (e.g., a hotel), the TTY or relay number for the meeting site is listed.	☐	☐	

When selecting a meeting site outside your facility, an access expert is consulted to assure the meeting site is physically accessible, including meeting rooms, reception space, dining areas, hotel rooms, parking and off-site events.	☐	☐	The local Independent Living Center or other access groups may provide information on accessible meeting sites or an access expert to survey a potential site. You may obtain a copy of the free publication, Accommodating All Guests: The Americans with Disabilities Act and Lodging Industry from the ADA Information Center Mid-Atlantic Region at http://www.adainfo.org/publications See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 7, pp. 137-138.
Meeting may be accessed by public transportation or by reasonable taxi fare.	☐	☐	
Offer to send participants with disabilities in advance			
• A map and/or written directions to meeting	☐	☐	
• A floor plan of meeting areas that includes restrooms, accessible entrances, and food service areas	☐	☐	
• Information on wheelchair accessible transportation (e.g., van service to/form airport)	☐	☐	
Participants are asked in advance of meeting if they need any services at the meeting including:			For meetings that are open to the public, a full range of access services should be provided.
• Accessible hotel room	☐	☐	For meetings that require registration, only those services that are requested must be

• TTY (TT/TDD) at meeting site	☐	☐	provided.
• Assistive listening system	☐	☐	See *Guide*, **Step 4:** "Planning for Your Advisory Meeting" and **Step 8:** Producing Access Workshops Conferences and Training.
• Computer-assisted note-taking	☐	☐	See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 7, pp. 138-139.
• Print materials in alternate format, including audio cassette, computer disk, large print, and Braille	☐	☐	
• Reader	☐	☐	
• Audio description for audio visuals	☐	☐	
• Caption or sign/oral interpreters for audio visuals	☐	☐	

Accessibility Symbol

Telephone Typewriter

Braille Symbol

CC Closed Captioning

OC Open Captioning

Large Print Large Print (18 pt. or larger)

Access for those who are blind or have low vision

For participants who cannot use traditional print, print materials (e.g. agenda, panel book, discussion papers) are sent well in advance of meeting in the appropriate alternate format. Or Funds are set-aside for a reader who can read materials to the participant.	☐ ☐	☐ ☐	Where there are large amounts of pre-meeting materials to read (e.g., a panel book), it may be more convenient and time saving for both staff and the participant/panelists to provide funds for the participant/panelist to hire a reader.
Accessible vans/buses are provided for off-site meetings, including social events.	☐	☐	Transportation that accommodates people with limited mobility, including persons using wheelchairs as well as non-disabled participants is preferred.
Staff or volunteers are offered to meet participants with disabilities at transportation terminal or at meeting site entrance to show them meeting room(s), restrooms, and food service area.	☐	☐	As with all participants, every effort should be made to assure everyone's comfortable participation.
There is an accessible route, a 36" clear pathway to/from meetings, restrooms, dining areas, registration area, and entrance, as well as to panel table, or in audience seating. [*ADAAG* 4.3.3]	☐	☐	
Wheelchair seating space in all meeting rooms is integrated into and dispersed throughout the regular seating area with aisles that re a minimum of 36" wide. [*ADAAG* 4.33.3]	☐	☐	Symbol for Accessibility

J. Food Service
Including restaurants, dining areas, banquet rooms, counter, and vending areas.

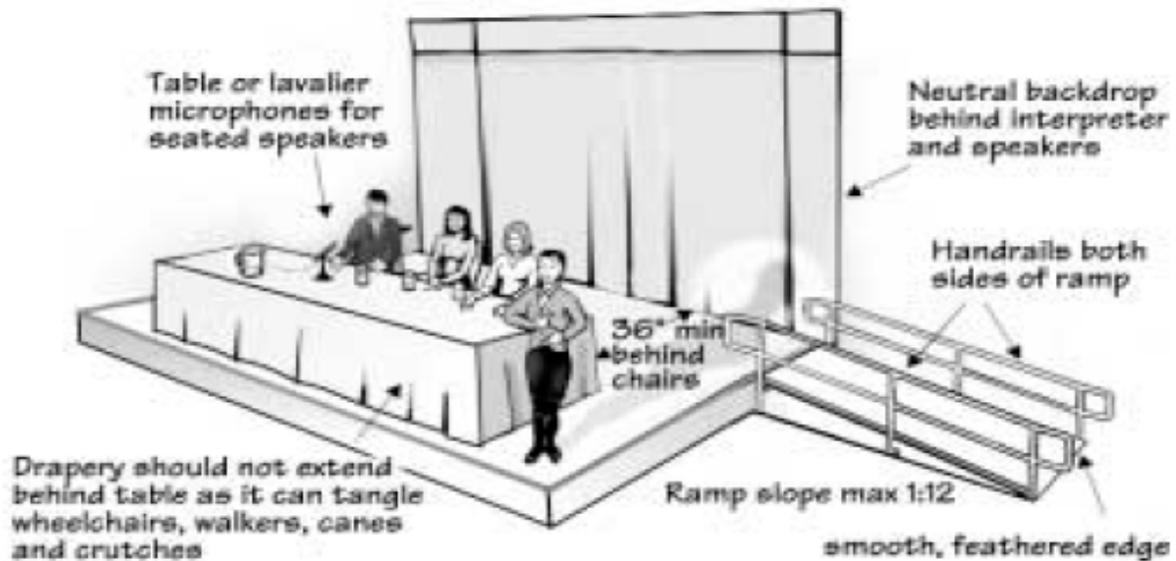| Questions	Yes	No	Guidance
At serving counters and bars where food or drink is served, there is one section of the counter that is no more than 34" above the floor and at least 60" long. [*ADAAG* 5.2] Other elements:	☐	☐	A person in a seated position must be able to reach food and tableware. See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 3, pg. 77.
• All food and elements (including tableware, condiments, and vending machines) needed by user are between 9" and 54" above the floor [ADAAG 4.1-3.35 and 5.1]	☐	☐	
• Food service aisles are at least 36" of clear width.	☐	☐	
Aisles to and between accessible seating locations are at least 36" of clear width. [*ADAAG* 5.3]	☐	☐	The space required for a wheelchair to make a 180-degree turn is a clear space of 60" in diameter.
Each table has one side that is not blocked by a fixed seat or bench.	☐	☐	 Symbol for Accessibility
The top of the table is between 28" and 34" from the floor. Knee space is at least 27" high, 30" wide, and 19" deep. [*ADAAG* 4.32.3-.4]	☐	☐	

K. Gift Shops and other Merchandise Areas

Questions	Yes	No	Guidance
Merchandise counter top is a maximum of 36" high. [*ADAAG 7.2(2)*]	☐	☐	An auxiliary counter with 36" maximum height may be provided next to the inaccessible one. See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 3, pg. 78.
Aisle is at least 36" of clear width leading: • To and in front of the merchandise counter [ADAAG 7.2(2)] • From entrance to counters (including cash registers) to displays	☐ ☐	☐ ☐	It is important to train staff, including sales, maintenance, and cleaning staff, concerning the importance of keeping trash receptacles, boxes, ashtrays, and furniture clear of the accessible pathways and elevator panels.
Aisles and pathways between exhibits are at least 36" of clear width. [*ADAAG 4.3.3*]	☐	☐	60" is preferred in aisle to allow room for passing and a 60" diameter is required to make a 180-degree turn.
The lowest viewing point of display cases, stands, and tables measure no more than 36" from the floor. [*ADAAG 2.2(2)*]	☐	☐	This permits objects to be in clear view of people in seated or standing positions, as well as people of short stature. See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 6, pp. 117-118.
View of exhibit is no blocked by handrails, signage, display, windows, etc.	☐	☐	Seated people should be able to see over such obstructions.
Wall-hung items are displayed at a comfortable viewing zone for both standard and seated individuals.	☐	☐	See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 6, pg. 118, "Comfortable Viewing Zones."

L. Presentations and Programs

Questions	Yes	No	Guidance
Sign language or oral interpretation for at least one presentation of each production/event.	☐	☐	People who lip-read need oral interpreters and those who use American Sign Language or Signed English need qualified interpreters. Lighting and placement of the interpreter(s) is example, each program may require different interpreter locations. Consulting with the interpreter(s) concerning the most appropriate location is best.
Designated spaces for interpreters. Sign Language Interpretation	☐	☐	See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 5, pp. 105-107.
Audio description for at least one presentation of each production/event.	☐	☐	It is important to clearly designate which productions/events will be interpreted and audio described. Example:
Designated space for audio describer.	☐	☐	The March 17 production of Children of a Lesser God will be audio described.
Assistive listening systems: [*ADAAG* 4.33.6-.7]			An assistive listening system amplifies sound and transmits it to a person's hearing aid or a receiver. In addition, it is used to transmit audio description. The minimum number of receivers should be equal to 4% of the total number of seats, but no less than two receivers.
• Infrared	☐	☐	[ADAAG 4.1.3(19)b]
• Audio loop	☐	☐	
• FM	☐	☐	See *Design for Accessibility: A Cultural Administrator's Guide*,

• AM Assistive Listening System	☐	☐	Chapter 5, pp. 102-104, "For People with Hearing or Speech Disabilities."
Accessible microphones and egress to them. [*ADAAG* 4.3]	☐	☐	A microphone fixed on a stand with boom and a music stand for speakers' notes or a standing microphone on a table is generally accessible to a seated person.
Appropriate signage in the lobby or meeting area indication the availability of various access services. [*ADAAG* 4.1.3(19)b and 4.30]	☐	☐	**Example:** Hear Every Word! Assistive Listening Devices are Available at the Counter.
Access services are publicized in programs, registration forms, brochures, subscription materials, etc. [28 CFR Sec. 35.163; 36.303]	☐	☐	**Example:** The November 1 performance of *Fences* will be interpreted in American Sign Language. See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 6: "Accessibility in Arts and Humanities Activities."
Advance copies of lecture or programs notes, librettos, scripts, and/or program synopses.	☐	☐	Such services may assist many participants in better understanding the information and/or program.
Pre-program orientations, including tactile tour of stage area or meetings with the interpreters.	☐	☐	

There are no fees for access services. [28 CFR Sec. 35.130(f), 36.301(c), 36.303 and 36.304] [8 CFR Secs. 35.149 and 35.160]	☐	☐	Fees should never be charged for access services (e.g., headsets for the assistive listening system). The services are the same as providing a chair or a public address system for participants so they may comfortably experience the program.

Table or lavalier microphones for seated speakers

Neutral backdrop behind interpreter and speakers

Handrails both sides of ramp

36" min behind chairs

Drapery should not extend behind table as it can tangle wheelchairs, walkers, canes and crutches

Ramp slope max 1:12

smooth, feathered edge

Speakers Platform

M. Exhibitions
ADA 28 CFR Secs. 35.149.60, 36.303, and 36.304

Questions	Yes	No	Guidance
Aisle and pathway between exhibits are at least 36" of clear width. [*ADAAG* 4.3.3]	☐	☐	60" is preferred to allow room for passing.
There are areas to sit and rest.	☐	☐	Seating should have backs and armrests.
The lowest viewing point of display cases, stands, and tables measure no more than 36" from the floor. [*ADAAG* 2.2(2.)]	☐	☐	This permits objects to be in clear view of people in seated or standing positions, as well as people of short stature.
View of exhibit is not blocked by handrails, signage, display windows, etc.	☐	☐	Seated people should be able to see over such obstructions.
Wall-hung items are displayed at a comfortable viewing zone for both standing and seated individuals.	☐	☐	See diagram in *Design for Accessibility, A Cultural Administrator's Handbook*, Chapter 6, pp. 117-118.
The signature pieces (objects that represent the theme of the exhibition) are accessible as well.	☐	☐	See Smithsonian Guidelines for Accessible Design, Smithsonian Accessible Program. Washington DC: Smithsonian Institution Press http://www.si.edu/opa/accessibility/exdesign/start.htm

Key objects are displayed under a minimum of ten footcandles of light. Access (Other Than Print or Braille) for Individuals Who Are Blind or Have Low Vision	☐	☐	Otherwise, it should be possible to raise light levels for visitors on request basis. (or) Information on object is provided in an alternative format that is located near the objects (e.g., photographs of objects with ten foot candles of light). The curator, registrar, designer, educator, and advisor with low vision should be included in the decision-making process. Strength of lighting is referred to as the illumination level and is measured in units called lux (one lumen per square foot). One footcandle equals ten lux.

Comfortable Viewing Zone

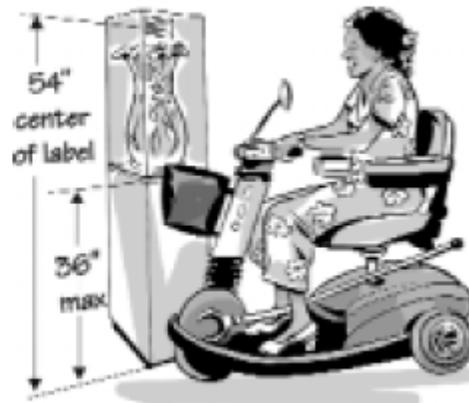|			
There is 30" x 48" clear floor space in front of audio-visual displays or computer interactives with accessible egress to them. [*ADAAG* 4.2.4.]	☐	☐	The top of the table should be between 28" and 34" from the floor. Knee space should be at least 27" high, 30" wide, and 19" deep. [*ADAAG* 4.32.3-.4]
Controls (e.g., levers, buttons) for interactive exhibits are designed or modified to be accessible to people with disabilities. [*ADAAG* 4.27]	☐	☐	Mechanisms to be manipulated on exhibits should be mounted at a maximum height of 54" for a side approach and a maximum height of 48" if only a frontal approach is available.
Controls are operable with one hand and do not require tight grasping or twisting of the wrist.	☐	☐	Controls should be at least ¾" in their smallest dimension.

Display Case Short   Display Case Tall
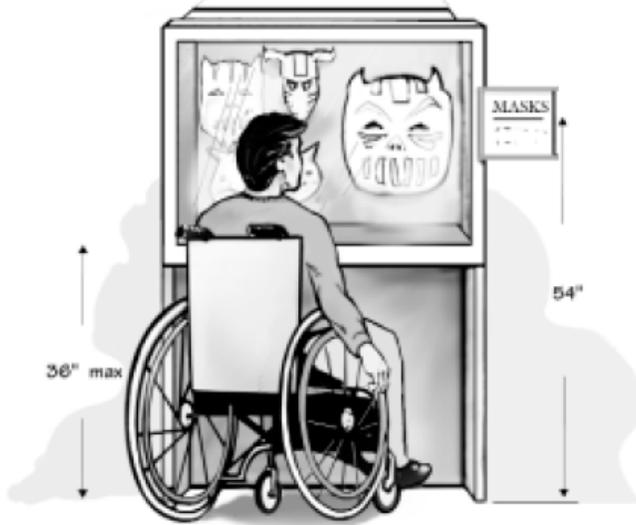
Display Case Wall Mount

Tactile Display

Video displays are:			In some situations, an alternate accommodation would be to place scripts of the program (with pictorial cues) next to the video display for use by the public.
• Open or closed captioned	☐	☐	
• Audio described	☐	☐	Closed Captioning Open Captioning
Manipulatives or devices requiring people to speak directly into them or put their ears next to the objects to listen are no higher than 41" from the floor.	☐	☐	
Receivers for audio presentations have individual volume controls.	☐	☐	Assistive Listening System
Instructions that are approachable within 3" are presented in high contrast, sans serif or simple serif fonts, with a minimum capital height of ¼".	☐	☐	If the keyboard is not in standard QWERTY format, it should have raised letters or symbols.

Protruding wall mounts displays/objects do not protrude more than 4" from the wall unless there is a cane-detectable barrier with 27" of the ground. [*ADAAG* 4.4.1-2]	☐	☐	For example, the backside of staircase that is not enclosed. See diagram in *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 3, pg. 69.
There should be at least 80" of clear headroom along any pathway.	☐	☐	If headroom is less than 80", there should be a cane-detectable barrier within 27" of the ground.
Selected artifacts and objects may be touched.	☐	☐	Exploring it through touch will substantially enhance a blind or partially sighted person's appreciation of an object. The multi-sensory approach not only benefits people with vision loss, but also enhances the experience and interpretation for children and people with learning disabilities.
Small tactile models of large sculpture or objects.	☐	☐	Everyone, including a person in a seated position, should be able to reach all sides of the model.
Audio described tours are offered of paintings, prints, and objects that cannot be touched. How often? _____	☐	☐	Docents and volunteers must receive specific training to describe art and objects for individuals who are blind or partially sighted. See Part 2 the "Visual Arts Resource Directory".
Sign and oral interpreted tours. How often? _____	☐	☐	Many people who are deaf use American Sign Language, a distinct language, other use Signed English or oral interpretation. In any case, it is important to have a qualified interpreter who is able to effectively convey the presentation. See *Design for Accessibility: A Cultural Administrator's Handbook,* Chapter 3, pg. 69.
Signed or oral interpreted lectures and other programs. How often? _____			

Assistive listening system for lectures, films and other programs.	☐	☐	Assistive Listening System
Tours and materials are offered for people with learning and developmental disabilities.	☐	☐	Accommodations may include recorded and print materials; touch tours, and speaking in short clear sentences.
Docents and volunteers receive regular training on touring individuals with various disabilities.	☐	☐	Your Access Advisory Committee and organizations that serve people with various disabilities may assist with the training.

N. Exhibition Labeling

Questions	Yes	No	Guidance
Signs and labels may be read from a seated position. They are: • Vertically at the back of the case • On the outside of the case • At a slant inside a transparent case.	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	There are a number of actors that contribute to a person's ability to read exhibit text and labels, including viewing distance, viewing angle, lighting, character style, leading, color and contrast. Labels and exhibit text should be mounted between 48" and 67" from the floor. Ideal installation height is centered 54" flat against the wall. See *Design for Accessibility: A Cultural Administrator's Handbook*, Chapter 6, pp. 117-119.
Labeling is: • In large, clear type with adequate spacing between characters • Characters are in sans serif or simple sans fonts. • With high contrast of colors	☐ ☐ ☐	☐ ☐ ☐	Print should measure a minimum of ¼" high (18 point). Size should depend on closet viewing distance. One point equals 1/72". Sighted person at a distance of six feet or more may read 5/8" high letters comfortably. A minimum of 70% contrast is considered high contrast. Black and white 100% contrast. 18- Point Print

• On non-glare surface	☐ ☐	# 36- Point Print When a font this difficult to read is used to convey a message (i.e., a time period or theme), duplicate text with sans serif and simple serif fonts may be mounted adjacent to it.
No labels are silk-screened on plexiglass without a screened-on contrasting color background.	☐ ☐	
Labels are mounted so a person may approach within 3" of the label without encountering a barrier or protruding object or setting off an alarm.	☐ ☐	Low vision devices (e.g., a magnifier) often require that individuals be quite close to objects.
In addition, labeling text is available on Braille brochure or audiocassette as part of an audio description presentation.	☐ ☐	Refer to guide publish by the Smithsonian.

O. Print Materials

Questions	Yes	No	Guidance
Print materials, including brochures, catalogues, programs, guidelines, and publicity are provided in alternate formats:	☐	☐	**Example:** 18- Point Print Many libraries and organizations serving people with disabilities will produce print materials in alternate formats at minimal cost. **Large Print** Accessible Print (18 pt. or Larger)
• In large print (18 point or larger)	☐	☐	
• In sans serif or simple serif fonts	☐	☐	
• On audio cassette tape	☐	☐	
• On computer disk	☐	☐	
• In Braille	☐	☐	
Permanent publications are produced and stocked in alternate format.	☐	☐	**Example:** **?** **Braille** People who do not use conventional print may obtain copies of this book on computer disk or on audiocassette. Please write or call (Name of Organization) at (phone number).
Periodicals such as guidelines and programs are produced in alternate formats on a request basis.	☐	☐	

P. Media

Questions	Yes	No	Guidance
The following services are provided to make audio visual materials accessible:			Open captioning is always visible; closed captioning provides the choice of whether or not the viewer wishes to display the caption.
Closed captioning	☐	☐	Lighting and placement of interpreter are important considerations in events and performances.

Audio description is generally written, pre-recorded on a separate audio track, and produced with the particular television program, video, or film. Further, it may also be offered live with a particular film, video, television, or slides. This is done in the same way theater performances are audio described and heard by each person wearing an earphone that is connected to a transmitter. |
| Sign language interpretation | ☐ | ☐ | |
| Audio description | ☐ | ☐ | |

Q. Marketing and Publicity

Questions	Yes	No	Guidance
The availability of access services are publicized in the following:			Public affairs and marketing efforts for people with disabilities should be approached like any other audience development project. Studies show that people who are older and disabled are not only underserved in arts, but are a vastly untapped resource for the cultural community. As with any other underserved population, every effort should be made to reach, interest, and involve the targeted populations in your activities, including identifying the kinds of media they use, and what organizations they belong to or frequent.
• Season brochures	☐	☐	
• Press releases, newsletters, subscriptions series, and other publications	☐	☐	
• Program, playbill, poster	☐	☐	
• Paid advertising	☐	☐	See Graphic Artist Guild's Web site for disability access symbols at http://www.gag.org/resources/das.php.
• Public Service Announcements	☐	☐	
• Radio reading service	☐	☐	
• Computer bulletin boards used by people with disabilities	☐	☐	
• By telephone	☐	☐	
• By TTY (TT/TDD) or relay services	☐	☐	
• Signage with access symbols in the entrance, lobby, and/or reception area	☐	☐	
• Contacting national and local organizations that include/serve people with various disabilities	☐	☐	

• Presentations/participation in regional/state/local meetings of cultural, disability, and aging groups	☐	☐	
TTY (TT/TDD) number is listed whenever the organization's phone numbers are listed, including on letterhead, in programs, and in phone directories.	☐	☐	
Provide an access brochure that describes services for people with disabilities.	☐	☐	Access brochures are helpful to many and highlight the wide variety of services offered. However, it is not a substitute for advertising in the multiple media.
Staff is aware of all access services and can answer question accordingly.	☐	☐	See Step 8 of *Design for Accessibility: A Cultural Administrator's Guide.*

include guidelines and tools (exhibition items, label design and, audiovisuals, circulation route, furniture, color, lighting, public programming spaces, emergency egress and children's environments); resources; glossary; and appendix (checklist for publications, language usage, access symbols, list of illustrations, production notes).

The guidelines are, in part, based on construction standards established for the Architectural Barriers Act of 1968, the Rehabilitation Act of 1973 and the ADA of 1990.

Universal Design Tools

The Principles of Universal Design, Version 2.0 (1997)
Raleigh, NC: North Carolina State University.
(http://www.design.ncsu.edu/cud/univ_design/principles/udprinciples.htm) The principles of universal design were developed by the Center for Universal Design in collaboration with a consortium of universal design researchers and practitioners across the United States. The document contains the principles as well as guidelines and a list of key elements that should be present in a design that adheres to the principle.

STEP 7: Develop an Access Plan

Guidance on Developing an Access Plan

What a Self Evaluation and Transition Plan Should Do

Establishing Priorities for Your Access Plan

Best Practices –Long Range Plans with Access Provisions

Publications About Services and Accommodations for People with Disabilities

Resource Directory for Developing an Access Plan

Financial Considerations

Funding Access Compliance Through Grants Programs

Creative Financing Alternatives: Identifying Resources

Guidance on Developing an Access Plan

Compliance with the Section 504 and the stipulations of the ADA should already have been accomplished. The Americans with Disabilities Act became effective January 26, 1992; under Title II, organizations receiving federal funds should have completed an access self-evaluation by January 26, 1993, to determine if their organization is "accessible and usable by" people with disabilities. The ADA stipulated that all Title II entities make structural changes to insure program accessibility by January 26, 1995.   All transition plans and records their progress should be kept on file for public viewing.

Remove barriers to **existing facilities** and assure that **all new construction, renovation, and alterations** meet or exceed applicable federal accessibility standards.

Explain the **methods that will be used to make access improvements**. Include information about any necessary fundraising or available sources of funds. **According to the Rehabilitation Act, Section 504, not every program nor every floor needs to be accessible, but enough accessible programs or facilities must be provided so that people with disabilities have an equal opportunity to benefit from the organization's program offerings, 'when viewed in their entirety."** However, the passage of the 1990 Americans with Disabilities Act has made equal access to cultural programs and services a civil right, whether or not federal aid is involved. ADA Title III regulations are more inclusive, extending equal access to places of public accommodation (such as movie theaters, restaurants, galleries and concert halls) operated by groups that do not receive federal funds.

The implementation of an access policy and plans should be incorporated into your cultural organization's overall Long Range Plan. Of course, maintaining and improving accessibility should be considered on a regular long-term basis.

Your Access Plan may serve as partial documentation of your **"good faith" efforts to comply with the ADA** should grievances arise. However, people with disabilities should not have to initiate litigation; what is required is equal access with dignity.

Experience has shown that when access to services, programs, activities and employment are given a high priority it is reflected in an organization's mission statement, policies and guidelines.

Access improvements should strive to go above and beyond the law. While common sense plans must be made to meet minimum access requirements, cultural organizations may be creative in developing new strategies to include the 20% of Americans who have disabilities.

The law, as well as guidance from your Access Advisory Committee, should determine the priorities identified in your access plan. The plan reflects your organization's compliance with the law and methods to integrate people with disabilities into all aspects of your organization.

What a Self Evaluation and Transition Plan Should Do

1) **Identify and review all policy, employment, physical and programmatic barriers that limit access to the organization's facilities, service and programs.** These barriers may be determined by performing the Arts and Humanities Accessibility Checklist and must involve the assistance of individuals with disabilities. **(**See Step 4: Access Advisory Committee and Step 5: Evaluate Your Organization's Accessibility: The Arts and Humanities Accessibility Checklist).
2) **Prioritize access improvements in policy, employment issues, facility, programs and services, with measurable goals and objectives**. Identify

readily achievable improvements first and then begin the process of planning for those requiring more long-range plans that involve extensive design and construction work. The ADA requires that places of public accommodation [e.g., for-profit and non profit theatres, museums, libraries, galleries] remove architectural barriers when they are "readily achievable," and can be accomplished without much difficulty or expense.

3) Develop a timetable with completion dates for steps necessary to achieve full accessibility.

4) **Identify the person(s) responsible for the implementation of the plan.** This person could be your ADA Coordinator or a member of your Access Advisory Committee.

5) **Establish** a time frame and review method for ongoing monitoring and assessment; for example, schedule subsequent accessibility reviews of your organization by your Access Advisory Committee.

6) **A copy of the plan should be available for public inspection.** According to Section 504, arts and humanities agencies and organizations receiving federal funds, must have a copy of the plan available for public inspection.

Establishing Priorities for Your Access Plan

When developing an access plan, a cultural organization should develop its priorities and create a timetable for barrier removal on the basis of the following:

- Whether the improvement or removal of the barrier is readily achievable
- Is a recommended priority area by the Department of Justice
- Incorporates principles of universal design to accommodate a diverse group of users of cultural facilities

Readily Achievable Improvements and Accommodations

Your plans may include readily achievable improvements that address architectural barriers as well as the policies and practices of your cultural organizations. Examples of readily achievable improvements that can be made **immediately, at no cost or inexpensively**, include:

1. Developing and convening an Access Advisory Committee;

2. Adding definitive access language to your policies and guidelines;

3. Providing all agency publications on cued audio tapes or large print upon request;

4. Publicizing the accessibility of your organization's activities and services in print and/or media;

5. Conducting access training for staff and board;

6. Establishing an office policy that requires using accessible facilities for all agency activities;

7. Installing a TTY; training staff to use it; and including the number wherever your organization's other phone numbers are listed;

8. Compiling resource lists of availability and costs of access accommodations in your locality;

9. Recruiting people with disabilities for grant review panels;

10. Lowering display cases and counter tops;

11. Installing large print labeling/signage;

12. Removing fixed seating for wheelchair spaces.

See also: Step 6: "Arts and Humanities Accessibility Checklist" for additional "possible solutions" to access problems, which may be included in your agency's short and/or long term access planning.

The Americans with Disabilities Act Checklist of Readily Achievable Barrier Removal Checklist for Existing Facilities version 2.1 August 1995 (http://www.usdoj.gov/crt/ada/racheck.pdf) is included as part of the Arts and Humanities Accessibility Checklist. It was designed to identify accessibility problems and solutions to assist organizations to plan how to make their facilities more usable by people with disabilities. The checklist is organized according to the priority areas, and provides possible solutions to identified barriers.

Alternatives to Barrier Removal (http://www.ada-infonet.org/ada-infonet/documents/architectural-documents/Alt%20to%20barrier%20removal.pdf) is a fact sheet produced by Adaptive Environments that describes options for places of public accommodation, including cultural organizations when modifications are not readily achievable.

Recommended Priority Areas by the Department of Justice

The Department of Justice's **Title III Technical Assistance Manual** (http://www.usdoj.gov/crt/ada/taman3.html) recommends priority areas for the removal of barriers in existing facilities. Because the resources available for barrier removal may not be adequate to remove all existing barriers at any given time, the regulation suggests a way to determine which barriers should be dealt with first. The purpose of

these priorities is to facilitate long term business planning and maximize the degree of effective access that will result from any given level of expenditure. These priorities are not mandatory. Public accommodations are free to exercise discretion in determining the effective "mix" of barrier removal measures to undertake in their facilities.

Priority 1: **Get people in the door.** Enable individuals with disabilities to physically enter your facility**.** "Getting through the door" recognizes that providing physical access to a public facility from public sidewalks, public transportation or public parking is generally preferable to any alternative arrangements in terms of both business efficiency and the dignity of individuals with disabilities. Solutions include installing 1:12 grade ramps, widening entrances and providing accessible parking spaces.

Priority 2: **Provide access to goods and services.** Provide access to those areas of a place of public accommodation where goods and services are made available to the public. For example, individuals with disabilities should have access to assistance at the front desk, as well as to any other areas that are available to other patrons, such as exhibition areas or dispersed seating in theaters.

Priority 3: **Provide access to restrooms.** If restrooms are provided for use, they should also be accessible to those with disabilities.

Priority 4: **Remove any remaining barriers.** The remaining barrier removal efforts address amenities or services provided by the organization or facility.

Universal Design Considerations

[See Part 1: Universal Design] Whereas barrier free design focuses on meeting the federal accessibility standards for inclusion of people with disabilities, the intent of universal design is to simplify life for everyone by making products and environments usable by as many people as possible at little or no extra cost. Following the principles of universal design to create more inclusive and universally accessible environments, cultural facilities would consider the following:
- Site design that is easily accessible from public transit, parking and public pathways.
- Entrances and how they are used for drop off, waiting, ticket purchase or group assembly.
- Spatial organization of facilities so that users can find the event, performance, reading or exhibit as well as restrooms or telephones.
- Signage systems that help support way finding.
- Exhibits and collections made available to the broadest population by (1) providing alternative media, such as Braille, audiodescription, tactile maps, open

and/or closed captions and in other languages; (2) designing exhibits at varying heights, with multi-sensory hands-on experiences for people of varying abilities; (4) creating pathways through exhibits that accommodate wider patterns of use by adults pushing strollers or wheelchairs; and (5) lighting that enables access to content by eliminating deep shadows. [From: Universal Design: New York (2001) Center for Inclusive Design and Environmental Access, (http://www.ap.buffalo.edu/idea/publications/udnypdf.htm) School of Architecture and Planning, University at Buffalo, The State University of New York.]

Organizing Your Access Plan

Organize the results of the survey or checklist in a chart. For example, the following sample chart has five columns. The first column lists the identified barriers; the second column describes the method for eliminating the barriers; the third denotes the person or department responsible barrier removal; and the fourth is the estimated cost. The fifth column specifies projected start and completion date.

The following is a sample access plan:

Element/Barrier	Methods	Responsible Person/Dept	Estimate	Timeline Start/ Completion
Doors	Replace knobs with lever hardware throughout.	Facilities	$12,400	3/03 -5/04
Women's Restroom—No accessible stall	Combine 2 stalls to create a fully accessible one	Facilities	$2,000	3/03 -3/04
Printed Material does not include information about access	▪ Collect samples from other organizations ▪ Acquire Disability Access Symbols ▪ Consult with Access Committee regarding content and presentation ▪ Work with Graphic Designer to Produce Prototypes	Visitors Services and Accessibility Coordinator	General Operating Budget	2/03 -7/04
Room Signs-No Tactile and Braille	Add compliance room signs at permanent and common use spaces	Facilities	$329 $5 cost for interim solution of plastic self-adhesive labels	2/00 - 3/00

See also: **Americans With Disabilities Act (ADA) Plan Outline** (http://www.njartscouncil.org/ADA%20Plan%20Outline.pdf) Produced by the New Jersey Arts Council, this outline for ADA plans is intended to help cultural groups develop a complete, well-organized plan and will help standardize all ADA plans in the cultural community.

Best Practices- Long Range Plans with Access Provisions

Long Range Planning: Using Your Access Committee

Using Your Advisory Committee to Create a Long Range Plan: Florida Arts Council Meeting Agenda Questions

Long-range issues to address at February 21, 1995 meeting:

1) What should the composition of the Resolution Procedure Committee be?

2) Should the existing Advisory Committee convene again to evaluate the progress of the Division's efforts?

3) Should the initiatives be recommended to the Florida Arts Council that focus on greater inclusion of persons with disabilities?

   For example, what can the Division of Cultural Affairs do to encourage participation by persons with disabilities in programs such as:

   - Capitol Complex Exhibition Program/ Arts in State Building Program
   - Individual Artist Fellowship Program
   - Arts in Education/ Artist Directory
   - Grant Review Panels
   - Marketing and Promotion of DCA programs

4) Should the Division of Cultural Affairs periodically schedule Access Education workshops for grantees and DCA staff? (How often?)

Strategic Planning and Establishing Access Goals

Ohio Arts Council's Long Range Plans including Access Objectives/Strategies

Goal I: **Provide Support for the Arts**
    Strategy 2: Revise the grants making process
- Success Indicators – Increase in audience and/or more positive audiences survey responses FY 1999 –9,835; FY 2000 – 867, 671

    Strategy 3: Examine the grants making process for procedural efficiencies
- On-site reports used to guarantee compliance with ADA

    Strategy 4: Create reference directories of services, venues, comparable organizations, types of artists, consultants and arts educators
- Increased accessibility to more constituents via technology

Goal IV: Improve Constituent Capacity Building
    Strategy 6: Ensures that constituents are building diverse audiences. Create seminars that focus on building art relationships among ethnic, regional, economic and people with disabilities

    Organization's profile should reflect community demographics. Programs should be accessible in accordance with the Americans with Disabilities Act

- Persons with disabilities appointed to all support for organizations panels
- ADA compliance questions on all applications
- BDA meetings with statewide advisory committees (Artists with Disabilities Network Ohio)
- # of applications checking ADA full compliance

Goal VI: Impact the Future of the Arts
    Strategy 1: Continue to impact arts and cultural organizations in policy and cultural development
- OAC monitors progress of arts and cultural organizations to include minority artists and artists with disabilities in programming and operations;
- Increase in the number of minority artists and artists with disabilities;
- Included on boards, staff and programming committees;

- Arts and cultural organizations include minority artists and artists with disabilities in planning structure;
- OAC will disseminate information through technical assistance workshops that assist artists, arts and cultural organizations in the implementation of ADA legislation;
- All OAC grantees will comply with ADA rules;
- Arts organizations will develop more programs with the artists with disabilities;
- Organization's long range planning processes include strategies (steps) for including artists with disabilities;
- ADA workshops part of fall 1998 regional workshops;
- Organizations complete an ADA self-assessment and submit to OAC;
- Organizations conduct sensitivity workshops for board and staff;
- Increase in the number of people with disabilities on staff and board;
- Demonstrated participation by artists with disabilities in arts programs.

The Idaho Commission on the Arts Five Year Fiscal Plan 2003 – 2007

Goal 4

PROVIDE UNDERSERVED CONSTITUENTS GREATER ARTS ACCESS AND OPPORTUNITY FOR PARITICPATION

Objective 1:   Stimulate the exchange of information and learning among artist, arts organizations, and constituents in more communities.

Objective 2:   Act as principle convener, facilitator, and information resource for the arts in Idaho.

Objective 3:   Support the continuation of cultural and artistic traditions rooted in Idaho's ethnic, occupational, and cultural communities.

Objective 4:   Develop new audience for the arts.

The newly adopted long range plan, Goal 4, Objective1, Benchmark 4, is a plan for developing an ADA/504 Steering Committee and comprehensive agency accessibility plan. Timeline will begin in November 2003 for project adoption July 2006.

South Dakota's Long Range Plan
Fiscal Years 2002- 2004

The following is excerpted from the long-range plan Goal 6: Remove Barriers to Accessibility. Accessed January 4, 2004 from http://www.state.sd.us/deca/sdarts/Pubs/longrangeplan/longplangoal6.htm

e. Assist South Dakota artists and arts organizations to be cognizant of the legal requirements and ways to comply with the Americans with Disabilities Act (ADA).

FY2002	FY2003	FY2004
Distribute explanatory and "how to" ADA publications to subgrantees.	Distribute explanatory and "how to" ADA publications to subgrantees.	Assess grantee ADA compliance as part of updating of SDAC plan.
Promote disability awareness to organizations and artists at Statewide Arts Conferences.	Evaluate and plan for similar training at future conferences.	Promote disability awareness to organizations and artists at Statewide Arts Conference. Evaluate as part of long-range planning.
Encourage technical assistance for grantees not in compliance.	Encourage technical assistance for grantees not in compliance.	Evaluate compliance as part of long-range planning.
Seek additional artists with disabilities for inclusion on the Touring Arts and AIS rosters.	Seek additional artists with disabilities for inclusion on the Touring Arts and AIS rosters.	Seek additional artists with disabilities for inclusion on the Touring Arts and AIS rosters.
Explore future programming possibilities with Very Special Arts (VSA).	Implement programming.	Evaluate programming as part of long-range planning.
Continue the criteria for accessibility and service to underserved communities in SDAC's grant-making process.	Help connect arts organizations to information, training, consulting, and resources to make and implement accessibility plans.	Evaluate local accessibility as part of long-range planning.

Planning for Accessibility Awareness and Training

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Illinois Arts Council Policies and Procedures (2003)

The IAC is engaged in developing strategies that will improve the level of awareness and understanding of accessibility issues. In the next year the staff will research the feasibility of:

- Holding bi-annual meetings with program directors to provide a forum so that all staff is aware of accessibility-related projects supported by the IAC and can evaluate the success and challenges of those projects;

- Enhancing grants writing workshops to include a section on accessibility, to assure that each applicant is aware that accessibility is an agency priority, and;

- Providing an Accessibility Checklist in every grant application for organizations that outlines the basic requirements for accessibility.

Future Projects and Initiatives

In order to learn how other state art agencies have addressed these issues, the IAC ADA Coordinator will:

- Send a survey to a number of other State ADA Coordinators who attended the recent NASAA conference in Detroit.

- Develop a comprehensive communication and public awareness plan to support arts and accessibility;

- Provide an Accessibility update outlining IAC ADA related policy and procedure changes at the next statewide arts conference convened by the Illinois Arts Council and the Illinois Arts Alliance to be held in May 2003.

- Institute a best practice column on the IAC Web site to publicize examples of high quality, creative accessibility programs as a learning source for all our constituents.

- Explore the opportunity for creating a statewide network of artists and organizations that are concerned with accessibility issues.

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Montana Arts Council
FY2001-2006 Strategic Plan:
"A blueprint to launch the 21st century"

ARTS EDUCATION OBJECTIVE 2:
Improve The Arts Skills of the Teachers and the Teaching Skills of the Artists

Strategy B: Training Institute

Short-Term Tactics 2001-2002

Present a training institute with Very Special Arts Montana in 2001 and 2005 to prepare artists to teach people with disabilities and disability specialists to use the arts.

Accomplishments 2001-2002

- Very Special Arts artist training workshops presented for Artists in the Schools and Community Program
- VSA colleagues in western U.S. begin to produce training materials Montana now uses

Strategies for Implementing and Promoting Partnerships

Illinois Arts Council (2003)

Other State Agency Cooperative Efforts

The IAC works closely with other state agencies whose mandate is to serve people with disabilities.

- This year, IAC grant programs were included in information packets distributed at the Illinois Department of Aging's annual conference.

- In 2003 the ADA Coordinator will give a presentation on IAC grants and accessibility opportunities at the Illinois Department of Aging's Annual Conference.

- The IAC ADA Coordinator is currently in discussions about initiating a joint statewide project with the Illinois Department of Human Services, the Bureau on Accessibility and Workplace Safety and the Chicago and Illinois chapters of Very Special Arts to showcase the artwork of artists with disabilities. The project will also provide information on the IAC grant programs, particularly the employment opportunities offered by the Youth Employment Program.

- Institute a best practice column on the IAC Web site to publicize examples of high quality, creative accessibility programs as a learning source for all our constituents.

- Explore the opportunity for creating a statewide network of artists and organizations that are concerned with accessibility issues.

Publications About Services and Accommodations for People with Disabilities

The following may assist you in planning for accommodations for people with disabilities.

**Accommodating Patrons with Disabilities:
A Survey of Ticket and Accommodation Policies for Performance Venues, Theaters and Sports Arenas** (http://www.ncaonline.org/arts/ticket-summary.shtml) by Jennifer K. Skulski, Ray Bloomer and Jeffrey Chait
Published in 2002 by the National Center on Accessibility, this report publishes the results of a survey conducted in partnership with John F. Kennedy Center for the Performing Arts, the ADA/504 Coordinators for the Arts and the Indiana Institute for Community and Disability that identified policies and procedures common to accommodating patrons with disabilities in performance venues and sports arenas. It also identified exemplary practices and issues without clear guidance or solutions.

Assistive Listening Devices for People with Hearing Loss: A Guide for Performing Arts Settings
(http://nadc.ucla.edu/library/AssistiveListeningBrochureKennedyCenterPrintable.pdf**)**
This is a practical guide published by the John F. Kennedy Center for the Performing Arts on providing access to theatre goers who are hard of hearing. It describes assistive listening devices, considerations when purchasing equipment, storage and maintenance, as well as a list of vendors.

Design for Accessibility: A Cultural Administrator's Handbook, **Chapter 1, Planning with Inclusion as the Goal**
(**http://www.arts.gov/resources/Accessibility/DesignAccessibility/Chapter1.pdf)**
See discussion of objectives and strategies for planning and additional resources.

Design for Accessibility: A Cultural Administrator's Handbook, **Chapter 5, Effective Communication and Program Access**
(**http://www.arts.gov/resources/Accessibility/DesignAccessibility/Chapter5.pdf**).
This chapter looks at auxiliary aids and services that provide effective communication and make programs inclusive to everyone.

Design for Accessibility: A Cultural Administrator's Handbook, **Chapter 6, Accessibility in Arts and Humanities Activities**
(http://www.arts.gov/resources/Accessibility/DesignAccessibility/Chapter6.pdf) Reviews services and accommodations provided in cultural facilities and programs.

Resource Directory for Developing an Access Plan

Adaptive Environments Center, Inc.
374 Congress Street, Ste. 301
Boston, MA 02210
Phone: (617) 695-1225
Fax: (617) 482-8099
Email: info@adaptiveenvironments.org
Internet: http://www.adaptiveenvironments.org
Description: Adaptive Environments Center provides architectural consulting services, conducts educational seminars, and produces publications on accessibility, including award-winning design guidelines. Publications list available.

Association of Science -Technology Centers Incorporated (ASTC)
1025 Vermont Ave. NW, Ste. 500
Washington, DC 20005
Phone: (202) 783-7200
Fax: (202) 783-7207
Email: info@astc.org
Internet: http://www.astc.org/resource/access/index.htm
Description: ASTC is a membership organization of science centers and museums dedicated to furthering the public understanding of science. ASTC has an extensive online resource center on accessible practices.

Disability Rights Education and Defense Fund (DREDF)
2212 Sixth Street
Berkeley, CA 94710
Phone: (510) 644- 2555
TTD: (510) 644-2555
Fax: (510) 841-8645
Email: dredf@dredf.org
Internet: http://www.dredf.org/
Description: DREDF is a national law and policy center dedicated to protecting and advancing the civil rights of people with disabilities through legislation, litigation, advocacy, technical assistance, and education and training of attorneys, advocates, persons with disabilities and parents of children with disabilities.

Job Accommodation Network (JAN)
West Virginia University
US D.O.L. Office of Disability and Employment Policy
P.O. Box 6080
Morgantown, WV 26506-6080
Phone: (800) 526-7234

TTY: (800) 526-7234
Fax: (304) 293-5407
Email: jan@jan.icdi.wvu.edu
Internet: http://www.jan.wvu.edu
Description: The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA) and the employability of people with disabilities.

National Center on Accessibility (NCA)
501 North Morton Street Ste. 109
Bloomington, IN 47408
Phone: (812) 856-4422
TTY: (812) 856-4421
Fax: (812) 856-4480
Email: nca@indiana.edu
Internet: http://www.indiana.edu/~nca/
Description: The NCA provides training, technical assistance, and research on the inclusion of people with disabilities in parks, recreation and tourism.

National Endowment for the Arts
Office for AccessAbility
1100 Pennsylvania Ave., NW
Washington, DC 20506
Phone: (202) 682-5532
TTY: (202) 682-5496
Fax: (202) 682-5715
Email: richards@arts.endow.gov
Internet: http://www.arts.gov
Contact: Ms. Suzanne Richard, Accessibility Specialist
Description: This office assists the Arts Endowment and its grantees in making programs more available to people with disabilities, older adults, veterans, and people living in institutions. Provides a variety of technical assistance and materials including how-to-checklists and the Community Development Block Grant report on how to apply for federal funds to make public or private buildings accessible.

Pacific ADA and IT Center
Disability and Business Technical Assistance Centers
Phone**:** (800) 949-4232
Internet: http://www.adata.org/dbtac.html
Description: Funded by the National Institute on Disability and Rehabilitation Research under the U.S. Department of Education, each of the regional Disability and Business Technical Assistance Centers has a toll-free hotline that can answer specific questions on the ADA. Private businesses, individuals, schools and local or county governments can call for advice and information. Callers also may order materials from the Center's extensive library of ADA and disability-related publications. Go to Web site to obtain information and phone numbers of the applicable regional center.

The John F. Kennedy Center for the Performing Arts
Accessibility Office
2700 F. Street, NW
Washington, D.C. 20566-0001
Phone: (202) 416-8727
TTY: (202) 416-8728
Fax: (202) 416-8802
Email: access@kennedy-center.org
Internet: http://www.kennedy-center.org/accessibility/
Description: The Kennedy Center Accessibility Office supports the inclusion of people with disabilities in all aspects of the performing and cultural arts. The staff are available to provide technical assistance via phone or email on issues specific to making the cultural arts accessible; provide referrals to resources on a national, regional and state level; and conduct training. In addition, the Accessibility Office makes available "Tip Sheets" on a variety of topics such as "Captioning/CART in Live Theater", "Formatting Large Print", "Accommodating Patrons with Ventilators and Oxygen Tanks", and more. Annually the Kennedy Center host the ADA/504 Coordinator and Accessibility Managers in the Cultural Arts Conference, which provides training on legal issues, universal design, programmatic access and employment.

Financial Considerations

Quite often, arts organizations have the perception that access incurs great expense. Quite often this is incorrect.

Example: Many accommodations for disabled people are not costly. Based on many years of operating experience, and after serving tens of thousands of actual workplace accommodation cases, the Job Accommodation Network, a service of the Office of Disability Employment Policy, US Dept of Labor has discovered that:
1. 71% cost less than $500;
2. 20% of accommodations cost nothing.

Example: For new construction, studies show that access considerations cost less than one-half of 1% of total construction. For existing buildings the cost can be minimized with proper design assistance.

Financial considerations for access accommodations and/or improvements should be given a high priority with each arts organization and with state legislatures.

Example: Your state legislators and/or city council may have discretionary funds, or the power to procure funds, that your organization may target for major access initiatives.

Example: Grant guidelines may include statements informing applicants that planning and providing for program and architectural accessibility are given high priority when determining grant awards.

Your access policy should be reflected in the your organization's budget, for example, in the appropriate budget lines of capital improvements, personnel requirements, fees and services or accommodations for participants. If the accommodations are not feasible in the next budget cycle, then a multi-year plan for how they will be funded should be developed and included.

Grant-making organizations should be prepared to enforce financial commitment to access by including a budget line item in applications and guidelines, for example, by stating that the cost of program accommodations for people with various disabilities (e.g., audio description, sign language interpreters, cassette recordings of printing materials or large print labeling) are generally eligible project expenses.

Accommodations/improvements should be researched and budgeted in the early planning stage of any undertaking. Funds should be earmarked in advance in order to provide services and/or make improvements.

When seeking financial support for access accommodations or improvements, or when encouraging grantees to do so, stress that access has positive economic benefits, and serves the community at large by expanding programs to include people with disabilities or who are older. For example, structural access makes the environment safer and more comfortable for everyone: when given a choice between steps and a ramp, 80% of people without disabilities choose to use the ramp.

Funding Access Compliance Through Grants Programs

Many regional, state and local arts service organizations are demonstrating their commitment to access by providing their grant recipients with financial assistance specifically intended for increasing access.

California Arts Council

...to participate is to be alive,
to have access is to participate...

The California Arts Council

In Collaboration with the National Arts and Disability Center at UCLA

Announces a New Funding Opportunity:

The California Arts Council's
Art and Technical Assistance Program

2003-2004 Guidelines

PURPOSE

The purpose of the California Arts Council Arts and Accessibility Technical Assistance Program is to enhance opportunities for participation in the arts by people with disabilities.

FUNDING GUIDELINES

The California Arts Council and National Arts and Disability Center will make available grants up to $500 for professional development and/or technical assistance activities. The funded activities are to support efforts in making programs and services accessible to people with disabilities.

The activities and requests could include, but are not limited to:

* Leasing or renting of ramps, or assistive listening devices.

* Hiring of sign language interpreters.

* Audio description services and devices.

* Creating alternative formats for materials such as: large print brochures, Braille, printed materials, cassette tapes, and/or captioning.

* Professional development for artists and staff to attend conferences that focus on issues of the arts and accessibility.

* Organizing a local meeting bringing together interested grantees and community members to discuss the Americans with Disabilities Act and/or to address specific access needs within the arts community.

ELIGIBILITY

Organizations and individuals in California eligible to apply.

FUNDING RESTRICTIONS

There are limited funds available for this program. The CAC does not fund capital expenditures or purchasing of equipment.

NUMBER OF APPLICATIONS

You may apply up to two times a year.

PROGRAM PROPOSAL 2003-2004

Please submit a formal typewritten proposal of no more than three pages that includes the following:

1. Name.

2. Organization (include address, telephone, e-mail and fax).

3. Tax ID or Social Security Number.

4. Date (s) of activity.

5. Budget for the proposed activity including any in-kind or matching funds used.

6. Brief description of the development activity, program, or service.

7. Describe how you will provide information to the public or potential participants about your program's accessibility. This should include how you will use verbal or written descriptions, or logos that describe services in promotional materials and in all forms of advertising, brochures, mailings, display ads, posters, press releases or telephone recordings.

8. Describe how activity relates to overall accessibility plan of your organization.

9. Amount of request from the CAC up to $500.

10. Title and signature of the applicant.

11. Date.

REVIEW PROCESS

Applications will be accepted on a rolling basis. As soon as the application is received it will be reviewed. Notification will be made no more than 1 month after received.

REQUIREMENTS

Awardees will be expected to submit a 1 page final report and when applicable, a copy of all publicity materials used announcing the availability of the accommodation service provided.

West Virginia Commission on the Arts/West Virginia Division of Culture and History

Funding for Accessibility:

Cultural Facilities Capital Resources Grant funds acquisition of real property, durable equipment, renovation or construction including alteration needed in order to comply with Section 504 of the 1974 Rehabilitation Act and the 1990 Americans with Disabilities Act.

Fast Track ADA and Emergency Grants
The amount of $100,000 will be reserved from the previous fiscal year's accumulated funds for the purpose of responding to smaller renovation and construction projects to comply with Section 504 of the Federal Rehabilitation Act and the Americans with Disabilities Act (ADA) and regulations concerning access to public buildings for people with disabilities, and to answer emergency needs when damage to arts and history museum infra-structure or sudden failure of equipment may result in harm to arts and history collections and public safety.

Arts Accessibility Technical Assistance Funding
Technical Assistance Funding is available but must but must accompany a programmatic funding grant application. Activities and requests could include: Leasing or renting of ramps, or assistive listening equipment, hiring a sign language interpreter, audio description services, or creating alternative formats for materials such as large print brochures, Braille, or cassette tapes. Funding level up to $500 of eligible items with 50% matching funds.

New Hampshire State Council on the Arts

Cultural Facility Project Grant
FY 2005 Grant Guidelines

These grants may be used for the construction, renovation, maintenance, and purchase of major equipment needs of cultural facilities. Eligible equipment includes items that provide long-term, necessary enhancements to the physical plant being used for the organization's arts programming. At least two estimates for these costs must be obtained.

Facilities must meet minimum standards for architecturally barrier-free entry before organizations may apply for a Cultural Facility Grant for any need other than to assist them in meeting those standards.

Priority will be given to applications accompanied by a facility plan of at least three years in scope, including immediate and long-term building maintenance needs and a budget projecting expenses and sources of revenue dedicated to meeting those needs. (The State Arts Council considers applications for the costs of assembling this plan appropriate.)

Maximum Grant Request
Requests may be made for $1,000 - $8,000.

Required Match
At a minimum, grants must be matched with one dollar in cash and/or in-kind goods and services for each dollar requested.

Sample Projects

- Cultural Facilities Planning: A rural arts organization wants to renovate an old mill complex into a performing arts space. It could hire an architect to create conceptual drawings to be used for fund-raising.

- Cultural Facilities Capital Projects: A crafts center with a fully accessible ground floor exhibition space, but with classrooms located on the second floor, wants to install an elevator for people with mobility impairments. It may apply for help in the costs of labor or building materials.

Funding Criteria
The following criteria are used by reviewers to rate applications:

- Cultural significance of facility.

- Uniqueness in geographic area.

- Architectural significance of building.

- Past and probable future use as a cultural facility.

- Usefulness of building for arts activities.

- Documentation of ongoing, regular arts activities.

Quality of Project

- Evidence that project is part of a larger facility maintenance or expansion plan.

- Appropriateness and long term benefits of specific project proposed.

- Impact on the users of facility (the number and characteristics of individuals).

- Realistic budget and timetable for project.

- Qualifications of the persons who will be directing and implementing the project.

Degree of Accessibility

- Evidence of ADA compliance.

- Evidence of community involvement in facility planning.

- Evidence of inclusive programming policies, e.g., outreach activities, affordable admissions, culturally diverse programming, benefits to NH artists.

- Evidence of audience development planning.

- Efforts to educate audiences and broaden their appreciation for the arts.

Administrative Capacity

- Stable organizational history.

- Commitment of the board and project director to complete the project.

- Relationship of project to long-range plan.

- Demonstrated effort to solicit donated or discounted equipment/services.

- Clarity of proposal.

Pennsylvania Council on the Arts---
Accessibility Division Overview (2001)

Division Description
The Accessibility in the Arts in Pennsylvania for Individuals with Disabilities Division is a partnership between the Pennsylvania Council for the Arts and VSA Arts, and international nonprofit organization dedicated to artistic excellence and providing lifelong learning opportunities for children and adults with disabilities.

Division Goal
To create opportunities for individuals with disabilities to more fully participate in the cultural life of Pennsylvania.

Number of Applications:
Only one application per applicant may be submitted to this Division.

Eligibility
Organizations must be nonprofit, tax-exempt corporations providing arts programming and/or arts services in Pennsylvania.

Organizations must be incorporated in and conduct business in the Commonwealth of Pennsylvania in order to apply for support.

Unincorporated groups (and in some instances individuals) must apply to the PCA through a nonprofit organization that acts as a fiscal sponsor.

All proposed activities and services must be held in Pennsylvania. All projects should makes arts programs, materials, and other events accessible to individuals with disabilities and/or they should encourage the artistic participation of artists with disabilities. Priority is placed on projects that show evidence of an ongoing commitment to accessibility for individuals with disabilities.

Guidance to Applicants
These awards are unlikely to support a project, program, or the staff of an organization that has as its primary purpose therapy, recreation, or amelioration of social problems. However, an award may support the use of artists of professional caliber in such an organization, project, or program. Artist with credentials and experience in therapy, recreation, or social service are not automatically excluded from participation or support, but evidence of their professional credentials, as artists will be a critical part of the PCA's evaluation of any application for support.

Matching Requirements:
PCA awards must be matched on a dollar for dollar basis, In-kind goods and services may not be used to match PCA funds.

Review Criteria
Applications are reviewed by an advisory panel from the arts and disabilities communities. The recommendations of the panel are presented to the PCA and VSA Arts representatives for final review and action.

The following three weighted criteria are used to review an application:

Quality of Artistic Product/Process or Service (40 points)
- Evidence that the project will have artistic merit.

Availability of the Arts (40 points)
- Potential to increase or improve outreach to individuals with disabilities that otherwise would not be reached or that are limited in their opportunities to participate in the arts.
- Participation of individuals with disabilities in the planning, implementation, and evaluation of the project.

Management (20 points)
- Clarify of the project.
- Appropriate budget for the project.
- Evidence of commitment from applicant to accessibility to the arts for individuals with disabilities beyond the project as evidenced by past efforts or future plans.
- Qualifications of key people in the project.
- Ability to carry out the project through evidence of organizational stability and fiscal responsibility.

Creative Financing Alternatives: Identifying Resources

While access accommodations should be a high priority, financial resources are often limited. Providing for agency and grantee accessibility may not require as much money as it does education and creative planning.

Solicit financial support from foundations, corporations, local businesses or service organizations stressing the positive marketing strategy that making access improvements benefits the community at large by expanding your programs and services to include people with disabilities and who are older, rather than simply providing for accessible capital improvements. When submitting a proposal to one of these groups, assume the potential funder knows nothing about arts access; the concept will have to be thoroughly explained. Your efforts will most likely be successful if these organizations already support arts activities and/or disability-related agencies.

> **Example**: **A successful and effective method to involve funders is to invite a representative to serve on your access advisory committee.** In addition to providing financial support, these

businesses may provide valuable guidance and help establish networks to other parts of their industry and/or constituency.

> **Example**: **Businesses, foundations and service groups should benefit from their contributions to increasing access.** Visibility should be assured by giving organizations credit in publications such as playbills, newsletters, brochures and training materials; in signage at events; in media releases; or by inviting an officer from one of these groups to serve as a keynote speaker or panel chair.

> **Example**: **Solicit donations for a specific access need.** For example, you might approach a local business or service organization with a funding proposal for an assistive listening system in your theater, in exchange for a credit line in all of your playbills and publications. Oftentimes, a $500 - $1000 contribution will make a needed access improvement possible. Suggested contacts include:
>
> 1. Your local Chamber of Commerce or other business associations;
>
> 2. Local radio or television stations; and
>
> 3. Your local Kiwanis, Rotary, Lions, or Women's Club.

Develop non-traditional partnerships with local government agencies to accomplish access improvements or implement access initiatives. For example, city bonds might be pursued to install a curb cut; barrier removal projects may be planned to coincide with other scheduled capital improvements planned by local governments; joint funding collaborations could be developed with agencies such as your State Department of Health or Department of Social Services.

> **Example**: **State Vocational Rehabilitation Agencies may provide funds to hire and/or on-the-job training for workers with disabilities**; or your local or state government, private industry council or Chamber of Commerce may provide assistance through the Job Training Partnership Act.

Work in partnership with other organizations to locate financial support for access initiatives, ensure access compliance, etc. Numerous organizations, such as those serving the disability community or representing people with disabilities, will provide free or low-cost services, thus avoiding costs incurred by hiring an access consultant. For example, your local Independent Living Center, Easter Seals or Foundation for the Blind, may:

1. Perform site evaluations and/or review access plans.

2.   Provide videos, brochures, pamphlets, flyers or reprints free or at very low cost.

3.   Provide speakers who are knowledgeable in accessibility.

4.   Offer guidance on selecting designers who have access expertise.

5.   Offer guidance on where to buy equipment and the associated costs.

6.   Assists in developing access-training workshops.

7.   Help co-sponsor events.

Actively pursue in-kind contributions to avoid costly fees, for example, free meeting or workshop spaces at an accessible site; donations of airfare or accessible transportation; or the donation of printing services.

Example: **Many state libraries produce print materials in Braille and/or arrange volunteer readers for audio cassette taping** at low or no cost; requests should be made several weeks in advance.

Example: **Your local school for people who are deaf or visually impaired may close-caption or Braille materials material for a reasonable fee.**

The **Louisiana Division of the Arts** has a working arrangement with the Louisiana School for the Deaf and the Louisiana School for the Visually Impaired (only a few blocks from the Division offices), to produce documents in accessible media for applicants, grantees, or panelist with special needs. The Louisiana Division of the Art is located near both the Louisiana School for the Deaf and The Louisiana School for the Visually Impaired in Baton Rouge, thus they are able to accommodate requests for such materials on relatively short notice. They are able to provide Braille version of program guidelines to a prospective applicant within several days of the request.

Example: **In exchange for donated meals, your organization might offer the contributor a service,** such as an access training session.

Cooperate with other arts and non-arts organizations in your area to establish equipment loaner programs or coordinate bulk purchases of equipment, such as audio description headsets or TTY's (TDD's).

Community Development Block Grants

Community Development Block Grant (CDBG) funds are available through your state and city government to remove architectural barriers in **both public and private** buildings, to make arts programs and activities more accessible to people who are disabled or older. Arts organizations and others have used these non-matching funds from the U.S. Department of Housing and Urban Development (HUD) to install elevators, ramps, assistive listening systems, removable seats, accessible restrooms and curb cuts.

HUD distributes CDBG funds directly to states in two programs, for entitlement and non entitlement areas. The entitlement program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. Recipients of CDBG entitlement funds include cities with more than 50,000 or more people or urban counties with a population of at least 200,000. Non entitlement areas receive state CDBG Program award grants for local government to carry out development activities. Annually each State develops funding priorities and criteria for selecting projects in a Consolidated Plan.

HUD's Fiscal Year 2003 CDBG budget was **4.7 billion.** Many organizations such as schools, courthouses, and senior centers have used CDBG funds for access improvements. Funds are granted for appropriate projects through an application process. Your state contact (http://www.hud.gov/offices/cpd/communitydevelopment/programs/contacts/index.cfm) can put you in touch with the office that manages your local funds.

See also: Community Block Development Grants Programs (http://www.hud.gov/offices/cpd/communitydevelopment/programs/index.cfm) for a description of the CDBG programs at HUD.

The NEA's Report on Community Development Block Grants (http://www.arts.gov/resources/Accessibility/CDBGContents.html) is an updated version of the last report that the NEA developed to help encourage and assist arts organizations in obtaining federal financial assistance from the U.S. Department of Housing and Urban Development (HUD) for structural and programmatic improvements that make arts programs and activities more accessible to disabled people.

Tax Incentives for Improving Accessibility for People with Disabilities

There are two tax incentives available to businesses to help cover ADA-related eligible access expenditures. The first is a *tax credit* established under Section 44 of the Internal Revenue Code that can be used for architectural adaptations, equipment

acquisitions, and services such as sign language interpreters. The second is a *tax deduction* established under Section 190 of the Internal Revenue Code that can be used for architectural or transportation. These two incentives can be used in combination with one another if the expenditures qualify under both.

See also: **Tax Incentives Packet Available on the Americans with Disabilities Act** (http://www.ada.gov/taxpack.htm) Produced by the Department of Justice, this packet provides information about tax incentives for small businesses and businesses of any size to offset some of the costs for improving accessibility for customers or employees with disabilities.

STEP 8: Train Your Staff, Board, Panelist, Grantees and Constituents

Guidance on Educating Staff, Board, Grantees and Constituents

Effective Training Practices

Types of Training for Staff, Board, Panelists and Grant Recipients

Producing Access Workshops, Conferences and Training

Examples of Access Education Efforts for Staff, Board and Grant Recipients

Technical Assistance

Access Education Integrated into Day to Day Activities and Operations

Guides, Newsletters, and Other Access Publications

Guidance on Educating Your Staff, Board, Grantees and Constituents

Educating staff and board heightens awareness, promotes integration of access issues into all aspects of the organization, and helps provide the support needed to move forward on access plans.

Access education/training should be repeated and/or updated on a regular basis. Review of the agency's Access Policy/Mission Statement and Access Plan should reinforce this concept.

Advisory Committee members and other qualified people with disabilities should participate in education efforts as panelists, consultants and instructors to assist in organizing and updating educational programs. All too often what might

be perceived as insensitivity is actually ignorance. Many people have not had experiences of knowing and working with individuals who have various disabilities.

The enforcement of nondiscrimination begins with education. State Arts Agencies and Humanities Councils should take the lead in educating, assisting and supporting their constituents on accessibility. A helpful, assertive approach is generally more effective than an investigative one.

Accessible programs enhance and expand the creative experience for all participants and audience members. What is needed for one participant can be a convenience for all, i.e., large print labeling or elevators.

Arts and humanities service organizations can be catalysts for researching and cultivating new audiences. Promoting access is a form of audience development. It is also a method for discovering new forms of outreach.

Learning first-hand from people who have disabilities increases awareness, effectively educates staff and encourages cooperation.

The ultimate goal is to make access part of <u>all</u> education efforts. Access issues should be integrated into general as well as optional sessions of conferences, workshops and management seminars.

Effective Training Practices

<u>Train Board and Staff</u>

Many cultural organizations are taking leadership roles to advance the state of access to the arts and humanities for their board, staff and constituents. It is highly recommended that board and top administrative staff are involved in these efforts to prevent a leadership void. Staff involved at all levels of the organization need to be trained. This includes staff who have direct contact with patrons with disabilities (i.e. those involved in greeting, ticket sales, information desk, security guards), as well as staff who work behind the scenes (i.e. administrators, exhibit developers, education, facilities). Staff with direct interactions will be the first point of contact for a patron/participant with a disability with a question. Staff behind the scenes needs to be aware of what the main issues that affect people with various disabilities and older adults so that they know best how to best structure the environment and to develop programs and procedures to ensure an enjoyable experience for all.

<u>Model Accessible Practices Through Your Training</u>

The location, methods for instruction and content of the training should model accessibility. Participants and presenters will benefit from learning through demonstration of accessible training practices that includes the training site and

methods used. Hold all training sessions in accessible locations; provide handouts in large print and Braille; utilize videos that are captioned and/or audio described; and provide sign language interpreters so that participants experience the auxiliary aids and services that make programs inclusive to people with various disabilities.

Consult Accessibility Coordinators of regional, state and local arts agencies, humanities councils or your state chapter of VSA arts.   These organizations may provide examples of access workshops that are being conducted in your area. In addition, individuals from these groups may be able to serve as advisors and/or presenters in your activities.

Training Components

The following are 8 components of an effective training program for staff, board members, volunteers and grantees.
(http://www.arts.gov/resources/Accessibility/DesignAccessibility/Chapter8.pdf). These components are the recommended content areas that should be addressed in every workshop or training session.

The 8 Key Components to Training

1. **Discuss the organization's commitment to accessibility and etiquette.**

2. **Define "People with Disabilities".**   Discuss the legal definition of disability as well as the range in fundamental needs of individuals visible and hidden disabilities.

3. **The needs of older adults, and access to facilities and programs.**

4. **The importance of language and its power to include or exclude.**

5. **Good communication practices.**

6. **How to correctly offer assistance to people with disabilities and older adults.**

7. **Describe and demonstrate services and auxiliary aids.**

8. **How to respond to emergencies and implement your organization's emergency procedures for evacuation, fire or medical emergency.**

Design for Accessibility, A Cultural Administrator's Handbook (2003)

Types of Training for Staff, Board, Panelists and Grant Recipients

A variety of training methods are described below that can be used as guidelines in setting up your own locally relevant conference, workshop or training programs.

Sensitivity Training Seminars

Present a panel of speakers who are artists, cultural administrators, educators and/or participants who represent different categories of disability. Each speaker discusses:

> 1)   What cultural participation means to them;

> 2)   Their experiences gaining access to the arts and humanities --- both good and bad; and

> 3)   Their advice to cultural organizations for making their activities more accessible to their participants with their particular disability--- what works, what is effective and what to avoid.

This kind of experience helps participants understand why accessibility is important over and above the law, and provides information on current access issues.   Further, panelists should be invited to meet with participants following the presentation, and to participate in the entire seminar or conference. This interaction should result in networking and increased awareness on everyone's part. For more information, see the outline for an access seminar, below.

Seminars to work with/study aspects of a particular disabled community/culture: for example, teaching basic, frequently used signs of American Sign Language; or learning first-hand from people who have disabilities.   This kind of training has proven successful in cultivating potential audience members and discovering new methods of outreach.

Contact local organizations that represent people with disabilities, or who are older: for example, your state chapter of VSA or local Independent Living Center may be enormously helpful in providing literature and/or conducting sensitivity training for your organization and constituents.

See also: **Access and Opportunities: A Guide to Disability Awareness** (http://www.vsarts.org/resources/general/dag/) produced by VSA arts is an informational tool for those who want to gain knowledge about disability, and tips for social etiquette and positive interactions.

Disability Etiquette Handbook (http://www.ci.sat.tx.us/planning/disability_handbook/disability_handbook.as

p?res=1024&ver=true) produced by The City of San Antonio, Texas Planning Department and the Disability Advisory Committee as an information tool to enhance opportunities for persons with disabilities to pursue their careers and independent lifestyles.

Communicating With and About Individuals with Disabilities
(http://nadc.ucla.edu/communic.cfm)
Produced by the National Arts and Disability Center, this resource contains books, articles, and videos that provide suggestions on how to communicate respectfully and sensitively with people with disabilities.

Smithsonian Guidelines for Accessible Exhibition Design
(http://www.si.edu/opa/accessibility/exdesign/start.htm)
This document contains guidelines as well as design tools. The guidelines are in part based on construction standards established for the Architectural Barriers Act of 1968, the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. The represent Smithsonian methods for arriving at the laws' required end: accessible exhibitions that work for people with disabilities as well as for the rest of the public. Together the guidelines become the Smithsonian standard for accessible exhibition design.

"Model Programs" Panel

Artists and arts administrators who have accessible programs speak about their programs, audience development and cultivation of new access leadership. For example, a representative from an accessible performing arts facility speaks about:

1)   How they evaluated and planned for increased access, funding required to make their theater structurally and programmatically accessible and technologies they use to accommodate patrons with disabilities.

2)   Awareness training they provided for their employees and volunteers, e.g., box office staff.

3)   Programming ideas that integrate performers and audiences with and without disabilities.

4)   Concrete examples of how they make their programs accessible to all participants, for example, audio description, pre-performance "Sensory Seminars" of the stage set, costumes and props for audience members with visual disabilities; non-traditional casting of people with disabilities; shadow-interpreted performances or video captioning.

5)   How they market and advertise their access accommodations.

On-Site Facility Access Evaluation Workshop

Workshop participants receive instruction on how to use the "Arts and Humanities Accessibility Checklist" (See Step 6). Training could include:

1) A hands-on site evaluation conducted by an expert access team and/or an individual who has a disability. Participants are shown how to assess architectural features, such as paths of travel, slope of ramps, restroom usability, horizontal and vertical circulation and integrated seating.

2) Subsequently, workshop participants are provided with access checklists to evaluate their own facilities and programs.

3) Follow up is important. A second session may be held several weeks later to provide additional guidance and strategies for access improvements, technical assistance or funding.

Access "Case Study" Workshops

Workshops may include case studies: for example, participants discuss and/or bring photographs of access challenges within their facility, and receive advice and solutions from a panel of experts. Participants could view designs that combine access compliance with 504 / ADA Regulations, universal design and aesthetic considerations.

Sequential Access Training Workshops

Access training is most effective when it is repeated and updated. Many arts and humanities organizations find that the best ideas and results for improving and upgrading access come from their staff and/or constituents holding an ongoing sequence of seminars/workshops. For example, a series of 4 workshops may address different areas or topics:

1) Section 504 and the ADA requirements, and sensitivity training for interacting with people with disability.

2) Structural accessibility: this session may include cultural administrators conducting an access site evaluation, discussion of adaptations to existing facilities, sources for technical assistance and tactics to obtain funding for improvements.

3) Developing targeted audiences by providing accessible programs: this session may include hands-on experiences with assistive technologies, marketing strategies to reach underserved populations and the economic benefits of these efforts.

4) Integrating people who have disabilities into arts and humanities programs, guidance provided by mentors, discussion of non-traditional casting, and disability as a diversity issue.

Producing Access Workshops, Conferences and Training

The planning process will require:

1. A minimum of a four-month preparation timeline.

2. Forming an advisory group to help plan the event.

3. Locating an accessible site by using a survey such as the "Checklist for Existing Facilities" (contained within the "Arts and Humanities Accessibility Checklist" in Step 6). Contact your local Independent Living Center (http://www.ilru.org/jump1.htm) for advice on accessible meeting spaces and/or to conduct a survey of a potential meeting space.

4. Determining the logistics and costs of providing access accommodations, including transportation.

5. Fundraising through arts agencies, foundations, corporations, etc. (Step 9: Financial Considerations).

Planning the program involves:

1. Defining the audience and developing a mailing list of invitees, for example:

    a. Cultural administrators, artists, teachers, humanities scholars, authors, docents or other staff members from a particular arts institution;

    b. Representatives from similar cultural institutions or organizations within the state or community, such as directors of dance schools/companies or museum curators; or

    c. Selecting a specific cultural discipline to be featured at the training program.

2. Defining the sponsor(s); collaborative efforts have many benefits and program implications.

3. Developing the agenda (**see sample agenda below**).

4. Selecting presenters with and without disabilities who have appropriate professional expertise and experience, such as lawyers, architects, artist, filmmakers, authors, individuals with disabilities and cultural administrators.

5. Designing and producing the program in print and alternate formats.

6. Making arrangements for access services.

7. Preparing the panelists by providing them with an outline of topics to be covered.

8. Compiling resources for participants that assist access work. This may include local and state resource lists, an access bibliography and a listing of exemplary accessible programs in the state.

9. Marketing your access education-training program.

To locate accessible cultural programs and informed speakers in your area, contact:

1. Your state and/or local arts and humanities service agencies. As grant providers, these organizations will be able to suggest members of their constituency that have received grants based on the excellence of their programming and audience development.

2. State and local organizations serving people with disabilities, including your state chapter of VSA arts and local Independent Living Center.

3. Cultural organizations cited in the discipline-specific resource directories in this document (visual, literary, media and performing arts) see discipline specific resource directories in this document). Many of these groups have developed exemplary access programs and may be able to refer you to similar model activities in your area.

See also: **Independent Living Centers** (http://www.ilru.org/jump1.htm) provides services and advocacy for people with disabilities.

State Agencies and Organizations for ADA Compliance and Technical Assistance (http://www.nadc.ucla.edu/states.htm) for a contact in your area.

State, Regional, and Jurisdictional Art Agencies
(http://www.nea.gov/partner/state/SAA_RAO_list.html) about access
training symposia sponsored by their organizations.

The **NEA Accessibility Coordinator List**
http://www.arts.gov/resources/Accessibility/504.html) can be found on the
NEA Web site.

VSA arts State Affiliates (http://www.vsarts.org/affiliates/) are part of a
national network of organizations that conduct arts programming for
individuals with disabilities.

Sample Agenda for a Conference, Workshop or Training Session

VSA arts "Arts Access Training Program" Model

"Arts Access Training Program"
Sample agenda adapted from Very Special Arts' Arts Access Training Guide (1992):

8:30 - 9:00	Registration/Coffee
9:00 - 9:15	**Welcome and Introductions**
9:15 - 10:45	**Impact of the Americans with Disabilities Act**: [Advice from an expert, such as a lawyer or architect]

- What is the Act?
- What are you liable for?
- Who is exempt and who is not exempt?
- Timeline for compliance.
- Examples of the regulations as they relate to organizations.

10:45 - 11:45	Panel Discussion: **"The Expectations of People with Disabilities for Change within Cultural Organizations"** [Advice from people who have disabilities or representatives from disability organizations]
11:45 - 12:15	Questions and Answers
12:15 - 1:00	Lunch
1:00 - 2:30	**"Adaptive Technology and Design:**

Presentation of Devices and Design Concepts that Make Facilities and Programs more Accessible"
[Advice/case studies from cultural organizations that have developed model programs; questions and answers]

--OR--

1:00 - 2:30   **"Disability Awareness Training"**
[General instruction on techniques for interacting with people who have disabilities; or focus on the needs of people who have a specific type of disability, e.g., people who are deaf or hard of hearing]

2:30 - 3:30   **We're Here to Help:**
Role of Sponsors in Helping Organizations become more Accessible

3:30 - 4:00   Conclusion

National Endowment for the Arts Office for AccessAbility Model

"Recipe for Access Symposia"
National Endowment for the Arts Office for AccessAbility

- The focus of all access education should be inclusion: integrating older adults and people with disabilities into the cultural mainstream for full and equal participation.

- The conference/symposia itself should be a model of an accessible meeting.

- This meeting may be condensed into a one-day workshop; for best results these activities should be presented over a two-day period.

10 minutes   **Opening Remarks** by a key member of your organization
(director, chairman, board member).

45 minutes   **Opening Panel: "Access from the Artist's and Arts Administrator's Perspective"**
At least three practicing artists and arts administrators with various disabilities discuss:
- What the arts mean to them;

- Examples of their personal experiences in gaining access to the arts (both positive and negative experiences); and
- Their advice to arts administrators on how to better serve people with their particular disability.

45 minutes **Panel: "The Americans with Disabilities Act and Section 504"**

1. **A speaker (i.e, lawyer) presents an overview of the laws** translated into how they apply to cultural groups, including rented/donated space, touring and other relevant subjects. (15-20 minutes)

2. **An arts administrator discusses his/her experience in resolving a grievance or formal complaint, emphasizing the positive results.** (10 minutes)

3. Questions and answers. (10 minutes)

20 minutes **Luncheon and Dinner Speakers**
One speaker per meal who may be an artist, head of an arts organization, and a board member who is actively engaged in access issues; or a performance by professional artist(s) with disabilities.

1-1/2 hours **Concurrent panel sessions** (2 to 4 panels for each time slot)
The number, topics covered, and frequency of panels will depend on the length of your conference.

Each panel should include no more than three speakers, and at least one panelist who has a disability.

Suggested topics are:

- "Making Access a Reality": Discussion of policy, public affairs and marketing issues.

- "Education and Outreach": Model programs that reach and include people with various disabilities.

- "Access: It's More than a Ramp:" Designing for increased access through the self-evaluation process.

- "Universal Design": The concept of making access features an integral part of all design, including programs and facilities.

- "Adapting Existing Facilities and Historic Preservation Issues."

- "Making Websites Fully Accessible."

- "How to Hold an Access Training Workshop."

- "Media and Literature: Models, Technologies and Resources."

- "Performing Arts: Models, Technologies and Resources."

- "Visual Arts: Models, Technologies and Resources."

40 minutes   **"Planning for the Future"**
In the closing session, participants discuss "Where do we go from here, and what do we need to do it." This valuable session will help your organization identify and prioritize ways you may help each other to advance access in your community.

Examples of Access Education Efforts for Staff, Board, Panelists and Grant Recipients

Access Education Sponsored by National, Regional, State and Local Arts Service Organizations

National Endowment for the Arts Accessibility Coordinators (ADA/504) Peer Session NASAA Conference, Charleston S.C., 2003 included "The Basics" on what new coordinators need to know and do—and what seasoned coordinators are doing to educate and assist their grantees with access issues; "Web Accessibility" and a demonstration of a screen reader; and West Virginia's Cultural Facilities Funding Program, and how it is being used to make arts facilities and programs more accessible. The peer session is designed to update participants in access issues and is a venue for Access Coordinators to Network.

In 2002 **Florida Arts Council** and **VSA arts of Florida** held regional workshops addressing the topics of Cultural Access and the Arts in Healthcare, Professional Development of Artists with Disabilities and their Annual Leadership Conference focused on Arts in Education--- Inclusion and Application. VSA arts of Florida also

presented Arts Extension Service workshops for arts administrators on Cultural Access and Arts for Older Americans.

VSA arts Idaho holds periodic community workshops and public meetings for cultural access throughout Idaho. **Idaho Commission on the Arts** staffers and board members attended the workshops as well as artists and arts organizations. The workshop contains a segment on sensitivity and awareness training.

Illinois Arts Council sponsored "Champaign Urbana Special Recreation" a VSA arts Festival in 2003 to showcase the creative talents of people with disabilities in the visual and performing arts.   This included workshops, an Art Show, educational demonstrations and the creation of an on-site mural using adaptable art tools. Facilitated by Dwayne R. Szot, the mural was created by people with disabilities using his own original adaptive art tools and concept, including a wheelchair-painting machine.

The Inclusive Practices Workshop presented by **SPA (Studio Place Arts)** and **VSA arts of Vermont** with support from the **Vermont Arts Council** and **The Center for Independent Living** was held on Monday, July 8th 2002, at The Aldrich Library and SPA. The workshop was offered to museums and galleries volunteers and advocacy/service organizations to learn about accessible exhibit design. The workshop was presented to coincide with the July exhibition at SPA, "Of the People, By the People and For the People." Over 30 participants learned about aesthetic touch and verbal description as ways to enhance the gallery experience. They worked with a team of people—the artist in the exhibit, access consultants, and advisors who are blind or visually impaired--- each providing their professional and/or personal presentation perspectives. The day began with a panel presentation an accessibility consultant for cultural institutions. After the panel presentation, the workshop moved to SPA where people worked in smaller groups to experience tactile artwork and techniques to describe art and the gallery experience for people who are blind or have low vision. People also shared personal stories that demonstrated the value of inclusion.

The **Kentucky Center for the Arts**, in partnership with the **Kentucky Arts Council** offered 6 regional workshops in 2002." Access in Practice: A Positive Approach to Accessibility Services" and "Access by Design I and II addressed topics such as understanding the basics of the ADA, planning for access services, locating funding for access services and practical skills for staff and volunteers, making the visual arts accessible. Stage One's *The Music Lesson* was presented with audio description and captioning. These workshops covered numerous areas related to accessible arts and offered valuable materials to be shared with fellow staff and utilized in access planning.

In 2002 the **Mississippi Arts Commission** hosted a series of town hall meetings across the state. The meetings were a part of a statewide effort to bring communities, artists and arts supporters into the Commission's planning process and to discuss how the Commission in partnership with the community could better serve its constituents. The agenda for the meetings included a segment specifically addressing accessibility

issues entitled, "Increasing audience by increasing accessibility and meeting ADA rules."

The Mississippi Arts Commission is also working in partnership with **VSA Mississippi** to work towards training organizations on developing a greater understanding of accessibility and promoting artists with disabilities. Two conferences were scheduled for early 2003--- *Building Funds for the Arts* and *Starting and Operating a Local Art Agency*. Mississippi's Arts Industry Director also serves as their ADA Coordinator and maintains resource files on accessibility, provides assistance to constituents, prepares and maintains resource files on accessibility, articles for publications, and serves as a conduit for NEA information on accessibility.

The Vermont Arts Council along with the **New England Artist Trust,** the Council's Access Project Consultant, the **New England ADA Technical Assistance Center**, plus representatives from over **13 local community organizations** and venues including churches, the town hall, the local historical society, the local library, local schools and hotels collaboratively worked together in May of 2001 to bring a regional artist conference of nearly 300 participants to the historic village of Woodstock, Vermont. Access consultants with local representatives surveyed each site within the village of Woodstock to evaluate the level of accessibility in the local facilities. Reports were written and shared with representatives from venues, providing free service for them in terms of improving facilities for the future. The sites presented multiple challenges, both physically and technically but through communication and cooperation among multiple partners, the integrity of the historic venues was maintained. Access maps were created and conference materials ranging from the brochure to registration packets were available in alternative formats. In one case, a portable ramp and accessible bathroom facility was rented to make a facility more accessible.

In 2001, **West Virginia Division of Culture and History** and the **West Virginia Commission on the Arts** hosted a workshop called "Building for Accessibility" in three different locations across the state of West Virginia. The goals of the workshop were to attract quality grant applicants with accessibility components, to increase awareness and sensitivity to artists and audience with disabilities, to provide information and resources for evaluating barriers to participation in the Arts Education Program, and to demonstrate examples of assistive devices for the arts.

WESTAF- "From Insight to Innovation: Art and Accessibility in the West" December 14-16, 2000 This conference was organized by the Western States Arts Federation (WESTAF), in partnership with the **National Endowment for the Arts and the state arts agencies of Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.**

Technical Assistance

Cultural administrators utilize a variety of technical assistance methods to educate, evaluate, support, and enforce access compliance. These efforts may include:

- Individual consultation: on site, email or by phone
- Small or large group training
- Referral to resources or programs
- Arranging onsite consultation with accessibility experts
- Providing presenters
- Information on innovative programs and practices
- Writing and disseminating information via newsletters
- Posting useful information on Web sites

The Pennsylvania Arts Council 2003-2004 Professional Development and Consulting Division offers non-matching funding to help applicants evaluate and plan to make facilities, programs, and staff accessible to individuals with disabilities.

Advisory Committees

The best method for creating effective and ongoing access training initiatives and providing technical assistance is to use the guidance of an Access Advisory Committee (See Step 4).

Use the guidance of an Access Advisory Committee to create effective and ongoing access education initiatives by providing technical assistance.

Each arts organization should create an advisory committee tailored to address the needs identified by their constituents, as well as their organization's financial resources and planning strategies.

Advice gained can be put into action quickly, producing solutions and outreach activities that involve greater participation from the community at large.

Experience has shown that some of the most creative and exciting work can happen when smaller, lower budget institutions work in partnership with a variety of arts and non-arts organizations in their area.

Self-Evaluations and Surveys

Access self-evaluations are an excellent learning opportunity for all parties involved, and provide a concrete vehicle to encourage, educate and help enforce access compliance. Experience shows that results obtained from surveying your constituency enable both grant providers and member organizations to determine strategies necessary for increased education and the type of assistance needed; these initiatives should be incorporated into access plans and budget.

Quite often, access evaluations provide the organizations surveyed with enough impetus, information and inspiration to achieve the spirit of the law: that is, going beyond the minimum standards by making programs comfortably available to the greatest extent possible.

Self-evaluations and surveys are most successful when the grant providing or membership agency presents itself as a partner in the process, by offering support through education, technical assistance, and resource materials. It also provides an opportunity to discover and highlight successful access programs developed by member organizations.

Example: In 2002**, the Kentucky Center for the Arts** and **Kentucky Arts Council** conducted 4 ADAAG Site Surveys for arts organizations. The survey identified areas of an organization that are not accessible according to the Americans with Disabilities Act Accessibility Guidelines. The survey included readily achievable alternatives for compliance and served as a tool in long term access planning.

See also: Step 6: "Arts and Humanities Accessibility Checklist".

Step 7: Implement Your Access Plan.

Consultancies and Mentorship

Several arts and humanities service agencies provide an access consultant referral service and/or directory, maintain an updated network of individuals with access expertise who are hired and/or recommended to work with arts organizations statewide. Consultants may be active in training workshops, access brainstorming sessions, program development, survey implementation, access funding initiatives, audio description training, or in creating mentorship links between various kinds of arts organizations.

Numerous non-profit advocacy organizations of and for people with disabilities will provide free or low-cost consultation to arts organizations who need guidance in complying with the legal access requirements of granting agencies. Many organizations, such as Independent Living Centers, Easter Seals, local Foundation for the Blind, Office of Special Education or Rehabilitation, may perform site evaluations, review plans, provide publications, offer guidance on where to buy equipment, or assist in developing access training workshops.

Example: **The New Jersey Arts Access Task Force** was created in 1992 to assist all cultural organizations in making their programs and facilities accessible to individuals with disabilities. The Arts Access Task Force is comprised of individuals with specific knowledge and expertise in areas relating to accessible programming and facilities. Since its inception, the Arts Access Task Force has been a resource for New Jersey's art community to use as they make structural and programmatic changes in order to comply with the Americans with Disabilities Act (ADA). All of the Arts Access Task Force's programs and services are made possible by the New Jersey State Council on the Arts.

The New Jersey Arts Access Task Force provides:
- **On-Going Technical Assistance Workshops**- These workshops, offered throughout New Jersey, provide training and

technical information to assist in the creation of a strong long-range ADA plan.

- **Self-Assessment Surveys**- A user-friendly survey helps identify areas of our operation that are and are not accessible and what is readily achievable regarding access. The survey will also act as a guide as long-ranged ADA plan is developed.
- **Referral and Information Services**- The Arts Access Task Force will provide appropriate information or the resources to for specific questions with regards to sign-interpretation, architectural access, employment issues, etc.
- **Review of ADA Long-Range Plans**- Members of the Arts Access Task Force will review ADA plans prior to their submission to the New Jersey State Council on the Arts. Comments and suggestions will be made to applicants as to how they can improve the plan and what elements need clarification.
- **Cultural Access News**- This semi-annual publications informs the arts community about the latest advancements and accomplishments in arts accessibility in New Jersey and across the nation. Special features highlight valuable tools and programs that will assist in the implementation of your organization's ADA plan.

Example: **Beyond Access to Opportunity** (BATO) is a statewide education, information and technical resource program to inspire action on the part of **New York State Council on the Arts** (NYSCA) grantees to make facilities and programs more innovative and usable to people with disabilities and older adults. The arts council is developing and implementing several strategies that energize constituents to look at possibilities, examine best practices, problem solve with experts and peers, and make changes in their individual institutions.

Since the beginning of this initiative, NYSCA has worked with the Association of Resident Theaters of New York, which received funding from the Mellon Foundation to obtain assisted listening devices in 12 not-for-profit theaters. NYSCA has also been working with the Theatre Development Fund for the past four years, providing $185,000 for their **Theatre Access Project** to support signed and captioned performances in theater, music and dance, as well as literature readings. Currently, NYSCA is exploring collaboration with Broadway and nonprofit theaters to improve the usability inclusiveness in the New York City theater industry.

The main effort of BATO in 2003 is the **New York Arts Accessibility Network** (http://www.nysca.org/public/pdf/AAA_Network.pdf) It is a program

to address the individual challenges facing NYSCA grantees as they take steps to include everyone in their activities and programming. NYSCA built a network of advisers--people, agencies and organizations--with expertise in creating space, programming and communications systems that are usable by people of all ages and by people with and without disabilities. The advisers, most of whom have had experience in arts organizations or are currently working with one, are available to consult with NYSCA grantees.

Example: **West Virginia Commission on the Arts** has developed the **Peer Assistance Network** (PAN) that provides technical assistance to West Virginia's cultural arts community. The Network provides ways for staff and board members of organizations to help each other as well as the artists in their communities by exchanging advice between peers who manage similar programs and projects in other areas of the state. In 2001, two advisors with accessibility expertise were added to the roster and a partnership with the Centers for Independent Living is in the works.

The WV Commission on the Arts makes two PAN sessions per year available to arts organizations free of charge. A "session" can be up to two days at a time. Sessions can range from computer training to organizational development to marketing to conflict resolution to lighting design to festival and season planning. They can involve an organization's whole board of directors or one or two staff members.

The Commission has selected a group of "peer advisors" from which organizations choose for their sessions. These advisors all have experience in the arts community in West Virginia and expertise in a range of fields that the Commission believes can provide the best, most relevant and applicable set of skills to arts organizations in the state. The advisors are listed in a catalog available from the Commission.

For more information, visit the commission's Web site at: (http://www.wvculture.org/arts/pan.html)

Access Education Integrated into Day to Day Activities and Operations

Ultimately, it is everyone's responsibility to achieve fully accessible programming. Educating staff and board reinforces their role in ensuring access. The Accessibility Coordinator should serve as facilitator to the following educational efforts to ensure that access is integrated throughout the entire organization:

Recruit board members, staff, interns, volunteers or panelists who have disabilities; this will heighten awareness throughout your organization, and help gain needed resources for access improvements.

People with disabilities should participate on a wide variety of panels; for example, an architect discussing universal design as a part of facilities panel at a museum conference; or a person who is deaf discussing sign language interpreted performances as parts of an audience development panel at an arts presenters' conference.

Include an access component in new employee and/or grant applicant orientation, such as information on access materials and accommodations provided by your organization.

> **Example:** As part of new employee training, have them perform the "Arts and Humanities Accessibility Checklist" (Step 6) for their office or area.

Generate a series of memos updating staff on access procedures and their responsibilities. Topics might include:
1. Planning Accessible Agency Events;
2. Access Accommodations: Guidance and Request Forms;
3. Emergency Evaluation;
4. User's Guide for Your Organization's TTY (TDD);
5. Progress on Implementing Your Access Transition Plan;
6. Availability of Access Guides;
7. Upcoming Access Seminars/Events;
8. Availability of Grants that May Be Used for Access Projects;
9. Updates on Providing Print Materials and Media in Alternate Formats;
10. Access is a Diversity Issue.

Promote access awareness by regularly updating constituents with your organization's newsletter and/or press releases; this may include articles, national and local resources, upcoming events/workshops, recent access-related mailings, etc.

Have selected information presented in both print _and_ Braille so there are physical examples of your access efforts; for example, large print staff business cards; an "Access Guide for Visitors with Disabilities" brochure; an exhibition guide; a playbill.

> **Example:** The 2001-2002 issue of **CoVisions,** a newsletter published by the **Colorado Council on the Arts** was revised to increase its accessibility. Revisions included the increase of font size, along with balanced use of white space, and a whiter paper stock to increased contrast. **CoVisions** is also published on the agency's Web site (http://www.coloarts.state.co.us/) in an interactive PDF format (where Web sites and e-mail links are kept active).

See also: **Best Practices** (http://www.astc.org/resource/access/best.htm)
contains practical advice on how to create access guides; improve
conferences and meetings, exhibits, programs, facilities, interactions
with visitors, live and recorded media, marketing, print materials, and
web page design; and schedule sign language interpreters. This
online resource was contained in Accessible Practices, produced by
The Association of Science Technology Centers Incorporated (ASTC)
to assist museums welcome and accommodate individuals with
disabilities.

Guides, Newsletters, and Other Access Publications

**Several arts service organizations have developed access publications for their
constituents.** The intention of these materials is to educate and inform; those that
include model programs provide inspiration and a basis for networking. All state arts
agencies and humanities councils should provide to their staff and first time grantees
with informational material and guidance. Organizations may, for example, directed to
this online resource guide.

Example: **The New Jersey Arts Council** developed a publication **Discover
New Jersey Arts Accessibility Guide**
(http://www.njtheatrealliance.org/publications/accessibilityguide.pdf)
This companion piece to the **Discover NewJersey Arts Resource
Guide** is designed to assist patrons with disabilities and their
families in determining the physical and programmatic accessibility
of New Jersey's cultural institutions. A "snapshot" of each
organization's accessibility is provided via the International Access
Symbols, which were determined from responses to a
comprehensive accessibility survey.

Example: **Idaho Commission on the Arts** provides a number of services
and publications including **Accessibility.** All workshops (grant
writing, arts organizations, artists, long range planning) are held in
public facilities that are accessible for all. In the spring 2000 issue
of Latitudes, the commission's newsletter, the entire center pull-out
section was devoted to an article entitled, "Disability and Nonsense:
Dispelling Needless Barriers." The article gave statistics, common
considerations, common courtesy, and ten steps to bring your
organization into compliance through Web sites, books, magazines,
videos, and listed contacts.

Example: The **Louisiana Division of the Arts** has a working arrangement
with the Louisiana School for the Deaf and the Louisiana School for
the Visually Impaired, to produce documents in accessible media

for applicants, grantees, or panelist with special needs. The Louisiana Division of the Art is located near both the Louisiana School for the Deaf and The Louisiana School for the Visually Impaired in Baton Rouge, thus they are able to accommodate requests for such materials on relatively short notice. They are able to provide Braille version of program guidelines to a prospective applicant within several days of the request.

Example: **West Virginia Division of Culture and History** and the **West Virginia Commission on the Arts** produces a quarterly newsletter entitled **<u>Art Works</u>**, in which accessibility issues are continuously addressed. The 2002-2003 Winter issue included "Guidance for Writing and Speaking About People with Disabilities and Older Adults" from the National Endowment for the Arts. The Fall 2002 issue featured an article about an accessibility workshop held on the Campus of Marshall University to discuss why and how arts organizations need to do a better job of making their programs more accessible to people with disabilities. The issue also included a informative fact sheet entitled, "ADA Facts: How the Law Affect You." The cover story of the Fall 2001 issue of "Art Works" was about "the 'A' word", "Accessibility"--- the creation of a universal or inclusive arts environment that everyone can use.

Example: The **Kentucky Center for the Arts and Kentucky Arts Council** publishes **<u>Access Network News</u>** - A monthly email newsletter that informs the art community about grant opportunities, assistive technology, online resources, marketing opportunities and other access related information.

Example: Every arts organization may create a customized Access Booklet/ Training Guide. A highly recommended and effective method for training grantees or constituents is to prepare an access booklet with contents customized to the needs of the organization. Any of the materials from this document can be copied and spiral bound for circulation. This abbreviated, concise, "ready reference" booklet could include:
1. Brief 504/ADA legislation fact sheets
2. Job Description for Accessibility Coordinator
3. Agency Access Self Evaluation
4. 10 Step Sample Access Plan
5. Discipline Specific Access Checklists
6. Materials on Interacting with People with Disabilities
7. Outreach/Marketing methods
8. Sample workshop agenda;
9. Targeted resource list;
10. Models of accessible programs within the state

11. Other pertinent information

Example: **The California Arts Council** in meeting one of their goals of their three year ADA/504 plan, produced with the **National Arts and Disability Center at UCLA**, **The Step by Step Guide to Accessible Arts in California** (http://nadc.ucla.edu/10steps.htm) to assist the arts community to make their spaces, programs and activities available to the approximately 6 million Californians with disabilities. Along with 504/ADA requirements, it includes California access and civil rights laws pertaining to individuals with disabilities. The guide takes organizations through the process of evaluation, planning, and removal of physical and programmatic barriers.

Example: The **Iowa Arts Council** publishes online an **Accessibility Planning Guide: A Step by Step Approach for Planning Your Accessibility** (http://www.iowaartscouncil.org/guidebook/gb39.htm). It includes steps to begin your planning process, conducting an accessibility audit of your policies, programs and services, as well as simple planning outline.

Example: In January of 2002, the **Southern Arts Federation** sent a letter and information package from their Access Coordinator entitled **Promoting Accessible Programs and Places** to all Southern Arts Federation Grantees. The letter stated that:

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law that benefits people with disabilities. The Southern Arts Federation encourages arts and cultural organizations to learn more about ADA guidelines and accessibility implementation. As a recipient of federal fund for an arts-related project, your organization is strongly encouraged to review and implement the enclosed accessibility guidelines.

The enclosed material will provide suggestions to assist your organization as you develop programming and publications. To learn more about ADA resources, please visit the following National Endowment for the Arts (NEA) link at:
*(*http://www.nea.gov/resources/Accessibility/index.html*)*

Step 9: ENFORCE 504/ADA COMPLIANCE WITHIN YOUR ORGANIZATION

Guidance on Enforcing 504/ADA Compliance

Assisting and Enforcing Compliance with Your Grantees

Guidance on Enforcing 504/ADA Compliance

Cultural organizations should provide leadership by setting a good example that is evidenced in their policies, guidelines, plans, budgets, meetings, conferences, panels, community outreach, and through inclusion of people who are disabled or older as staff, board, panelist, and advisors.

All board and staff should be educated in access issues, accommodations (i.e., how to hire a sign language interpreter or reader on short notice), and the agency's grievance procedure.

Access implications should be considered when monitoring, developing or revising all employment practices and policies.

Access is a work in progress, which requires preventative maintenance. To ensure 504/ADA compliance is being monitored and even upgraded, the agency's access policy and/or mission statement, self-evaluation document, grievance procedure, and access implementation plan should be **reviewed and re-evaluated regularly**. Access seminars for staff should be held on a regular basis as well.

> **Example:** As part of new employee training, have each new staff person complete portions of the "Arts and Humanities Accessibility Checklist" (Step 6).

Enforcing access compliance, both in-house and with grantees, requires commitment and consistency. Access policies that are not integrated into standard operating procedures are doomed to failure. Consistently enforcing access compliance demonstrates your organization's concern for, and commitment to, cultural diversity. Creativity can open doors and welcome people in ways nothing else can.

Assisting and Enforcing Compliance With Grantees

Every opportunity should be taken to educate constituents on their compliance responsibilities through <u>all</u> conferences, workshops, orientation meetings, printed materials and through staff/board members.

Enforcing access compliance takes salesmanship. Remind your grantees that providing and promoting accessible activities to people who are older or disabled is a positive marketing strategy, which involves an enormous, constantly increasing, new audience.

Plan to enforce your policies.   According to ADA and Section 504, access compliance deadlines have already passed. Develop a **compliance timetable** that gives grantees deadlines for access improvements. Have a strategy in place to deal with these issues. By monitoring and/or having a record of grantees' access efforts, you are protecting your organization if complaints occur.

Does your agency require that its grantees perform an access self-evaluation?
When it comes down to it, grant recipients are required to have completed a self-evaluation (and transition plan if needed) at some point, and have it on file for inspection.

 Part of enforcement means you're going to put your money where your mouth is. Determine when your agency will withhold funds based on an applicant's continued non-compliance or failure to complete compliance plans. In what situations will your agency refuse to grant money at all? How will your agency follow up on compliance? Will your agency provide financial and/or technical assistance to assist grantees with compliance?

Enforcement information provided to grantees should include your organization's Standard Grievance Procedure, which includes the steps your agency, must take to enforce the law if all efforts to secure voluntary 504/ADA compliance fail. Grantees/constituents should be encouraged to develop their own Grievance Procedures.

One of the greatest challenges to enforcing access compliance is keeping the requirements simple, manageable, practical and relevant to even the smallest grant-receiving organization. By nurturing the access efforts of applicants, and keeping them in the grant network, funding organizations can continue to promote access to the arts for all people.

Enforcing Compliance with Grantees in the Application Process

Funding guidelines should contain your organization's Access Compliance/Nondiscrimination Statement, and other access language that helps applicants better understand what is required.

Guidelines may include:

1.   Statement(s) informing grant applicants that accessibility is reviewed as part of the panel process, and that access efforts or the lack thereof will be reflected in their score.   For example, "Organizations will be ranked according to program and facility accessibility. A lower score may result in denying the grant request, or lowering the amount of the funds awarded."

2.   Specific Access Questions for Panel Evaluation. For example,
        "What have you done in this year to educate your board and staff on access?";
        "In the coming year, what are your specific plans for making your facility, programs and services more accessible to people with disabilities?" By asking in this way, applicants should go into more detail and provide a clearer picture of their ongoing access work, rather than providing panelists with a copy of last year's plans.

        Example of applicant questions:

   A. **Facility Accessibility**: How will this project be accessible to people with disabilities? If the facility is not fully accessible, does the organization have a plan in place for making it fully accessible?

   B. **Program Accessibility**: Give specific examples of how the applicant organization plans to involve or increase involvement of racially/ethnically diverse populations, people with disabilities, older individuals, women and other special populations in community served. Explain specifically how these special constituencies will be outreached to as potential audience members.

   C. Explanations and/or a **listing of the various types of disabilities of underserved populations.**

   D. The **types of access accommodation** that may be planned, budgeted, and included in the application.

   E. Guidance in **where to list costs for program accommodations**.

                   Example: **The Minnesota Arts Board** Institutional Support
                             Application includes a line item under Operating
                             Expenses for applicants to list last years actual costs for
                             accommodations, current and projected expenditures.

   F. **An "Accessibility Checklist"** for programs and facilities.

   G. A line requesting the **name and number(s) of the applicant's Accessibility Coordinator**, or the person directly responsible for access.

H. An "Assurance of Compliance" statement/form that includes assertive access requirements. While many grant-making organizations include legal requirements concerning compliance with federal regulations in applications or grant contracts, others add more specific and informative language concerning access requirements.

> **Example**: An Assurance of Compliance form could include requirements for the grant recipient to:
>
> 1. Present their funded programs/activities in sites that are accessible;
>
> 2. Promote and advertise programs and facilities as accessible to individuals with disabilities by using access symbols (such as the wheelchair symbol) in all printed materials;
>
> 3. Include a statement that "all programs, activities and services will be provided equally without regard to race, color, religion, national origin, age, sex, or disability" in funded promotional materials;
>
> 4. A provision that the grant applicant agrees to take steps necessary to correct any under-representation identified by your agency to achieve a reasonably representative participation in employment and all programs, activities, and services.

See also: Step 5: Non Discrimination Policies and Assurances of Compliance.

I. The phone and TTY (TDD) number of your agency's Accessibility Coordinator.

J.   Local support agencies to contact for assistance with access.

> **Example:** "Applicants concerned about complying with Section 504 and the Americans with Disabilities Act, meeting the needs of people with disabilities or accessibility issues in general should contact the following organizations for assistance."

Assisting and Enforcing Compliance Through Grantee/Constituent Access Evaluations

It is strongly recommended that art and humanities service organizations be actively engaged in helping grantees and/or constituents prepare a Grant Recipient/Constituent Self-Evaluation, which may be based on the "Arts and Humanities Accessibility Checklist" (Step 6), and tailored to the requirements, plans and resources of the grant-making agency.

Grant-making organizations may administer the grantee self-evaluation in a variety of ways: for example, it may be included with the application or grant contract and a copy returned with the final report; or it may be featured in a non-grant-making organization's newsletter. The bottom line: **grant-making organizations must require that grantees be able to produce self-evaluation and transition plan documents at some point in the grant process**.

Photocopied components of the "Arts and Humanities Accessibility Checklist," may be provided to constituents, grant applicants or grant recipients to help them evaluate their facility, policies, programs and activities.

Working with their Access Advisory Committee, arts and humanities groups can develop a grantee/constituent self-evaluation (and transition plan if needed) tailored to the requirements and resources of their agency.   For example, the Advisory Committee may provide guidance on what "reasonable accommodations" are, since access accommodations may vary from program to program.

Grantee evaluations should not necessarily be a Yes/No format, as this doesn't always provide meaningful information or require any in-depth commitment; rather, "What kinds of accommodations are you offering for deaf and hard-of-hearing constituents?;" "Do you offer at least one sign-interpreted performance of each production?"

Grantee/constituent evaluations will provide a concrete vehicle to encourage, educate and help enforce access compliance. In order to overcome the "fear factor", grantees should be reassured that surveys exist to **help** them comply. The self-evaluation is an education instrument, not a club.

Since grantee evaluations can be misinterpreted or misunderstood by the grant recipient, responses may not always be accurate, clear or useful. To obtain precise information and to better educate grantees on accessibility, some state arts agencies have one or two staff "site evaluators" perform the survey on-site **with the grant recipient**; this direct survey method could be part of a statewide survey initiative, or be included in the on-site grant review process.   Many arts and humanities organizations have found that grantees and constituents are more at ease when technical assistance workshops are offered prior to implementing the evaluation.

Site/program studies may be performed by outside consultants, such as an Independent Living Center, Mayor's Commission on Disabilities, etc.

The survey results should enable **both** the grant-making **and** constituent agency determine additional strategies necessary to educate and assist grantees, and incorporate these strategies into their access plan and budget.

Many states have issued the NEA's <u>Section 504 Self-Evaluation Workbook</u> to grantees. You may also use the "Arts and Humanities Accessibility Checklist" in Step 6.

Enforcement information provided to grantees should include your organization's Standard Grievance Procedure, which includes the steps your agency takes to enforce the law if all efforts to secure voluntary 504/ADA compliance fail. Grantees/constituents should be encouraged to develop their own Grievance Procedures. See Step 5: "Establish a Standard Grievance Procedure for Resolving 504/ADA Grievances and Formal Complaints."

Examples of Grantee/Constituent Evaluation Efforts

Example: **National Assembly of State Arts Agencies** produced an encouraging, non-threatening self-assessment, "Report of the NASAA Task Force on Cultural Pluralism," based on the findings from a telephone survey. Constituents were asked to analyze:

Indicators of Commitment: Have you determined what you must do to become accessible?

Indicators of Accomplishments: Have you made any access improvements?

Standards: Have you determined a minimum level to guarantee access?

Example: The New Jersey Arts Access Task Force, a cosponsored project of the **New Jersey State Council on the Arts (NJSCA)** and the New Jersey Theatre Alliance instituted a self-assessment and ADA planning tool to assist arts organizations to complete a self evaluation of ADA policies, services, programs and facilities and meet the Arts Council comply with the NJSCA grant requirement. The tool provides practical guidance that can be used by cultural institutions in their process of ensuring the arts in New Jersey are accessible to people with disabilities.

Example: The status of accessibility efforts in the Kentucky arts community were reported in *"Accessibility Services Are Improving in Kentucky's Cultural Facilities*, an article in the September/October 2002 edition of <u>The Blue Moon</u>, a bi-monthly publication by the **Kentucky Arts Council.** According

to the results of 2 years of documentation from the applications of the General Operating Support and Challenge Grants 74% of the arts organizations surveyed answered they are providing necessary access to individuals with mobility disabilities, the numbers are significantly lower in the area of visual and hearing disabilities. Based on this data, arts organizations were offered the opportunity to attend workshops and have onsite evaluations of facilities, general technical assistance and training in program access.

Best Practices – Enforcement Through a Grant Application

Georgia Council for the Arts
Fiscal Year 2005 Organizational Grant Application

Applicants address the following as part of their application narrative:

Program Access for People with Disabilities:
Describe how your organization helps people with disabilities have more meaningful access *to the content* of your programs/services. (Use of assisted listening devices, audiotape descriptions, videotext display of programs, Braille or large-print programs and didactic material, etc.).

Describe any special efforts made to encourage people with disabilities to participate in your programs/services as artists or audience members.

Diversity:
Describe the diversity of your board, staff and volunteers (age, gender, ethnicity, professional background, education, areas of expertise, disability, sexual orientation, etc.).

Facility Accessibility:
Indicate if the facilities in which your programs/services will take place and the offices in which you manage your organization are fully accessible to people with disabilities (including ease of entrance, circulation and exit, and bathroom access). If not, please describe your plans to achieve compliance with Americans with Disabilities Act and Section 504 regulations."

Describe efforts being made to further diversify your board, staff and volunteers.

Applicants are provided with the following suggestions for addressing program access for people with disabilities, diversity and facility accessibility.
Administration/Governance
In addressing diversity and facility accessibility under

Administration/Governance, discuss steps your organization has taken over the past year, is taking this year, or plans to take next year. Use the following as a guide in determining what to include in your response.

Usually the first step in analyzing how underserved populations are represented in your organization is an organization self-evaluation. In evaluating your progress in this area, ask yourself the following questions:

- *Has the organization conducted a "self-assessment" in this area?*
  For example: The board has conducted an actual review of all policies, procedures, programs and services to identify factors that hinder or support efforts to include underserved populations and has identified steps necessary to make changes.
- **Has the organization adopted formal policies and procedures that support efforts to include underserved populations?**
  For example: The board has articulated a mission or vision statement that expresses an appreciation of diversity; the board promotes the inclusion of underserved populations; the board has adopted written policy statements that affirm action and commitment to increase the involvement of underserved communities in programs, services, administration and governance.
- *Has the organization conducted a community needs assessment using surveys or public meetings?*
  For example: The organization has completed an inventory of artists and organizations in the community to assist in identifying those who have been historically underserved. Perhaps the board has established a task force or advisory committee with the authority to study the issue and make recommendations for board action. It is clear who in the organization has the responsibility and authority to monitor and implement the recommendations.
- *Has the organization undertaken formal planning to address its need to increase involvement by representatives of underserved communities? Does the planning process involve representatives of underserved communities?*
  For example: The board has approved a written plan with clearly articulated goals and desired outcomes, timetables and information on how progress toward meeting those goals will be evaluated. A written plan should include a description of the process used to develop the plan and information about those involved in the process.
- *Has the organization articulated specific strategies to facilitate more representation from underserved communities?*
  For example: The organization may join with other arts organizations, businesses, civic groups, and other cultural organizations to develop a pool for future recruitment.
- *Has the organization established regular, ongoing mechanisms (committees, task forces, a monitoring and evaluation process) to*

provide oversight to its commitment to accessibility?

For example: The board has established a standing accessibility committee that reports regularly on progress in this area; an annual program evaluation process includes an evaluation of progress made toward increasing involvement of underserved populations.

Programs / Services

In addressing Criteria #4 and #5 [diversity and facility accessibility] under Programs / Services, discuss steps your organization has taken over the past year, is taking this year or plans to take next year to increase involvement of underserved populations in its programs and services.

- *Has the organization increased the involvement of artists from historically underserved populations in its programs and services?*
- *Has the organization increased programming that demonstrates awareness of the artistic expressions reflective of underserved populations?*
- *Has the organization used publications and media to address issues of accessibility?*

    For example: marketing materials are used to create visibility for underserved populations as participants; marketing materials are produced in more than one language, if appropriate; advertisements and other promotional materials are targeted to help get the word to underserved communities.

- *Has the board allocated appropriate levels of financial and personnel resources to the organization's accessibility programs and services?*

    For example: There are adequate budget and human resources to implement accessibility goals and objectives.

- *Does the board support staff and board professional development that focuses on accessibility issues and concerns?*

    For example: The organization belongs to organizations or subscribes to publications that focus on underserved populations and issues of inclusiveness; the organization supports attendance at conferences and workshops dealing with access issues; the organization employs, or plans to employ, a consultant to address issues and concerns as they relate to the underserved communities in their communities.

The Georgia Council for the Arts offers assistance to organizations in dealing with accessibility issues. Technical assistance grants, files of printed information (including self-evaluation questionnaires) and staff assistance are available.

Kentucky Arts Council
FY 2004 General Operating Support I & II Application

The following passage is taken from page 3 of the application.
Accessibility Check List
List which of the following accessibility services your facility(ies) provides for persons with disabilities:

For persons with mobility disabilities:
- ❐ Accessible-height telephones
- ❐ Accessible-height drinking fountains Accessible-height mirrors in restrooms
- ❐ Accessible-height paper towel dispensers in restrooms
- ❐ Grab bars in restrooms
- ❐ Sufficient door width (36") for restrooms
- ❐ Ready information or signage regarding fully accessible restrooms
- ❐ Facility doors with electrical operating controls
- ❐ Wheelchair-compatible outdoor paving
- ❐ Wheelchair-compatible indoor carpeting Ramped access
- ❐ Accommodations for wheelchair seating free of sight-line barriers
- ❐ Accessible dressing rooms for performers with disabilities
- ❐ Accessible stage for performers with disabilities

For persons with visual disabilities:
- ❐ Braille signage on restroom doors Braille signage on elevator controls
- ❐ Braille room numbers Braille exit signs
- ❐ Readily available large-print materials Audio description
- ❐ Taped text

For persons with hearing disabilities:
- ❐ Assistive listening systems Hearing aid-compatible telephones
- ❐ Captioning
- ❐ Telecommunications devices (TDDs) Sign language interpretation

For persons with speech disabilities:
- ❐ Computer terminals
- ❐ Speech synthesizers
- ❐ Computer communication board

Other accommodations:
- ❐ Notice in publicity materials of availability of access services for persons with disabilities (e. g. sign language interpretation, audio description, etc.)
- ❐ Sensitivity training concerning persons with disabilities for staff Sensitivity training concerning persons with disabilities for volunteers
- ❐ Sensitivity training concerning persons with disabilities for board

Florida Arts Council
2003- 2004 Cultural Support Grants Program

Applicants are required to respond to the following questions;

- ➤ Are the applying organization's facilities and PROGRAMS accessible (See glossary of definition) to persons with disabilities?
  ☐yes ☐no

  If no, is accessibility part of the organizations long range plans?
  ☐yes ☐no

- ➤ Has an ADA self-evaluation o f the organizations facilities and PROGRAMS been conducted?
  ☐yes ☐no
  If yes, give date completed _____

- ➤ Have policies and procedures been established which address non-discrimination against persons with disabilities?
  ☐yes ☐no

- ➤ Do you have a complaint process for discrimination on the basis of disability?
  ☐yes ☐no

- ➤ Please provide the designated staff person's name and title who is responsible for Section 504, ADA and Florida Statutes 553 Compliance: _____

  Are other staff members informed and trained in access issues?
  ☐yes ☐no

New Jersey State Council on the Art
Organizational Grants Guidelines & Applications 2003-2004

The following Passage is taken from New Jersey State Council on the Arts 2003-2004 Organizational Grants Application, page 15.

Accessibility and ADA Compliance

Ensuring that the programming supported by the Council is available to the widest possible audience is among the highest of the Council's priorities. This includes access for people with disabilities. The Americans with Disabilities Act (ADA) was signed into law in 1990 and requires that all providers of public programs and services make those offering equally accessible to all people regardless of any individual's physical or mental disability. Recognizing that the removal of barriers that keep people with disabilities from full participation can be a costly proposition, the ADA allows for the gradual removal of barriers, taking into account an organization's available resources. Having a transition plan to guide your efforts is therefore essential. Even if an organization does not seek or receive Council or other public funding, it is still responsible under the ADA for addressing its accessibility.

General Operating and General Program Support Applicants- An ADA plan is not required to be filed with the applicant for GOS/GPS applicants. However, organizations that receiving FY 04 funding will be required as a condition of receiving FY04 final payment to submit a new or updated board-approved ADA plan based on completing the new, updated, comprehensive self-assessment, survey tool developed by the New Jersey Arts Access Task Force. Incorporating what has been learned as the ADA has been interpreted in court cases and from various self-assessment tools from around the country, the Task Force has developed this comprehensive document to aid organizations in understanding their compliance status and accessibility in all key areas: facilities, programs, marketing, employment, sensitivity training, policy and handling grievances.

Using this self-assessment, along with an outline that will be provided, organizations are required to develop or update their ADA plans following the structure of the self-assessment. Plans will be due from GOS/GPS grantees by December 15, 2003 for review. A plan must be evaluated as "adequate" as a prerequisite to receiving the final payment for FY04.

Special Project, Project Serving Artists and Community Arts Collaboration Applicants- These applicants not also applying for GOS or GPS must complete the Project Accessibility Checklist provided by the Council and submit it with their applications. The checklist can be obtained from the Council's Web site at njartscouncil.org, at a grant application workshop (see inside front cover), or by calling the Council to request a copy at 609-292-6130.

The checklist should focus on the project for which funding is being sought. Applicants are cautioned that any evidence that is found to be contrary to what is noted on the checklist could be grounds for rescission of any grant awarded. Applicants are strongly encouraged to use the NJ Art Access Task Force self-assessment survey tool review the accessibility of facilities to be used for the project and programmatic access.

Four (4) copies of the completed Checklist must be submitted with the application package. The Checklist is not required for Arts Education Special Initiative applications.

Minnesota State Arts Board

From the Minnesota State Arts Board Institutional Support Application 2004:

ADA PLAN

Please complete the following and attach this page as a cover sheet to your Americans with Disabilities (ADA) access plan. An access plan should describe your accomplishments related to the ADA, and outline any future goals for making your facilities, programs, and services accessible to persons with disabilities. We expect that plans will vary in length depending on the mission, size, and scope of your organization. Our ADA access plan includes the following:
- A policy statement regarding accessibility and a brief description of how the policy was developed
- The ways in which our facilities, programs, and services are currently accessible to people with disabilities
- Accessibility goals yet to be addressed
- Projected costs (if any and a timeline of action steps to accomplish our accessibly goals

Enforcing Compliance in the Grant Review Process

Application Review Panels should include people who have disabilities and/or access expertise. Your organization's access policies should be reinforced in Grant Review Criteria. Panelists should be fully briefed on how to rank efforts to provide accessible programs, or a lack thereof, when evaluating grant applications. For example, a poor score may result in denying the grant request, restriction of the grant or lowering the amount of the funds awarded.

Example: The Institutional Support Grant of the **Minnesota State Arts Board** is awarded on the basis of formula funds and a merit component. Formula funds are awarded to applicants who meet the criteria in 4 designated areas, one of which is accessibility. Organizations must demonstrate efforts to increase accessibility as shown by an ADA access plan. Merit funds are awarded above and beyond formula funds on the basis of exceptional achievement in one of the 4 designated areas.

Enforcing access compliance requires commitment and consistency; many states are using a gradual method to bring grantees into compliance by increasing access components, such as plans and self-evaluations, in the application/review process year-by-year.

Example: Year 1: Questions on the application determine the current state of applicants' accessibility, and ask if the organization has an access self-evaluation and/or compliance plan on file. If not, the state arts agency provides the applicant with an access self-evaluation form, which must be returned with the final report.

Year 2: With the application, grantees are required to submit an access plan that addresses the non-compliance issues identified in their self-evaluation.

Example: Year 1: First-time applicants must submit a letter of commitment to develop a Cultural Access Plan.

Year 2: Submit a Cultural Access Plan (a self-assessment of applicant's agency, with measurable goals, objectives and strategies to insure access of people with disabilities or who are older as staff, board and audiences.)

Year 3: Applicant submits a brief report summarizing progress in access efforts.

Staff and/or the review panel may request evidence that efforts to resolve access deficiencies are included in the grantees' plan.

Staff and/or the review panel may be given power to request an audit if accessibility is in doubt; access compliance may be verified by a site visit performed by a qualified person.

Enforcing Compliance with Money

Experience has shown that the power of the purse strings is very strong in enforcing access compliance: grant funds may be restricted, rescinded, or denied. Remember, equal access with dignity is a civil right under Section 504 and ADA. Inaccessible programs, services and facilities are discriminatory; grant-making organizations are legally responsible if they fund applicants who fail to--or cannot demonstrate efforts to--comply with the law. As one panelist with a disability said, "The best way to get someone's attention is to stop using an inaccessible facility, <u>and tell them why! Stop the money!</u> We've told some larger institutions, 'When you get a ramp, we'll turn over your check.'"

Enforcing access should not be limited to punitive financial measures; a very positive and effective approach is to provide grantees with financial and/or technical assistance to improve their accessibility and comply with the law. Some show of funding, even $100 "Quick Grants" for capital improvements, may assist grantees in opening their activities to wider audiences, e.g., small grants for workable solutions, such as large print labeling, training audio describers or hiring an access consultant to review architectural plans.

See also: Step 7: Financial Considerations – Funding Accessibility Through Grants Programs.

Best Practice — Accessibility Review of Applicants or Grantees

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Maryland State Arts Council

MSAC ACCESSIBILITY REVIEW PROCESS

1. **Initiation**
   An Accessibility Review can typically be initiated by one of the following:

   - **Grantee**- When a grantee or grant applicant identifies through a self survey that they may have an accessibility issue,
   - **Staff**- When MSAC staff or representatives identify that there is an accessibility issues at any grantee's facility,
   - **Public**- When a member of the public files a written complaint regarding accessibility of a grantee.

2. **Process**
   Upon initiation of an Accessibility Review, a representative of the MSAC will be sent to conduct an Accessibility Audit. The Accessibility Audit will determine whether the grantee meets the criteria and intent of the <u>Maryland State Arts Council Guide to Policies & Procedures Regarding Grantee Accessibility for Persons with Disabilities</u>. The results of the audit will be submitted to the MSAC 504/ADA Coordinator. The MSAC 504/ADA Coordinator will notify the Grantee of the results of the Accessibility Audit.

3. **Appeals**
   A Grantee may appeal the results of the accessibility audit conducted by the MSAC representative to the MSAC Executive Director. The Executive Director and the 504/ADA Coordinator will present the appeal request to the MSAC Accessibility Advisory Panel. The MSAC Accessibility Advisory Panel will review the details of the situation including the Accessibility Audit and make a recommendation to the Executive Director of the MSAC who will have the final and binding decision.

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Arizona Commission on the Arts

Dear FY2004 Grantee:

The Commission asks its new grantees to tell us about their organization's accessibility for individuals with disabilities. We have found that it's helpful to let you know why we ask for this information and how it is used.

Accessibility to your programs, services and facilities is a key part of building participation and engaging new people with your organization, as well as an obligation. With the passage of the Americans with Disabilities Act on July 26, 1990, public and private institutions must be in compliance with legislation designed to reduce the physical and social barriers facing over 50 million disabled Americans. Assessing your present facilities and programs is the first step, letting you identify any changes you may need to make to comply with the federal legislation. This *Checklist* is a first step in determining your organization's accessibility. It ***does not*** include the specifications for physical accessibility that are part of the ADA, and we ***do not*** use this information to ensure your compliance. That is your responsibility. To ask for more information on the specifications or other resources that are available to help arts organizations understand and meet the ADA, please see the last page of this *Checklist*. We ***do not*** use this information in awarding or releasing your grant. You should respond with information regarding the facility(ies) in which you present Commission-sponsored programs, as accessibility of your programs is required whether you own your facility, rent facility space or tour.

We ***do*** hope that this *Checklist* helps you focus on the positive aspects of your current outreach, and stimulates some common-sense ways to expand your audience and better serve all members of the community. We use your completed *Checklist* to help us design and provide additional assistance for organizations to achieve greater access through consultants, workshops or other means; and to identify models of what is working that can be shared. We've also added a section for you to tell us what specific resources would be of most use to your organization. You may not be familiar with all of the language or types of accommodations listed. If you have any questions, please call Mollie Lakin-Hayes, ADA Coordinator for the Commission, at 602/229-8220; or email at mlakinhayes@ArizonaArts.org.

Also, **ARTability – Accessing Arizona's Arts**, is a consortium which makes arts and cultural programming more accessible to people with disabilities. This is a great resource to get additional assistance, and to promote your accessible programs and facilities to people with disabilities. Contact ARTability at 602/757-8118 (Phoenix) or 520/631-6253 (Tucson); or by email at artabilityaz@hotmail.com

Thank you.
   A) Rev. 6/20/03

STEP 10: Promote and Market Your Accessibility

Guidance on Public Information and Marketing

How to Write and Speak about People with Disabilities and Older Adults

Suggestions for Creating a Public Information and Outreach Checklist

Tools for Effective Communication in Promotional and Marketing Materials

Best Practices — Marketing and Publicity

Guidance on Public Information and Marketing

For patrons and visitors with disabilities the option to participate in a cultural event should be based on choice and not limited by lack of access.

Evaluate your organizations marketing plan to see that it promotes your accessibility.

Central to your outreach, public information, and marketing is **communicating to the public about the accessibility of your facility, program and services**.

Informing the public about the accessibility of your facility and programs is one way to communicate to people with disabilities that they are welcome.

The use of **appropriate terminology** and **disability etiquette** communicates respect and a positive attitude that is welcoming to people with disabilities.

In addition to physical access to programs, **auxiliary aids and services provides effective communication and makes programs accessible and enjoyable to everyone.**

Plan to provide an opportunity for a patron or visitor with a disability to request the auxiliary aid or service that suits their needs. For example, not all persons who are blind use Braille as their primary form of communication. Whereas one person who is blind might request a Braille program, someone else may prefer an audiotape.

Ensure that your staff is trained as to the location, usage and maintenance of auxiliary aids such as assistive listening devices in order that they are available and in good working order when requested.

Modify your marketing plan as needed improvements or accessibility projects are completed to inform and advertise your organizations accessibility.

Web sites should also contain information about the accessibility of arts and humanities facilities and programs. Accessible Web site design benefits everyone. Sites are easier to navigate and information is easy to locate.

Use your advisory committee to assist you in your outreach to the disability community and provide recommendations on your marketing and publicity materials.

See also: Step 4: Creating an Advisory Group or Committee.

Design for Accessibility: A Cultural Administrator's Handbook: Chapter 5 (http://www.arts.gov/resources/Accessibility/DesignAccessibility/Chapter5. pdf)

How to Write and Speak About People with Disabilities and Older Adults

People with disabilities and older adults, like other underserved groups, are actively seeking full civil rights including participation in the arts as creators, audiences, staff, board members, panelists, volunteers, teachers and students.

The way you portray people in what you write or say may enhance their dignity and promote positive attitudes. For example, **refer to a person first, rather than a disability; this emphasizes the person's worth and abilities**.

Politically correct vocabularies are constantly changing. . . but the following five "NEVER USERS" are here to stay!

1.   **NEVER USE the word "handicapped"**; the word is disability.

2.   **NEVER USE a disability as an adjective.** It is not a blind actor, but an actor who is blind. The focus should be on the **person**, NOT the disability.

3.   **NEVER USE "special"**; this separates the individual from the group. You do not require information regarding "special needs of the group," but "needs of the group." No "special" tours, but tours that include people with disabilities.

4.   **NEVER USE euphemisms,** such as "physically challenged," "handi-capable," etc.; these suggest that barriers are good or that disabilities exist to build the person's character. The person has a disability.

5.   **NEVER USE "clumping" or labels: "the disabled"; "the blind"; "the deaf"; "A.B.s" (able-bodied); "T.A.B.s" (temporarily able-bodied); or "normal."** Labeling people is never acceptable. Able-bodied is a relative, judgmental term. "Normal" is acceptable when applied to statistical norms and averages only.

Affirmative	Negative
• People with disabilities • A disability	• The handicapped • The impaired • The disabled • The unfortunate
• Person without disabilities • Non-disabled person	• Able bodied • Normal person • *This implies a person with a disability is not normal.*
• Person who is blind • Person who is partially sighted or has low vision	• The blind
• Person who is deaf • Person who is hard-of-hearing	• The deaf or deaf mute • Suffers a hearing loss • *"Suffers" dramatizes a disability.*
• Person who uses a wheelchair • Person with limited mobility • *People use wheelchairs for mobility and freedom*	• Wheelchair bound • Confined or restricted to a wheelchair • Cripple
• Person who has muscular dystrophy • Person who has multiple sclerosis • Person who had polio	• Stricken by MD • Afflicted by MS • Polio victim • *"Stricken," "afflicted," and "victim," all imply helplessness, and emotionalize and sensationalize a person's disability.*
• Person who does not speak • Non Verbal	• Dumb • Mute
• Person with epilepsy • Person with a seizure disorder	• Epileptic
• Person with learning disabilities	• The learning disabled
• Older person • Older adult • Mature adult	• The aged • The elderly • Senior citizen

Affirmative	Negative
• Person of short stature • Little people	• Dwarf • Diminutive person • Midget
• Person who lives in a nursing home or long-term care institution • Person who stays at home because of limited mobility, fragile health, etc.	• The infirmed • The institutionalized • The homebound

See also: Step 4: Create an Access Advisory Committee- "Guidance for Writing and Speaking about People with Disabilities and Older Adults".

Advertising Accessibility: Tips for Successful Marketing
(Based on a checklist developed by Lisa Thorson/Very Special Arts Massachusetts, 1990).

Advertising the physical access of a facility, program, or meeting should be included in your organization's overall public relations strategy and targeted to specific groups.

The following is applicable to all brochures, print ads, flyers, subscriptions, registration forms, and press releases:

1.   Note wheelchair accessibility by using the wheelchair symbol, which indicates access for people with limited mobility. Use the symbol only if the facility and/or area is accessible to people using wheelchairs, including entrance, restrooms, assembly areas, etc. (See below : Tools for Effective Communication and Promotional Marketing Materials).

2.   If the entrance is accessible but restrooms are not, you can use the text

     • Wheelchair accessible entrance; inaccessible restrooms.

3.   For ticket orders and subscription series, indicate if wheelchair accessible or non-step seating is available. Include a floor plan with designated wheelchair-seating areas and the universal access symbol.

4.   Include the following on registration forms:

Please check below any accommodations you may require, and return this form by [specify date]:

(Optional: Include your phone number so that a member of our staff may contact you.)

   ___ Wheelchair accessible seating
   ___ Wheelchair accessible room
   ___ Wheelchair accessible transportation
   ___ Accessible parking
   ___ Print materials provided in large type
   ___ Print materials provided in Braille
   ___ Print materials recorded on cassette tape
   ___ Assistive listening system
   ___ Sign language interpretation
   ___ Computer-Assisted Note taking
   ___ Oral interpretation
   ___ Personal assistance
   ___ Vegetarian meals
   ___ Kosher meals
Other (Please specify): _____

5.   If events are sign language interpreted, include the interpreting symbol on all announcements.

6.   When using access symbols, place them where general information is given about the organization or program. The symbols should be displayed prominently. Integrate symbols into the design of an ad, brochure, or flyer when possible.

       If your organization has display materials and literature available, you may want to include signage that informs people about the access information that is available.

7.   If access information or symbols are edited from ads, text, or press releases, follow up with the newspaper, magazine, or media outlet. Let them know that access information is as important as the phone number or address of your organization.

8.   Using access symbols always works better than text that describes access.

9.   In all ads, include a phone number for more information about accessibility next to the symbols (if it is different from the general number for information).

10.   Include "TTY" and the symbol next to the number for deaf and hard of hearing people:
         •   555-1234 (TTY)

       If the number is the same for general information:

- 555-1234 (Voice/TTY or V/TTY)

11. If a TTY is not available:

- 555-1234 (Voice only or V only)
- You may indicate your state's relay system 800 phone number.

12. If audio description and/or an assistive listening system is available, include the symbols for those, or this line of text:

- Assistive listening system is available.
- For more information contact 555-1234 (V/TTY).
- Audio description is available.
- For more information contact 555-1234 (V/TTY).

Important Considerations

1. Make sure that all box office personnel, ushers, and staff are familiar with your organization's overall physical access and access services.

2. Language: Use words that reflect dignity in reference to people with disabilities in flyers, press releases, radio and television ads, and live interviews that promote programs.

Positive Example: (in radio spot) The Breed's Hill Theatre Company is wheelchair accessible. Several performances are ASL interpreted. For more information about performances contact 555-1234 Voice/TTY.

Negative Example: The Breed's Hill Theatre Company is handicapped accessible and performances are interpreted for the deaf.

3. Work with your public relations staff, advisory boards, and volunteers to do targeted advertising to older adults and people with disabilities. Some resources include:

- Newsletters that target people who are older and/or people with disabilities
- Social service and community organizations that work with older adults and people with disabilities
- Advocacy and recreational organizations whose membership is primarily made up of people with disabilities and their friends and families
- Schools, colleges, and parent groups
- Radio reading service
- Radio or television shows
- Web sites that advertise accessible events or services

Suggestions for Creating a Public Information and Outreach Checklist

A Public Information and Outreach Access Checklist may combine the following sections of the "Arts and Humanities Accessibility Checklist" (See Step 6):

Print Materials includes ways to make publicity brochures, programs, and other print materials available to people who cannot read traditional print. ("Arts and Humanities Accessibility Checklist" Section O)

Marketing includes ways to reach and interest people with disabilities. ("Arts and Humanities Accessibility Checklist" Section Q)

Meetings includes considerations for assuring that a meeting site is fully accessible. ("Arts and Humanities Accessibility Checklist" Section P)

Programs and Presentations includes the full range of communication techniques necessary to make presentations accessible.

In addition, if food or drinks are being served, **Food Service** ("Arts and Humanities Accessibility Checklist" Section J) should be included. Use **Media** ("Arts and Humanities Accessibility Checklist" Section P) if slides or other audio visuals will be presented.

See also: **Promoting and Advertising Your Accessibility** (http://nadc.ucla.edu/Promoting.htm) or a marketing and publicity checklist.

Tools for Effective Communication in Promotional and Marketing Materials
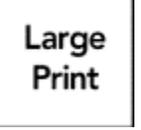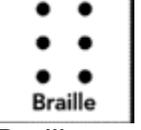
Writing and Reporting About People with Disabilities

Guidelines for Reporting and Writing about People with Disabilities (2001) (http://www.lsi.ku.edu/lsi/internal/guidelines.html). are available from the on the Research and Training Center on Independent Living (RTC/IL) Web site: These guidelines help you make better choices in terms of language and portrayal of people with disabilities. Examples are provided of how to use appropriately utilize people first language as well as do's and don'ts regarding the portrayal of people with disabilities.

Disability Access Symbols
The 12 following symbols developed by the Graphic Artist Guild may be used to promote and publicize accessibility of places, programs and other activities for people with various disabilities. These symbols are intended to help you advertise your access services to customers, audiences, staff and other targeted publics. Advertisements,

newsletters, conference and program brochures, membership forms, building signage, floor plans and maps are examples of material that might display these symbols. You are encouraged to place these symbols next to the relevant information in all publications and media. These symbols maybe downloaded on the Graphic Artist Guild's Web site (http://www.gag.org/resources/das.php)

Access for individuals who are blind or have low vision.	Assistive listening Systems	Closed Captioning
Access Print (18 pt. or larger)	Sign Language Interpreted	Audio Description
Open Captioning	Telephone Typewriter (TTY)	Accessibility
Braille	Volume Control Telephone	Information

Producing Documents in Accessible Formats

Printed materials can present a barrier to individuals with visual, cognitive or learning disabilities. Alternative formats such as Braille, large print, audiotape, or computer diskette are some of the available formats for making print accessible. All publications distributed by arts and humanities organizations should indicate the available alternative formats.

Example: This publication is available in alternative formats upon request.

Example: We print materials in alternative media. You can get written material in Braille, audiocassette tape, or enlarged print form.

Example: This document is available online, in print, large print, Braille or on cassette tape.

A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired (http://www.acb.org/accessible-formats.html), published by the American Council of the Blind
1155 15th St. NW, Suite 1004
Washington, DC 20005
Phone: (202) 467-5081
Fax: (202) 467-5085
Internet: http://www.acb.org
Email: info@acb.org.
Description: This document is available online, in regular print, large print, Braille, or on cassette tape.

Association of Science Technology Centers
Accessible Practices, Print Material: Large Print
(http://www.astc.org/resource/access/pmlp.htm)
Contains guidance on how to produce material in large print.
Internet: http://www.astc.org

National Center for the Dissemination of Disability Research
NCDDR guidelines for User-Friendly Materials and Alternate Formats
(http://www.ncddr.org/du/products/ufm/ufm.html)
This document reviews strategies for disseminating alternative formats to increase the accessibility of information.
Internet: http://www.ncddr.org

Manuscripts, Signage and Labeling

Example of Poor Signage/Labeling:

Can you read the above? Many will find it illegible. Attractive lettering is not always legible and even harder to read when poor lighting is a factor (e.g., in exhibit areas, lobbies, and dim theaters). As you can see, it is important to keep the following factors in mind when creating signage:

- **Paper**: Use pale paper with dark lettering for high contrast (a minimum of 70% contrast).

- **Font Style**: Sans serif or simple serif fonts are best (italic lettering may be hard to read).

- **Font Size**: Twelve point is standard for manuscripts (small lettering can strain the eyes) and eighteen point is the minimum for labeling and signage.

Example of Good Type Presentation:

<u>**Subscriber Benefits**</u>
- **Special Savings** for all performances
- **Reserved Seating** in the best available seats
- **First Renewal Options** for choice seats
- **Ticket Exchange Privileges** for other performances
- **Convenient Free Parking** in front of the theater

<u>**Services and Facilities**</u>
- **Physical Accessibility.** The theater features accessible parking, entrances, restrooms, telephones, and seating.
- **Listening System.** Theatergoers may enjoy the free

infrared listening system from any seat.
- **Audio Description.** Audience members may enjoy free broadcast descriptions of the action.

<u>Accessible Web Design</u>

In the age of computers, the Internet has become one of the most effective marketing and publicity tools for cultural organizations. Many arts and humanities organization have developed Web sites to highlight and publicize their programs and projects. Websites also serve as a great outreach and communication tool.   It opens the doors to different communities to be involved in the arts and humanities, such as person who lives in a nursing home or long-term care institution or person who stays at home because of limited mobility, fragile health, etc.   Thus, it is imperative that all arts organizations Web sites be made accessible to audiences and artists of all abilities.

Designing Accessible Web Pages for the Internet
There many resources you can use to design an accessible Web site or to add accessibility features to an existing Web site. The following are some resources you can use.

W3C has also developed web accessibility guidelines. These guidelines explain how to make **Web content** accessible to people with disabilities. The guidelines are intended for all **Web content developers** (page authors and site designers) and for developers of authoring tools. To view the guidelines go to their Web site at: (http://www.w3.org/TR/WCAG10/)

Designing Accessible Web Pages for the Internet is an annotated bibliography produced by the National Arts and Disability Center (http://www.nadc.ucla.edu/dawpi.htm). The bibliography contains information on the following topics: Why Make a Web Site Accessible; How to Create an Accessible Web Site, Evaluating Your Sites Accessibility; Access in Action: Examples from the Arts. Included are examples of accessible arts sites.

The **Association of Science-Technology Centers** has a useful web resource about making Web sites accessible on their page **Accessible Practices: Web Page Design** (http://www.astc.org/resource/access/webdesign.htm).

Best Practices -- Marketing and Publicity

Example: Hospital Audiences, Inc. produces an online
              Accessibility and Senior Discount Searchable Database of New York City
              (http://www.hospaud.org/database/intro.htm#). The accessibility for each
              facility is detailed with descriptions of its physical access [i.e., box office,
              seating, restrooms, parking] and the auxiliary aids and services provided.

Best Practices- Audience Information Letter

LA JOLLA PLAYHOUSE

P.O. BOX 12039
LA JOLLA
CALIFORNIA
92039

ADMINISTRATION
(858) 550-1070

FAX
(858) 550-1075

BOX OFFICE
(858) 550-1010

E-MAIL
ljplayhouse
@ucsd.edu

WEB SITE
www.
lajollaplayhouse.
com

June 14, 2001

Dear Access Audience Member:

La Jolla Playhouse's Department of Education and Outreach, through it's Access Performance Program, is dedicated to providing performances of our main stage productions for patrons who have special needs. The Playhouse provides services at these performances for audience members who are deaf, hard-of-hearing, blind or low-vision.

The Access Performance of Michael Ondaatje's **THE COLLECTED WORKS OF BILLY THE KID**, directed by Kate Whoriskey and Des McAnuff, with music by Des McAnuff, is **Saturday, June 23rd at 2:00 pm in the Weiss Forum**.

This performance of THE COLLECTED WORKS OF BILLY THE KID will be audio described for blind and low-vision patrons. It will not be ASL interpreted.

Tickets are extremely limited and subject to availability. We encourage our Access Audience members who are interested in this performance to call the box office to reserve your tickets in advance. Access tickets are offered at a discounted rate of $10.00. Assisted hearing devices for the audio description and for enhanced hearing are available at no extra charge. You may reserve two tickets by calling The Playhouse's box office at 858-550-1010, or through our website at www.lajollaplayhouse.com.

PLEASE NOTE: THE COLLECTED WORKS OF BILLY THE KID is for mature audiences only. It contains violence, partial nudity, adult language and sexual situations. We should also caution you that gunshots, strobe lights and smoke are used in this production as well.

The next ASL Interpreted show is THE LARAMIE PROJECT in the Weiss Theatre on August 18th.

We wish to continue to expand this program. We hope you will lend your support by attending and telling a friend.

Reserve your tickets today!

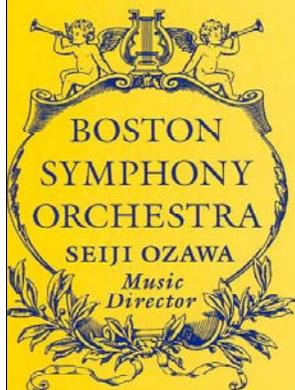**See you at the Playhouse!**

Holly MacDonald
Access Coordinator

Enc: flyer
        brochure

SAN DIEGO'S LA JOLLA PLAYHOUSE
AN ARTISTIC AND EDUCATIONAL RESOURCE FOR THE COMMUNITY SINCE 1947

BOSTON SYMPHONY ORCHESTRA

BOSTON
SYMPHONY
ORCHESTRA
SEIJI OZAWA
Music Director

ACCESS GUIDE FOR PATRONS WITH DISABILITIES

BOSTON SYMPHONY ORCHESTRA
SEIJI OZAWA
Music Director

On behalf of the Boston Symphony Orchestra, I am pleased to welcome members of the disabled community to our beautiful concert hall. Although the original building is nearly 100 years old, substantial efforts have been made to increase its accessibility for our patrons with disabilities.

In recent months, we have created wheelchair-accessible seating in various areas of Symphony Hall, and conducted sensitivity training for all of our ushers and waitstaff. We have purchased and installed a multi-channel assistive listening system, a TDD/TTY at SymphonyCharge, and a public TTD/TTY phone outside the Hatch Room, near the Cohen Wing entrance.

Our future plans include completing a comprehensive signage project, offering various print items in alternate formats, and creating an accessible box office.

It is our hope that this access brochure will help make your BSO experience a truly pleasurable one. We thank you for your continued interest and patronage.

Sincerely,

Kenneth Haas
Managing Director
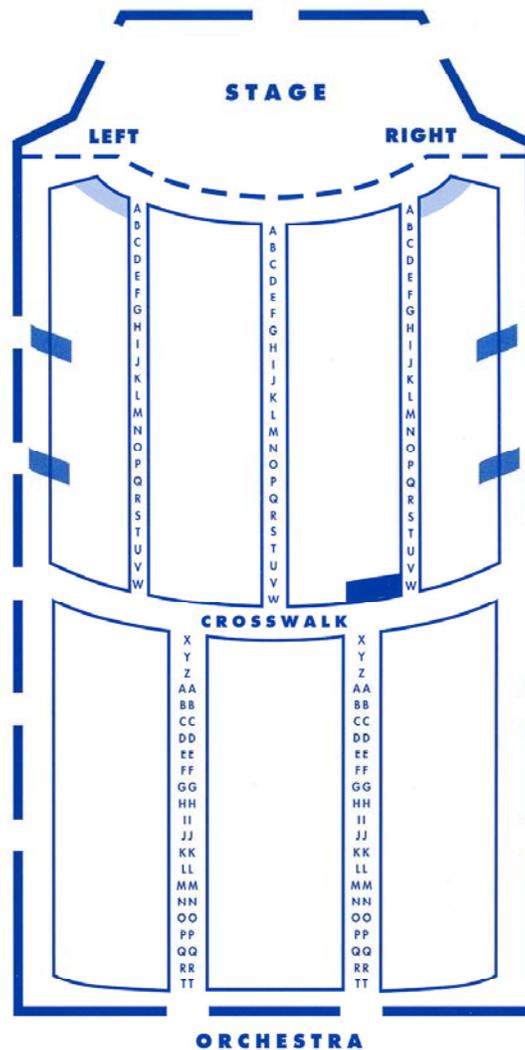
(Boston Symphony Orchestra cont…)

Symphony Hall Seating Plan

Accessible seats are located on the orchestra floor. One companion seat is available for each accessible seat. Requests for additional companion seating should be made in advance by calling SymphonyCharge at (617) 266-1200 (Voice) or (617) 638-9289 (TDD/TTY).

Access for patrons with disabilities at Symphony Hall is an ongoing effort. In our desire to improve Symphony Hall facilities and programs, we strongly encourage you to call or write us with your comments, questions, and/or suggestions at:

Access Service Center
Carol Passarelli
Boston Symphony Orchestra
301 Massachusetts Avenue
Boston, MA 02115
(617) 638-9346

STAGE

LEFT   RIGHT

■ 1st price-Orchestra
■ 2nd price-Orchestra
□ 5th price-Orchestra

Rows (stage section): A B C D E F G H I J K L M N O P Q R S T U V W

CROSSWALK

Rows (rear section): X Y Z AA BB CC DD EE FF GG HH II JJ KK LL MM NN OO PP QQ RR TT

ORCHESTRA

(Boston Symphony Orchestra cont…)

Symphony Hall Service Information

ACCESS SERVICE CENTER

Symphony Hall Access Service Center is located at the Cohen Wing entrance to Symphony Hall on Huntington Avenue. The center dispenses assistive listening headsets and receivers, alternate format materials, as well as other medical equipment. The Access Service Center staff also assist patrons on an as-needed basis.

TELEPHONES

Accessible telephones are located on either side of the Hatch Room on the orchestra level. The pay Telecommunication Devices for the Deaf (TDDs)/Tele-Typewriters(TTYs) are located outside the Hatch Room as you enter from the Cohen Wing on the orchestra level.

ELEVATORS

Public elevators are available in Symphony Hall. There is an elevator located near the Cohen Wing entrance to Symphony Hall that will bring you to the orchestra level of Symphony Hall. The glass elevator outside the Hatch Room on the Mass. Avenue side of Symphony Hall can be used to reach the unisex accessible restroom on the first-balcony level.

RESTROOMS

Accessible restrooms are located in the Cohen Wing just inside the Huntington Avenue entrance. Patrons will find accessible features such as stalls, urinals, sinks, mirrors, and paper towel dispensers in the accessible bathrooms. There is also one unisex accessible bathroom on the first balcony-level.

ASSISTIVE LISTENING DEVICE

Headsets and multi-channel receivers for a Phonic Ear FM sound-enhancement system are available free of charge at the Symphony Hall Access Service Center located at the Cohen Wing entrance on Huntington Avenue. Either a driver's license, credit card, or deposit is required to ensure return of equipment. Patrons who choose to bring their own headset and receiver may access the FM frequencies on 74.725 MHZ (channel #35) or 75.225 MHZ (channel #37).

LOUNGES

Accessible drink service counters are available in the Hatch Room on the Orchestra level. Patrons with disabilities who require assistance at the drink service areas should notify the nearest Symphony Hall usher.

EMERGENCY EVACUATION PROCEDURES

Designated Symphony Hall ushers and security personnel have been trained in proper procedures for emergency preparedness. These designated staff members will have the primary duty of assisting patrons with disabilities to specific locations.
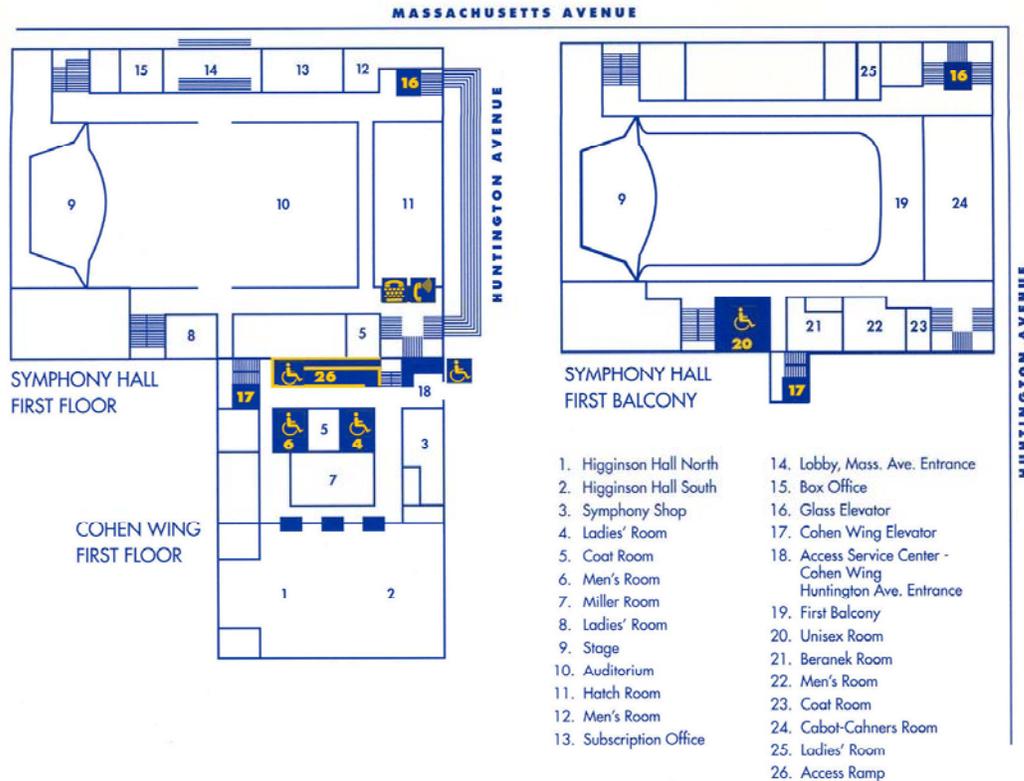
SERVICE ANIMALS

Although animals are not allowed in Symphony Hall, an exception is made regarding service animals for the disabled. Please contact SymphonyCharge (617) 266-1200 (Voice); or (617) 638-9289 (TTD/TTY), if any accommodations are required.

SMOKING

Smoking is prohibited inside Symphony Hall.

(Boston Symphony Orchestra cont…)

Symphony Hall Map

MASSACHUSETTS AVENUE

HUNTINGTON AVENUE

| 15 | 14 | 13 | 12 |
| 16 |

9

10

11

8

5

SYMPHONY HALL
FIRST FLOOR

17

26

18

6 5 4

7

3

COHEN WING
FIRST FLOOR

1

2

HUNTINGTON AVENUE

25

16

9

19

24

20

21

22

23

SYMPHONY HALL
FIRST BALCONY

17

1. Higginson Hall North
2. Higginson Hall South
3. Symphony Shop
4. Ladies' Room
5. Coat Room
6. Men's Room
7. Miller Room
8. Ladies' Room
9. Stage
10. Auditorium
11. Hatch Room
12. Men's Room
13. Subscription Office
14. Lobby, Mass. Ave. Entrance
15. Box Office
16. Glass Elevator
17. Cohen Wing Elevator
18. Access Service Center - Cohen Wing Huntington Ave. Entrance
19. First Balcony
20. Unisex Room
21. Beranek Room
22. Men's Room
23. Coat Room
24. Cabot-Cahners Room
25. Ladies' Room
26. Access Ramp

HOW TO GET TO SYMPHONY HALL

Symphony Hall is located at 301 Massachusetts Avenue at the corner of Huntington Avenue.

By Subway: Take the Heath Street/Brigham Circle ("E") Green Line train to the Symphony station, any other Green Line train to the Hynes Convention Center/ICA station, or the Orange Line to the Massachusetts Avenue station.

By Bus: Take the Massachusetts Avenue bus running from Harvard Square in Cambridge directly to Symphony Hall.

By Car: From the North: Take Route 93 South to Storrow Drive to the Fenway exit. From the South: Take Route 93 (the Southeast Expressway) to the Massachusetts Avenue exit. From the West: Take Storrow Drive to the Fenway exit or, from the Mass Pike Extension, take the Prudential Center/Copley Square exit. For further directions, call Symphony Hall at (617) 266-1492.

THE RIDE

The Massachusetts Bay Transportation Authority (MBTA) provides a van service, The Ride, for pre-registered passengers. For more information, please call the MBTA at (617) 722-5123 (Voice); or (617) 722-5415 (TDD/TTY).

ADDITIONAL FACILITIES

Food and Beverages: Available at the Bullard Tavern and the Grant Store, both accessible.

Lodging: Wheelchair-accessible rooms offered at the Old Sturbridge Village Lodges, subject to availability. Assistive equipment available for hotel guests who are deaf or hard of hearing. For reservations call 508-347-3327 (voice), 508-347-2235 (TTY), or 508-347-3018 (fax).

Shopping: The Museum Gift Shop and New England Bookstore and the Grant Store are accessible.

Research Library: Located in the Administration Building. Accessible and open to the public Monday - Friday, 10:00 - 5:00.

For the Safety and Comfort of All
* Please do not approach, touch, or feed the livestock. Animals are unpredictable: horns, hooves, and teeth may cause injury.
* Smoking, eating, and drinking are not permitted in buildings.
* Pets taken into the Village must be leashed at all times. Except for service animals, pets must be carried if taken into buildings.
* Please do not walk or climb on fences, walls, or trees.

Old Sturbridge Village is open year-round. Please call for seasonal hours.

FOR MORE INFORMATION ON MUSEUM ACCESS, please contact the Access Coordinator at 508-347-3362, ext. 282 (voice), or 508-347-5383 (TTY). Access information is also available at our site on the Internet: www.osv.org
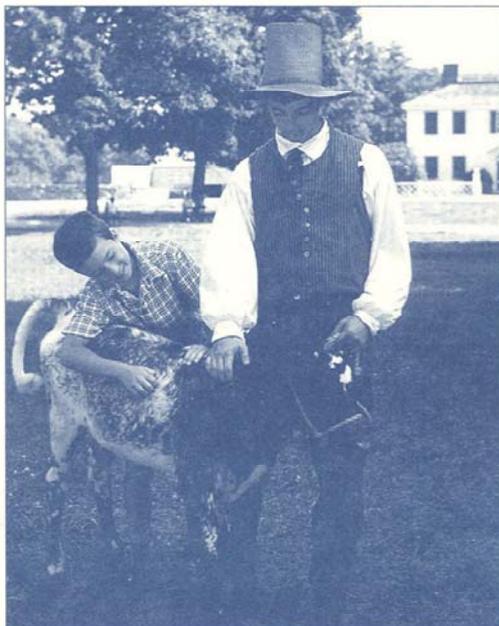
OSV

Accredited by the American Association of Museums

FUNDING PROVIDED IN PART BY
MASSACHUSETTS CULTURAL COUNCIL

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Old Sturbridge Village
GUIDE TO ACCESS

Please consult your Map Guide for today's special activities.

GENERAL INFORMATION

Old Sturbridge Village is an outdoor history museum and re-created New England town of the early 19th century. The Village covers over 200 acres and has more than 40 historic and reconstructed buildings. Unpaved roads lead to houses, farms, shops, mills, and gardens typical of 19th-century rural New England. Throughout the Village historically costumed "interpreters" demonstrate and discuss the daily life, work, and community celebrations of earlier generations.

Over one-half of our historic buildings have wheelchair-accessible entrances; interior access varies. The Village's unpaved roads are generally firm and stable. Most roads are level, with steeper grades located near the Bullard Tavern, Glass Exhibit, and Herb Garden. Longer, more gradual grades are located near the Visitor Center and Freeman Farmhouse. (See enclosed map.)

The **Visitor Center** is the main entrance for most visitors. Ticketing and information services, exhibition galleries, and a theatre are located here. Please begin your visit in the theatre with our 15-minute, captioned **orientation program**.

For the safety and comfort of all, please note the guidelines listed on the back of this brochure.

MUSEUM SERVICES

Parking: Designated spaces are located near the Visitor Center and at the Education Building.

Accessible Rest Rooms: Located in the Visitor Center, at Bullard Tavern, near the Carding Mill, in the Fuller Conference Center, and in the Education Building.

Wheelchairs: Available for loan at the Visitor Center and at the Education Building. Reservations welcome.

Strollers: Available for rent at the Visitor Center. Adapted strollers for children with disabilities are allowed in all buildings.

Telephones: Located outside the front entrance of the Museum Gift Shop (two phones with volume control) and on the lower level of Bullard Tavern.

OC **Orientation Program:** Presented daily in the Visitor Center Theatre. Open captioned.

Assistive Listening System: Installed in the Visitor Center Theatre. Please pick up a personal receiver at the ticket desk.

Sign Language Interpretation: Available by request, with at least two weeks' advance notice. Please call 508-347-3362, ext. 282 (voice), or 508-347-5383 (TTY).

Sensory Opportunities: Available throughout the museum. Please ask our costumed "interpreters" about objects that can be handled.

Service Animals: Welcome in all exhibits. Water trough located near the Blacksmith Shop.

Horse-drawn Wagon: Provides transportation between the Bullard Tavern and the Blacksmith Shop. (Operating schedule varies seasonally.) Vehicle is equipped with a ramp; driver can provide assistance.

First Aid: Located behind Friends Meetinghouse. First-aid staff available during museum hours.