



recreation accessibility consultants, llc

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Baltimore Ravens, Super Bowl Champions...and Champions of Access!

Were you rooting for the 49ers or the Ravens? Along the way to the Ravens' Super Bowl victory, the Club displayed some impressive commitment, attitude, and creativity...and I don't mean on the football field. A long time Ravens fan, Matthew Jeffers, wrote the team and said that the only disability in life is a bad attitude. We know that from our own experience, and from the many training events we have conducted. Visit YouTube at the link below or the Ravens' [website](#) and check it out!

<http://www.youtube.com/watch?v=Wd89IydtXyk>

Sports and Recreation Superstars and Allegedly Doing the *Wrong* Thing...

We have all seen it. The multi-millionaire athlete or coach who thinks he (or she) is above the rules. Maybe it is a **crime** (possessing a handgun in a club). Maybe it is **cheating** (spying on the other team's practices). Maybe it is **enhancing performance** in ways the sport bans (doping for professional cyclists, sprinters, etc.).

Just as we have touted the good done by athletes with disabilities here, we will also acknowledge the allegation of wrongdoings. Oscar Pistorius, the South African sprinter who runs **very** fast on carbon fiber legs, was charged with murder in February regarding the shooting of his girlfriend. We don't know what will happen, and we hope for justice for this young woman's family.

As athletes with disabilities get more attention on the world stage, we hope they remain **good people**, who happen to excel at a sport, and happen to have a disability.

Pool Lifts

As the field, and related industries like travel and tourism,

IN THIS ISSUE

Baltimore Ravens, Super Bowl Champions...and Champions of Access!

Sports and Recreation Superstars and Allegedly Doing the Wrong Thing...

Pool Lifts

Village of Evendale Retains RAC for Parks and Recreation Access Audit

Pennsylvania Weighs in Regarding DOE Guidance...

National Public Radio

Shelley Says...

ABOUT US

Recreation Accessibility Consultants, LLC has the skill to aid park districts, park and recreation agencies, forest preserve and conservation districts, and special recreation agencies in their endeavors to provide recreation to people.

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adjusts to the new (but-not-new) requirements regarding swimming pool lifts, we continue to hear a lot of questions. We had a particularly enjoyable exchange with a New Jersey professional, who reported that a town was using the "G" word to describe their pool and whether the water had to have a means of access. Oh...sorry...the "G" word is "grandfathered in" and of course there is no such thing in the ADA world. She went on to ask how a pool lift should be secured to the deck, and we gave her the answer. See your lift vendor...there is no one-size-fits-all approach to securement.

That said, we know from our travels that communities and hotels **are** installing lifts. Click [here](#) to see a picture of a pool deck secured lift at a new hotel in Lubbock, Texas, the site of the 2013 Texas Recreation and parks Society Conference!

Village of Evendale Retains RAC for Parks and Recreation Access Audit

"I talked with Dave Nichols, the Director, and he agreed we needed to have our sites audited for access" said Kristen Maiden, Recreation Program Supervisor for the Village of Evendale, Ohio. "We had heard John speak at an OPRA workshop and knew right away that we wanted to use his firm" she added. Our RAC teams completed the work in three days and once we receive our audit summary, we will begin working on revising our policies and procedures along with creating a Transition Plan for the Village.

Pennsylvania Weighs In Regarding DOE Guidance...

A great article in a local paper in Erie, PA discussed the impact of the recent US Department of Education guidance regarding sport and students with disabilities. The article is [here](#). Some feel that guidance is more than adequate. Some athletes with disabilities feel guidance is not enough, not "concrete" enough to result in a good outcome. What's happening regarding this issue in your state?

Shelley Says...

RENOVATION AND THE ACCESSIBLE ROUTE

You don't really use that locker room anymore, and you've run out of space for your preschool program, the plan is to renovate the locker room and repurpose it for use as a preschool classroom. You know that you need to make the new space comply with the 2010 standards, but what other access requirements does this trigger?

Let's start with defining alteration - an alteration is a change to a space that affects or could affect the usability of the building or facility or any part thereof. Normal maintenance: repainting, reroofing, wallpapering, asbestos removal or changes to mechanical or electrical systems are not alterations unless they affect the usability of the building or facility.

Once you have determined that the work is an alteration, you need to assure that, to the maximum extent feasible, the path of travel to the altered area, restrooms, telephones and drinking fountains serving the altered area are accessible and usable by individuals with disabilities, including those in wheelchairs; **UNLESS** the cost and scope of the alterations are disproportionate to the overall cost of the alteration.

What is considered disproportionate? The cost of the renovation to the path of travel need not exceed 20% of the total cost of the renovation. When looking at that total, you may need to decide on an order of importance of the elements of the path of travel - they are as follows:

- An accessible entry
- An accessible route to the altered area
- At least one accessible restroom for each sex, or a unisex restroom
- Accessible telephones
- Accessible drinking fountains
- When possible, additional accessible elements such as parking, storage and alarms

In some states, there may be greater requirements for access retrofits when renovating, so be sure to refer to your state and local codes as well.

National Public Radio

NPR is doing a series on accessible playgrounds, and whether these are results of a passionate, community led effort to memorialize a child, or are a sign of good practices by parks and recreation agencies, or a combination of the two. What is it in your community? Keep your ears open for the NPR piece!

Disclaimer

Nothing in this newsletter is legal advice. It is instead, a relaying of decisions and information about the application of the Americans with Disabilities Act to public parks and recreation. Readers interested in legal advice should seek an attorney licensed in your state that knows the ADA and can apply it to parks and recreation.



THE W-T FAMILY OF COMPANIES

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