



recreation accessibility consultants, llc

July 2014

Fifty States...and How Many Ways to Serve People with Disabilities?

We received an interesting inquiry from an Illinois park district last month. The director wants to grow programs and services for people with disabilities and was seeking some advice. In today's fiscal climate that can be easier said than done. But we suggested ways that it could be done.

Click [HERE](#) to read more.

City of Summit (NJ) Retains RAC for a System-Wide Access Audit

Judith Leblein Josephs sat in an ADA session at the New Jersey Recreation and Park Association 2014 conference and thought to herself "We have to get this done!" The "this" was an access audit and transition plan, and after soliciting proposals, Judith and the City of Summit retained RAC for a system-wide access audit and transition plan. "I have known John for a long time and of course for new work we have been paying attention to the design requirements. But we had not yet evaluated our existing sites, and RAC was the best choice for us."

Our teams started work in early July and we expect to deliver reports to the City of Summit in late September.

Congratulations to Shelley Zuniga!

Senior Project Manager Shelley Zuniga has great career experience regarding people with disabilities.

We discussed her title a lot when she was the first RAC employee in 2008. We talked about it in 2009 too. In 2010 as we started to work more out of Illinois we talked about it again. In 2011 and 2012, we talked about it in airports. In 2013 we talked about it again. And yes, on July 15, 2014, her title finally changed to Vice-President. That's good for us

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ABOUT US

Recreation Accessibility

and for you...she has directly touched every one of our 150 local government clients but one in six years. That's pretty impressive. And she delivers.

Have a question about the 2010 Standards? Ask Shelley!

Have a question about when your access audits are finished? Ask Shelley!

Want to know about why some playground surfaces, like Engineered Wood Fiber, should only be used in limited circumstances? Ask Shelley!

Want to know why the centerline of the toilet has to be 16" to 18" from the wall, not 15" or 19"? Ask Shelley!

Don't wait. In fact, send her your congratulations at shelley.zuniga@rac-llc.com. Or call her at 224/293-6452.

Seriously, We Can't Make This Up! More Service Animal News...

Why doesn't everyone have a service animal policy that complies with title II? In the settlement linked [HERE](#), a New Jersey School District allegedly refused to permit a service animal to accompany an 8-year-old boy with autism while he is in school. Look, title II in section 35.136 is pretty clear about this: service animals, that are trained and perform a function related to the disability of the handler (or person with a disability) can go... **Click [HERE](#) to read more.**

More Signs for Your Enjoyment

You'll recall, we hope, our series of signs we have seen (alliteration!) as we journey through parks and recreation sites. [HERE](#) are two more that were too good not to share with you.

Township of Morris (NJ) Retains RAC for System-Wide Access Audit

The Township of Morris is an historic community. Bill Foelsch, parks and recreation guru and playground safety advocate, knew that the Township parks and recreation sites needed an evaluation for accessibility. "Our park system is decentralized with many older neighborhood based facilities. We have worked to make our new facilities accessible, yet we need to reach beyond the new facilities and improve accessibility at parks and playgrounds installed years ago."

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.

[More About RAC...](#)

QUICK LINKS

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[IAD-llc.com](#)

[CDG-llc.com](#)

The Township asked RAC for a proposal and we provided one, and our teams started work in early July. We look to provide our reports and a transition plan in late September or early October.

Shelley Says

Vice-President Shelley Zuniga offers some thoughts about reasonable modification in this month's Shelley Says.

Is Reasonable Modification always Reasonable?

In the ADA title II regulation governing states and local governments, section 35.130 imposes the requirement to make "reasonable modifications". This echoes the actual statute passed by Congress and signed by the first President Bush. The requirement reads "A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity".

So...what is reasonable? **Click [HERE](#) to find out.**

Playgrounds, Playground Surfaces, Playground Components, and Latex

We know, and you now, that allergies (including latex allergies) are a serious matter. We were saddened when Troy Triphahn, Chief Operating Officer of W-T Engineering (and our partner at RAC) asked whether accessible playgrounds used latex surfaces and were therefore unusable by kids with latex allergies. He spoke with a family that could not use the community "accessible playground" because it had latex in the surface materials.

We were concerned and went to our playground experts. Tom Kalousek chaired the National Recreation and Park Association (NRPA) National Playground Safety Institute. Ken Kutska is the Chair of the American Society for Testing and Materials Playground Safety Committee (F15.29). Many of you know Tom and Ken. Many of you know they are conservative in their views about safety. Their opinion, bolstered by other experts, was that latex... **Click [HERE](#) to read more.**

More Technology News

Been to a restaurant at night and had trouble reading the menu?

What if you have impaired vision...what can you do?

Well, technology and innovation has produced an answer.

Click [HERE](#) to read more.

Training for Fitness Staffs

The Illinois Park and Recreation Association member group of fitness professionals asked RAC President John McGovern for a review of the access requirements. On August 5 in Joliet, IL and August 6 in Wheeling, IL, McGovern will review... **Click [HERE](#) to read more.**

Policies and Kids with Diabetes

The American Diabetes Association has a great tool regarding policies for parks and recreation providers. The Association has combed the laws of each state for references to nursing statutes, health codes, and related laws, and how those may apply when a parks and recreation agency is attempting compliance with the ADA regarding a person with diabetes. This is, like all other references, just a tool. There are many factors an agency should consider in establishing policies regarding supports for persons with diabetes. That said, we'd urge you to look at the document you can find [HERE](#).

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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