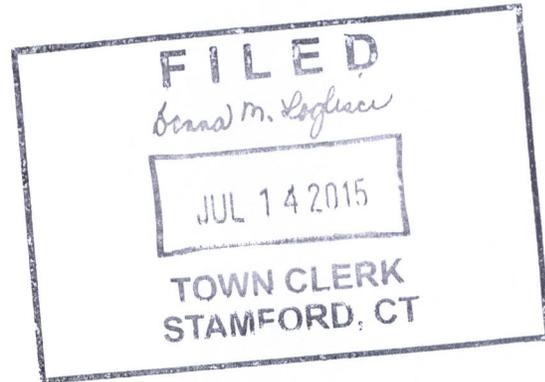


October 22, 2104  
Americans with Disabilities Act  
Role of the ADA Coordinator  
Kathy Gips, Director of Training

New England ADA Center  
Project of the Institute for Universal Design  
200 Portland Street  
Boston, MA 02114

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**New England ADA Center is one of ten ADA Centers**

**Funded by the National Institute on Disability and Rehabilitation Research**

**What Is ADACC?**

Non-profit established in 1992 to promote voluntary compliance with the ADA;  
The official affiliate of the New England ADA Center;  
Operates on a voluntary basis;  
Is membership organization that provides training and technical assistance benefits.

**Structure of the ADA**

- Title I Employment
- Title II State and Local Governments**
- Title III Public Accommodations and Commercial Facilities
- Title IV Telecommunications
- Title V Miscellaneous

**Department of Justice  
ADA Title II regulations**

28 CFR Part 35

Nondiscrimination on the basis of disability in state and local government services

[www.ADA.gov](http://www.ADA.gov)

**Who's Protected Under the ADA?**

A person who  
currently has a disability  
  
has a record or history of a disability  
or  
is regarded as having a disability

## **Definition of Disability**

### **First Part**

**An individual who currently has  
a disability**

**(physical or mental impairment that substantially limits a major life activity)**

### **Who's Protected?**

**An individual who**

**has a record or history of**

**a disability**

### **Example**

Mr. D had cancer eight years ago. For a year he was ill, had difficulty walking and was unable to work.

Mr. D has been cancer and symptom free for six years.

He applies for a job in a small town. The employer doesn't hire him because of concerns that he will have a relapse, be absent and insurance rates will increase.

He is protected from discrimination under the ADA based on his history of disability.

## **Definition of Disability**

### **Third Part**

**An individual who  
is regarded as having**

**a physical or mental impairment**

### **Example**

Ms. A has facial scars from a fire that occurred when she was young.

A county museum does not allow her to volunteer because of concerns about peoples' reactions to her.

She is protected under the "regarded as" part of the definition.

### **Who Else?**

#### **Association**

Mr. G has a son with autism. He applies for a job.

Again, small town, the employer knows Mr. G's son has autism and is concerned that Mr. G will be absent too much and doesn't hire him.

Mr. G is protected under the ADA due to his association with a person with a disability.

## **ADA Title II**

### **Administrative Requirements**

Conduct a Self Evaluation  
Provide Notice and Information  
Adopt a Grievance Procedure  
Develop a Transition Plan (concerning structural modifications)  
Designate at least one employee to coordinate ADA responsibilities

**1. Conduct a Self Evaluation**

28 CFR 35.107

Required of all public entities  
Evaluate services, policies, and practices  
Make necessary modifications  
Conduct by July 25, 1993  
Department of Justice recommends upgrading

**2. Provide Notice and Information**

28 CFR 35.106

Required of all public entities.  
Include:  
Your compliance with the ADA  
How to request accommodations  
Information about accessible facilities and activities (put info on website)  
How to complain

**2. Provide Notice and Information**

28 CFR 35.106

Department of Justice has a model  
ada.gov  
Project Civic Access (bottom of page)  
Settlement agreements

**2. Provide Notice and Information**

28 CFR 35.106

Distribute:  
Website  
Conspicuous locations (buildings)  
Municipal report  
Public service announcements  
Upon request

**3. Adopt a Grievance Procedure**

28 CFR 35.107

Required if public entity has 50 or more employees  
"Prompt and equitable" resolution of complaint  
May use an existing grievance procedure  
Department of Justice has a model  
ada.gov  
Project Civic Access

Settlement agreements

#### **4. Develop a Transition Plan**

28 CFR 35.150

Required if public entity has 50 or more employees  
List of structural barriers  
Methods to make accessible  
Target dates  
Who's responsible  
Complete work by January 25, 1995!!  
Department of Justice recommends upgrading

#### **4. Develop a Transition Plan**

28 CFR 35.150

People with disabilities and organizations representing people with disabilities to participate in the development of the plan.

A copy of the transition must be made available for public inspection.

#### **5. Designate at least one employee to coordinate ADA responsibilities**

28 CFR 35.107

Required if public entity has 50 or more employees  
Usually called "ADA Coordinator"  
Rarely a full time job  
Could be more than one person  
Example: state college (3 people)  
Employment  
Student services  
Parents and public

#### **ADA Title II**

##### **Administrative Requirements**

*All municipalities*

Conduct a Self Evaluation

Provide Notice and Information

*Municipalities with 50 or more employees*

Adopt a Grievance Procedure

Develop a Transition Plan (concerning structural modifications)

Designate at least one employee to coordinate ADA responsibilities

##### **Role of ADA Coordinator**

Systems change agent

In-house consultant for employees committees and boards

Arbitrator of conflict

Herder or manager of compliance

ADA busybody

ADA Coordinator involvement

An addition is planned for the library.

The town sponsors a weekend "Old Home Days" event.

The recreation department is starting an overnight camp program.

The public works department wants help prioritizing curb ramp improvements.

The library has an issue with a patron who has a service animal and another who is allergic to dogs.

Etc, etc.

#### **Resources**

New England ADA Center

800-949-4232

[www.NewEnglandADA.org](http://www.NewEnglandADA.org)

ADA Coalition of CT (ADACC)

860-297-4383

[www.adacc.net](http://www.adacc.net)

Department of Justice

800-514-0301

[www.ada.gov](http://www.ada.gov)