

## Where to start...? Which way to go...? Factors to Consider in Planning For and Administering an ADA Facilities Compliance Plan

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There are a number of factors any large organization should consider in planning and administering their ADA facilities compliance efforts. The answers to questions raised during the review of these factors may have a significant impact on your organizations' success. Your initial compliance efforts and your long-term success in integrating ADA requirements into your work will all benefit from early consideration of the following:

**First**, consider your **motivations** for compliance. Organizations who are motivated by the simple desire to avoid costly or embarrassing lawsuits will probably adopt a different strategy towards compliance than the one taken by those motivated by the desire to do what makes the most business sense in serving their markets.

**Second**, the **size, type, and geographic separateness of your facilities** should affect your approach. Surveying a few, large facilities in a few locations may be far easier to handle using an outside consultant than surveying hundreds of small facilities spread over a large geographic area. The latter approach also creates potential difficulties with inconsistent applications of the ADA's requirements, particularly if more than one consultant is employed for the surveying. This inconsistency could prove to be a legal problem later, particularly if your organization is under centralized control.

**Third**, if your organization is operating under any particularly **difficult administrative or financial restrictions**, you should consider those restrictions in deciding how to approach compliance. An organization on the verge of bankruptcy may not be expected to start their compliance efforts with the same level of financial and administrative commitment that a financially strong organization would be expected to have.

**Fourth**, consider the **administrative structure** of your organization in developing your compliance strategy. Centrally controlled organizations like public entities may take a very different approach to compliance than that taken by decentralized organizations like fast food franchises where a high degree of local decision making is required. The former may rely more on central decisions, the latter more on training.

**Fifth**, and finally, every organization must consider the **people available** to administer the efforts internally and as consultants. Should you choose an individual to head your internal effort who already has a full plate ("if you want something done, give it to a busy **person**") or someone who has more time but has not yet proven their value to the organization? Should you set up a **committee** to help coordinate the efforts or should one person be fully responsible? What kind of **background** should the coordinator(s) have? The effort required understanding this complex law and regulations may be overwhelming to someone who has no particular interest in the topic. Employees and customers with disabilities should be involved in the effort, but to what extent? Finally, how can an organization select competent consultants? Experience does not equate to expertise in ADA consulting. Consultants who quote low fees can gain considerable experience, but the fees may not allow them to study the law and regulations well enough to understand how to apply those regulations cost-effectively in your organization or to keep up to date on the ever-changing requirements.

An early review of these factors may help to assure a smooth compliance effort. Even if your compliance efforts have already started, the review may help to point out where things are likely to go wrong, or, better yet, where your approach is most likely to result in success.