

ADA Facilities Update

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How To Register for the Webinars

For the Online Registration Form: www.krm.com/NAADAC

Registration Fees – For Individual Sessions

National Association of ADA Coordinators Associates and
American Institute of Architects Members

For members: Individual session \$79
Non members: Individual session \$99

Special Registration Fee for All Seven Webinars Sessions

PRICE: \$495

The full webinar registration fee includes:
\$425 in additional benefits at no cost to you

When you register and pay for the complete series of 7 webinars, and you are not a current Individual Associate or Organizational Associate of the National Association of ADA Coordinators (NAADAC), you will receive a free Individual Associate membership (upon completion of Associate application found on NAADAC's web site) at no cost to you, or a one-time \$175 credit towards an Organizational Associate membership fee.

When you register and pay for the complete series of 7 webinars, and you are a current, up-to-date Individual Associate or Organizational Associate of the National Association of ADA Coordinators (NAADAC), you will automatically receive a one-time \$175 credit towards your next renewal fee when it is due.

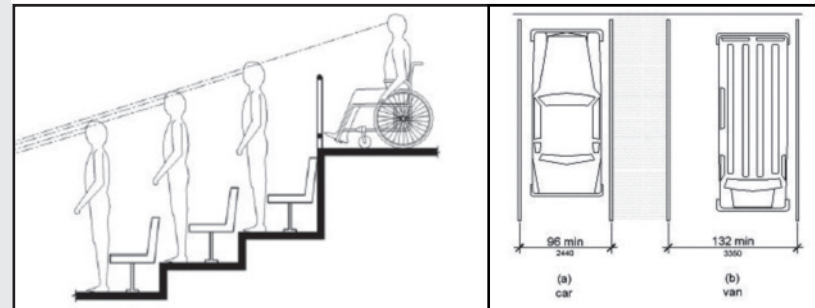
In addition, you will be entitled to a \$250 coupon (subject to terms and conditions) which can be applied to one of the two Association's ADA National Conferences either for the Spring 2011 (Miami) or the Fall 2011 (San Diego). For more information about NAADAC, go to: <http://askjan.org/naadac>

If you experience any problems with your online registration

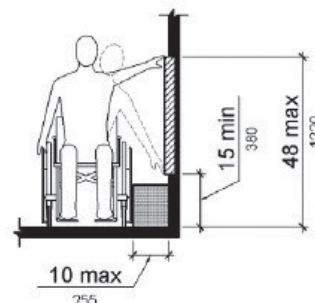
Please contact – Jon Spain at Evan Terry Associates –
(205) 972-9100 or email him at: jspain@evanterry.com

Links to Additional Information on Accessibility and Requirements

www.ada.gov U.S. Department of Justice ADA Home Page
www.access-board.gov United States Access Board



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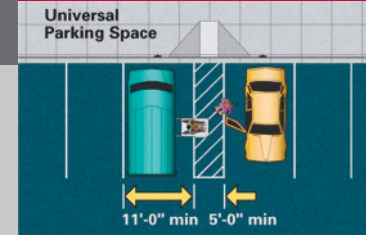
ADA

Facilities Update

September
2010

ADA/ABA Facilities Update From Evan Terry Associates, P.C.

Information about Facilities Compliance Issues under the Americans with Disabilities Act
and the Architectural Barriers Act



To view this newsletter in
html, go to NewADA.com

New ADA Regulations and Standards

On September 15, the Department of Justice published their Final Regulations and adopted the new ADA Standards in the Federal Register. In general, the regulations will take effect March 15, 2011. Compliance with the 2010 Standards for Accessible Design is permitted immediately, but not required until March 15, 2012.

Title II: Final Rule amending 28 CFR Part 35: Nondiscrimination on the Basis of Disability in State and Local Government Services <http://edocket.access.gpo.gov/2010/2010-21821.htm> (HTML) <http://edocket.access.gpo.gov/2010/pdf/2010-21821.pdf> (PDF) (As published in the Federal Register September 15, 2010)

Title III: Final Rule amending 28 CFR Part 36: Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities <http://edocket.access.gpo.gov/2010/2010-21824.htm> (HTML) <http://edocket.access.gpo.gov/2010/pdf/2010-21824.pdf> (PDF) (Including analysis and commentary on the 2010 standards)

The Department of Justice has adopted the Access Board's 2004 ADA Guidelines as the new Standards with a few changes. These Guidelines can be found online as a free download at www.access-board.gov/ada-aba/ada-standards-doj.cfm#a221

Evan Terry Associates' new Pocket Guide to the 2010 ADA Standards

Evan Terry Associates is now developing a new Pocket Guide to the 2010 ADA Standards as Adopted by DOJ and DOT. This pocket guide will also include selected sections from the adopting regulations

from the Department of Justice and the Department of Transportation. This new book should be out next month. If you have signed up with us at www.AccessUpdates.com for information about ETA publications, we will notify you as soon as more information is available.

Pocket Guide to GSA's ABA Standards for Federal Facilities

We are also now finishing our new Pocket Guide to the ABA Standards adopted by GSA to apply, generally, to facilities constructed or leased with federal money under their jurisdiction and management. This new book, which includes selected sections from GSA's adopting regulations, should also be available next month.

Detailed Comparison of 2010 ADA Standards to the 1991 Standards (Free Download)

To assist access specialists, design professionals, and others in making the transition to the new ADA Standards and applying the Safe Harbor, or "grandfathering" exceptions in the new regulations, ETA is updating our thorough, comparative analysis of the 1991 ADA Standards versus the new 2010 ADA Standards (including selected requirements from the regulations). This is based on our earlier detailed analysis of every requirement in the 2008 Proposed Standards and will be available as a free download from our website as soon as it's completed. It is over 2000 lines of comparison in a 2+MB Excel file with hyperlinks to all the figures from both Standards. It allows users to sort by either Standard and to add their own comments and analysis. Until our more detailed com-

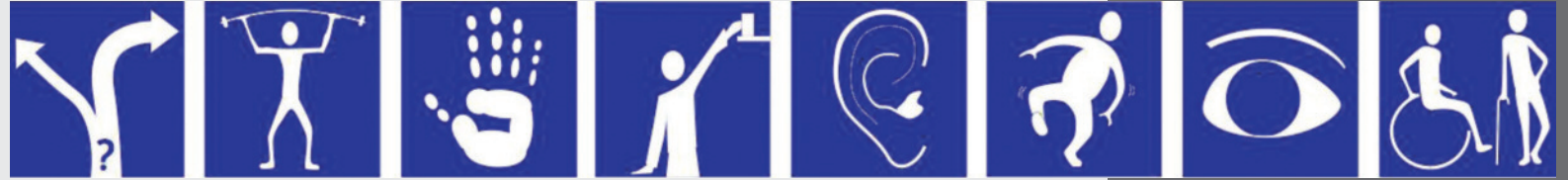
parison is available, the Access Board has a version available at www.access-board.gov/ada-aba/comparison/comparison.pdf which includes a comparison with the ICC/ANSI A117.1-2003 Standards and the IBC.

This will likely be the last printed ADA Facilities Update newsletter sent out by ETA. Since it is a free service offered by ETA to keep you updated on developments in ADA and Facilities Access requirements, we are switching to email-only delivery. You can register to receive our periodic email updates on access issues at www.AccessUpdates.com. We promise only to notify you about the topics you select and never to allow anyone else to use this list.



7-Part Webinar Series

ADA: The Next Generation



U.S. Department of Justice's New 2010 ADA Regulations and Standards

This unique and important series of seven webinars brings together some of the country's most experienced ADA experts and trainers, combining the "official" view with practical perspectives and insights. This will complement the more detailed workshops available at the National Association of ADA Coordinators' Fall 2010 Conference in San Diego.

On July 26, 2010, the twentieth anniversary of the Americans with Disabilities Act, President Obama announced the Department of Justice's issuance of new ADA regulations. The long-awaited rules are the first major revisions since the ADA was enacted and bring sweeping changes for the next decades.

State, county, and local governments, and almost all businesses and nonprofits will soon need to be in compliance with the updated rules, including those about effective communication with people who have speech, hearing, or vision disabilities; barrier removal; service animals; and Segways and similar powered mobility devices.

New construction and alterations of facilities must meet DOJ's expanded – and often stricter – accessibility standards developed by the U.S. Access Board and Supplemented by the new DOJ regulations. Some types of facilities are covered for the first time such as courthouses, correctional facilities, exercise facilities, swimming pools, and play areas.

At the Webinar and/or at the Conferences You'll Hear From Top Experts

These webinars bring together some of the country's most experienced ADA experts and trainers, including those who wrote the new requirements, ADA specialists, ADA coordinators, and architects. You'll have the opportunity to raise questions about some of the thorny or complex issues.

Closed Captioning (CC) and text-supplemented versions are available for all sessions. Seven webinars will be recorded for later viewing or downloading.

Session One

Overview of Title II and Title III Regulations, Part I

Wednesday, 10/6/2010, 1:00 PM - 2:30 PM ET

Overview of the new rules:

Service animals: Emotional support animals aren't service animals, but what about animals that assist people with psychiatric disabilities?

Segways and service animals: What questions can you ask about either one, and when can you say "no"?

Effective communication: can you use video interpreting services, how, and when? How do the new provisions on automated phone systems and relay calls affect you?

DOJ's separate notices on electronic/web communication, theater captioning/video description, and next generation 9-1-1;

Testing and licensing, with a focus on documentation; and transitioning/ time frames.

Session Two

Overview of Title II and Title III Regulations, Part II

Wednesday, 10/13/2010, 1:00 pm - 2:30 pm ET

Overview of the new rules:

New construction and alterations: how these now overlap with barrier removal and program access;

Making sense of the DOJ-drafted provisions in tandem with the Access Board's Guidelines;

New definition of "place of lodging" and implications under both titles (for higher education, shelters, and others);

Hotel reservations, assembly event ticketing and seating;

The new element-by-element safe harbor;

DOJ's notice of its intent to regulate furniture and equipment;

Certification of state codes: if you comply with a code certified before 2010, does it "count"? Should you urge your state to go for certification, under relaxed new procedures? and,

Compliance and enforcement: DOJ can now retain Title II complaints for investigation, rather than sending them to "designated agencies." What are the implications?

Session Three

Planning for the transition and beyond, and using the safe harbors

Wednesday, 10/27/2010, 1:00 pm - 2:30 pm ET

What should you do first to get to policy compliance within six months?

Is it time for a do-over? Do you need to do a new or revised self-evaluation, transition plan, or barrier removal plan? If you don't have to, should you anyway?

How safe are the "safe harbors" under Title II and Title III? Are you "grandfathered" out?

Is there any advantage to doing barrier removal in the next 6 months, under the 1991 standards, versus 18 months using the 2010 standards?

Is this a sleeper provision? They call it "maintenance," but it addresses reducing access below 1991 Standards. How and when are reductions allowed?

What can you learn from the preamble (analysis) and the appendices, with their helpful explanations and drawings? How do they relate to the requirements themselves?

How do you ensure compliance with all applicable laws, including state and local codes and ordinances?

Do the new provisions apply under section 504 too? Or should state and local governments and others who receive federal funds, and federal agencies, continue to follow the 504 rules?

Session Four

ADA Standards - Admin provisions; Accessible Routes; & Building Blocks

Wednesday, 11/3/2010, 1:00 pm - 2:30 pm ET

Overview of the new ADA Standards:

What has been clarified, added, dropped, or changed from the 1991 Standards?

Equivalent facilitation, tolerances, and the expanded definitions section.

How will changes affect different facility types?

Significant scoping and technical requirement changes:

- Accessible routes
- Accessible means of egress
- Stairways
- Elevators, platform lifts, LULAs, and private residence elevators
- Doors, doorways, and gates
- Floor and ground surfaces
- Changes in level
- Ramps and curb ramps
- Turning spaces
- Clear floor and ground spaces
- Knee and toe spaces
- Protruding objects
- Reach ranges
- Operable parts

Session Five

ADA Standards - Common Space & Element Types; and Communications

Wednesday, 11/10/2010, 1:00 pm - 2:30 pm ET

What has been clarified, added, dropped, or changed from the 1991 Standards?

How will changes affect different facility types?

Significant scoping and technical requirement changes:

- Common space types
- Common element types
- Communications systems and devices

Session Six

ADA Standards - Toilets, Bathing, Kitchens and Plumbing Elements

Wednesday, 11/17/2010, 1:00 pm - 2:30 pm ET

In many facility types, these requirements are some of the most critical to the users. Significant changes have made certain sections stricter and others less restrictive than the 1991 Standards.

The 1991 Standard allowed six by six and five by seven foot single user toilet rooms. What are the smallest configurations a single user toilet room can have under the new Standards?

How do these requirements compare to the IBC and ICC/ANSI A117.1 Accessibility Standards?

How will these changes affect different facility types?

Session Seven

ADA Standards - Specialized Rooms, Spaces and Elements including Recreation and Residential

Wednesday, 12/1/2010, 1:00 pm - 2:30 pm ET
(This session may be extended beyond 1 1/2 hours)

Many new sections covering whole new facility types have been added in the 2010 ADA Standards. Two common facility types no longer have their own sections. Some VERY significant changes and clarifications have been made in those sections that were already included in the 1991 Standards. What has changed and how must those changes be incorporated into new, altered, and existing facilities?

If residential facilities are not (typically) covered by the ADA, why are there new standards for them? How do the covered residential facility types correlate with the ADA transient lodging and Fair Housing requirements?

Significant scoping and technical requirement changes to existing specialized facility types with completely new sections for Judicial, Detention & Correctional, Residential and Recreational facilities.

Faculty and Moderators for the Sessions

John Wodatch, Chief, Disability Rights Section (DRS), Civil Rights Division U.S. Department of Justice (DOJ), Washington, DC

Marsha Mazz, Technical Assistance Coordinator, Washington, DC (Invited)

Irene Bowen, J.D., President, ADA One, LLC, and Former Deputy Chief, DRS, DOJ, Washington, D.C.

James L.E. Terry, AIA, LEED AP, CASp, CEO, Evan Terry Associates, PC, Birmingham, AL

Doug Anderson, Partner, LCM Architects; Current Member, Former Chair, U.S. Access Board, Washington, D.C.

Jack Catlin, FAIA, Founding Partner, LCM Architects; Former Chair, U.S. Access Board, Washington, D.C.

Bill Hecker, AIA, Accessibility Consultant, Hecker Design, LLC, Birmingham, AL

Mark J. Mazz, AIA, Accessibility Consultant, Former DOJ & HUD staff architect, Hyattsville, MD

Dean Perkins, R.A., ADA Coordinator, Florida Department of Transportation, Tallahassee, FL

Larry Schneider, AIA, Independent ADA Architect, Palm Beach Gardens, FL

Things you will learn about at our webinar:

The surprises - some unexpected changes from the proposed rules - do you know them?

The "sleepers" - some provisions you may not have noticed, but you need to know about.

The difficult details (for example, how to comply with some of the accessibility standards without increasing floor space or cost)

Who should attend?

Those who have at least a basic understanding of the ADA and are:

- ADA coordinators or compliance officers
- Attorneys and Advocates
- Architects and accessibility specialists
- Staff or managers for businesses, state/local governments, nonprofits, or their organizations
- Consultants

To register or see an up-to-date detailed agenda of the webinar series go to: www.km.com/naadac

ADA

