### MAINE DEPARTMENT OF EDUCATION



### METHODS OF ADMINISTRATION GUIDANCE

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#### APPLICABLE STANDARDS AND REGULATIONS

- Title VI of the Civil Rights Act of 1964 (34 CFR, Part 100), which prohibits discrimination of the basis of race, color, and national origin: <a href="http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr100.html">http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr100.html</a>
- Title IX of the Education Amendments of 1972 (34 CFR, Part 106), which prohibits discrimination on the basis of sex: <a href="http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html">http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html</a>
- Section 504 of the Rehabilitation Act of 1973 (34 CFR, Part 104), which prohibits discrimination on the basis of disability: <a href="http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html">http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html</a>
- Title II of the Americans with Disabilities Act of 1990 and its implementing regulations at 28 CFR Part 35, which prohibit discrimination on the basis of disability: <a href="http://www.dol.gov/oasam/regs/cfr/28cfr/part35/35toc.htm">http://www.dol.gov/oasam/regs/cfr/28cfr/part35/35toc.htm</a>
- Guidelines (34 CFR Part 100, Appendix B): <a href="http://www2.ed.gov/about/offices/list/ocr/docs/vocre.html">http://www2.ed.gov/about/offices/list/ocr/docs/vocre.html</a>

#### **EIGHT MAJOR AREAS OF REVIEW**

#### I. ADMINISTRATIVE REQUIREMENTS

#### A. ANNUAL NOTICE OF NONDISCRIMINATION

Applicable Regulations: Guidelines IV.O; 34 CFR 100.6(d)

Explanation: Annual notice is intended to be a temporary statement educating the general public and surrounding community of the CTE, the CTE's offered programs and prerequisites, and the CTE's commitment to equity.

#### Minimum Requirements:

- List of programs offered when notice was published
- List of quantifiable prerequisites per program if any
- Minimum federal requirements of non-discrimination include: <u>race, color, national origin, sex or disability</u> in its educational programs and its employment practices.
- Additional Maine requirement of non-discrimination included within its educational programs and employment practices: <u>sexual orientation</u>, as defined in Title 5, Human Rights Act (§4601); and <u>gender identity</u> as defined in H.P. 1216-L.D. 1701, An Act To Clarify Various Provisions of the Maine Human Rights Act;
- Addition Maine Requirement of non-discrimination included within its employment practices: <u>religion and</u> ancestry as defined in Title 5, Human Rights Act (§4572)
- Contact information for Title IX and 504 Coordinator(s), including full name, title, phone number and email address, (recommended: include building/office location)
- Published annually prior to and within proximity of the first day of each school year. Can be posted on school
  website or printed in local newspaper. If posting on the website the post must be prominently displayed on home
  page in same size/font type as standard text

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#### **Example Statements:**

(Electronic Medium) The [Name of the CTE] offers career and technical instruction in the following Maine approved CTE programs: [list CTE programs]. For detailed information on our programs and their associated prerequisites visit [link to website]. It is the policy of the [Name of the CTE] not to discriminate on the basis of race, color, national origin, sex or disability in its educational programs and its employment practices. If you have questions, have witnessed, or have experienced acts of discrimination based on these criteria and wish to express a grievance please contact our Title IX/504 Coordinator, (First and Last Name), at (phone number) or (email address). Updated 00/0000

(Print Materials) The [Name of the CTE] offers career and technical instruction in the following Maine approved CTE programs: [list CTE programs and their associated prerequisites]. It is the policy of the [Name of the CTE] to not discriminate on the basis of race, color, national origin, sex or disability in its educational programs and its employment practices. If you have questions, have witnessed, or have experienced acts of discrimination based on these criteria and wish to express a grievance please contact the Title IX/504 Coordinator, (First and Last Name), at (phone number) or (email address).

#### Sample Evidence:

- Receipt for publication and/or dated copy of notification published in newspaper or local printed ad.
- Screen shot with date published of electronic notice on the CTE's websites homepage

#### Time Requirements:

- Should be reposted prior to the start of every school year
- If electronic- remain posted for a minimum of 1 month
- If print ad- remain posted for a minimum of 1 week

#### B. CONTINUOUS NOTICE OF NONDISCRIMINATION

Applicable Regulations: 34 CFR 100.6(d), 104.8, 106.9; 28 CFR 35.106

Explanation: Continuous Notice of Nondiscrimination is intended to be a statement found on all official school communications/documents/publications that expresses the school's commitment to equitable access to education and employment opportunities.

#### Minimum Requirements:

- Minimum requirements of non-discrimination include: <u>race, color, national origin, sex or disability</u> in its educational programs and its employment practices.
- Additional Maine requirement of non-discrimination included within its educational programs and employment practices: <u>sexual orientation</u>, as defined in Title 5, Human Rights Act (§4601); and <u>gender identity</u> as defined in H.P. 1216-L.D. 1701, An Act To Clarify Various Provisions of the Maine Human Rights Act;
- Addition Maine Requirement of non-discrimination included within its employment practices: <u>religion and</u> <u>ancestry</u> as defined in Title 5, Human Rights Act (§4572)
- Inclusion of 'access to designated youth groups' (Secondary Schools Only)
- Contact information for Title IX and 504 Coordinator(s), including full name, phone number and/or email address. (recommended: include building/office location)
- Notice should have consistent language across publications
- Publications must include: website, handbook(s), employment and student applications (electronic or physical) job postings, and all official communication documents sent home to family.

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#### **Example Statement:**

The [Name of CTE] does not discriminate on the basis of race, color, national origin, sex, or disability in its educational programs and employment practices, and provides equal access to designated youth groups. If you have questions, have witnessed, or have experienced acts of discrimination based on these criteria and wish to express a grievance please contact the Title IX/504 Coordinator, (First and Last Name), at (phone number) or (email address).

#### Sample Evidence:

Copies of handbook(s), job announcements, contract(s), syllabus/course guides, published forms, and any other materials in which the Nondiscrimination Notice is published (materials accepted in print, PDF format, or as a link to electronically published documents)

#### Time Requirements:

This is posted in various materials throughout the year based on need and must remain available throughout the year to all students, parents, faculty and staff.

#### C. DESIGNATION OF COMPLIANCE COORDINATORS

Applicable Regulations: Guidelines IV.O; 34 CFR 104.7(a), 106.8(a); 28 CFR 35.107(a)

#### Minimum Requirements:

- Designated, qualified and trained representative for Title IX coordination
- Designated, qualified and trained representative for 504 coordination (If CTE relies on sending school to supply
  this service then each sending schools representative and their contact information should be provided in both
  the Annual and Continuous Nondiscrimination Notices, or a blanket statement can be included directing students
  to the sending school's coordinator should assistance be required)
- Designated coordinators clearly identified and disclosed to student, parents and faculty in written format
- Titles, names and contact information must be formally published in Annual and Nondiscrimination Notices. (If
  published electronically the following applies: website must remain updated with coordinators Name and direct
  contact information. [If published in print form the following applies: Print may state title and provide generic
  contact information (ex: <a href="mailto:titlelXcoordinator@CTEschool.edu">titlelXcoordinator@CTEschool.edu</a>) as long as the generic phone number or email
  address is routed to the current coordinator]

#### Sample Evidence:

- Published Nondiscrimination Notice with name and contact information for both coordinator positions (materials accepted in print, PDF format, or as a link to electronically published documents)
- Copies of training certifications or notice of completions relevant to their coordinators role

#### Time Requirement:

- This requirement is ongoing- a representative must be designated prior to, and throughout, each school year and the designated representative can continue across consecutive years.
- · Recommended: reviewing this content for accuracy prior to each reprint or update of electronic materials

#### D. GRIEVANCE PROCEDURES

Applicable Requirements: 34 CFR 104.7(b), 106.8(b); 28 CFR 35.107(b)

#### Minimum Requirements:

- Grievance Procedure must be published and provided to all students, parents and staff annually
- Must remain accessible and easily found (either electronically or in print format, but preferably both) throughout the school year
- Must provide steps for reporting a grievance
- Must include a timeline for investigative measures, quick resolution, statement of protection from retaliation, and investigative follow-up procedures

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- Must refer students to and provide contact information for the Title IX and 504 Coordinators.
- Recommended: safety measures for the person who is affected by the behavior must be articulated and easily implemented at the onset of the investigation
- Recommended: include statement of confidentiality
- Recommended: include contact information for OCR, and Maine Human Rights Commission for the purpose of technical assistance to school personnel as well as students and families.

#### **Example Compliance Activities:**

Please see APPENDIX I for a sample Grievance Policy, Report of Grievance Form and Grievance Investigation Form.

#### Sample Evidence:

- Copy of, or link to, the full grievance policy.
- Explanation and examples of how this information is made available to students, parents, and staff.

#### Time Requirements:

• This should be published prior to each school year, provided to students and staff at the beginning of each school year, and remain accessible throughout the school year

#### II. RECRUITMENT, ADMISSIONS, AND COUNSELING

#### A. ADMISSIONS CRITERIA

Applicable Regulations: Guidelines IV.A, IV.F, IV.K, IV.N; 34 CFR 100.3(a), 100.3(b)(1)(v), 34 CFR 104.4(a), 104.4(b)

#### Minimum Requirements:

- An admission policy must be developed and accessible to student, staff, and community. This policy should include the following:
  - a clear and concise list of requirements for enrollment at the school and, if applicable, in individual programs,
  - a step by step process for admission.
  - The school application, electronic and/or physical, must include the Notice of Nondiscrimination in a text that
    is easy to read and no smaller than that of the text in the body of the application. \*\*\*Recommended for
    most, Required for those with significant populations of EL learners in surrounding areas: The inclusion of an
    offer for assistance for students with limited English language skills or visual impairments.
- All admissions paperwork, application materials, and pre-acceptance interviews must avoid questions pertaining to Maine and federal protective classes, such as: race, color, national origin, sex, sexual orientation, gender identity, or disability;
- Sending schools must avoid guiding students toward programing disproportionately due to race, color, ancestry, national origin, sex, sexual orientation, gender identity, religion or disability.

#### **Example Compliance Activities:**

Please see APPENDIX II for a detailed Admissions policy meeting the minimum requirements

#### Sample Evidence:

- Copy of the admissions policy or link to website in which it is posted.
- Copy of published pre-requisites and admissions criteria for each program.
- Copy of or link to application(s), both electronic and paper.

#### B. ACCESS FOR NATIONAL ORIGIN MINORITY STUDENTS WITH LIMITED ENGLISH LANGUAGE SKILLS

Applicable Regulations: Guidelines IV.L

#### Minimum Requirements:

 ELL students must be provided full access to educational opportunities and may not be denied enrollment, or directed to specific programming, due to language barriers;

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- Schools must have provisions in place to assist English Language Learner (ELL) with full inclusion in Career and Technical Education (CTE) programs, this may include:
  - o Targeted training for instructors who have or will have ELL student participation within their programs;
  - Ongoing support mechanism for instructors such as check-in with leadership or guidance opportunities with ELL teacher from sending school to address student progress and work through challenges;
  - Tutoring services established, through sending school or CTE, for student(s) struggling to interpret program materials.
- Recruitment materials must be printed in languages reflective of the surrounding community when there is a
  population of significance;
- Barriers to enrollment such as scheduling conflicts associated with ELL specific classes may not exist;
- Interpreters are provided during meetings or events in which family members requiring a translator are in attendance.

#### **Example Compliance Activities:**

- Provide tutors, translators, or education technicians to support students academically;
- Include learning and marketing materials that have diverse imagery of minority populations, and/or published in multiple languages;
- Adaptation of classroom learning materials to include more visual components such as: graphs, images, and diagrams that may be easily translated and assist all students with basic concepts;
- Ensure barriers to enrollment are diminished by offering assistance completing application and entrance materials, and pre-enrollment interviews are devoid of bias, etc.;
- Provide Professional Development training for instructors to learn how to adapt the classroom to include a
  diverse population.

#### Sample Evidence:

- Samples of marketing materials and classroom learning materials designed for inclusion;
- Copy of admission policy offering assistance to ELL students needing help completing required paperwork;
- Education Technician's official roles and responsibilities that include support for ELL students;
- Evidence of the successful completion of programs by ELL students;
- Copies of relevant training certifications or notice of completions.

#### C. COUNSELING AND PROSPECTS FOR STUDENTS

Applicable Regulations: Guidelines V.A, V.B; 34 CFR 100.3(a), 100.3(b), 104.37(b), 106.36

#### Minimum Requirements:

- Students must not be prevented from participation in programing based on race, color, national origin, sex, sexual orientation, gender identity, or disability;
- Schools must avoid disproportionate enrollment due to discriminatory funneling of students, and overly
  restrictive enrollment requirements designed to limit program access;
- Schools must provide equal opportunity to academic and career building experiences, such as: internships, work placements, apprenticeships, pre-apprenticeships, dual enrollment, and college placement testing, etc.;
- Schools must market to a diverse population in all programs taking into consideration barriers for receiving information as they relate to various populations.

#### **Example Compliance Activities:**

- Equitable access to career and academic development opportunities;
- The inclusion of nontraditional, physically disabled, or ethnically diverse students participating in recruitment efforts such as presentations at sending schools, etc.;
- Measures are in place for identifying and supporting students at risk for drop out or failure;

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- Academic tutoring services or education technicians are available for students in need of supports;
- School has a designated student services representative;
- School has a behavior policy that is followed, and is equitable and consistent;
- Successful participation in competitions and local, national student groups intended to enhance exposure to learning opportunities, program engagement, and team building;
- Career development activities offered to students related to employability skills and resume/portfolio development.

#### Sample Evidence:

- Enrollment numbers/trends based on demographic per program;
- Evidence of the successful completion of career development or academic offerings aimed at enhancing program experiences;
- Samples of student portfolios;
- Explanation of career development activities campus wide in which diverse demographics would be participants;
- Selection criteria for participants in extracurricular activities and competitions;
- Marketing materials (electronic and physical) in which diversity is present;
- Copy of admissions process, programs offered, and prerequisites per program.

#### D. COUNSELING OF STUDENTS WITH LIMITED ENGLISH SPEAKING ABILITY OR HEARING IMPAIRMENT

Applicable Regulations: *Guidelines V.D; 34 CFR 100.3(a), 100.3(b), 104.37(b)* 

#### Minimum Requirements:

- Students must not be guided toward particular programs based on race/ethnicity or disability status;
- Schools must avoid disproportionate enrollment due to discriminatory funneling of students, and overly
  restrictive enrollment requirements designed to limit program access;
- Schools must provide equal opportunity to academic and career building experiences, such as: internships, work placements, apprenticeships, pre-apprenticeships, dual enrollment, and college placement testing, etc.

#### **Example Compliance Activities:**

- ELL students successfully completing career building experiences set up by the CTE;
- ELL or hearing impaired student is encouraged and instructed on the development of a portfolio and resume;
- ELL or hearing impaired student is offered credentialing opportunities based on skill development and is not omitted from opportunity based on barriers;
- ELL or hearing impaired student's inclusion in CTSO's and/or external competitions.

#### Sample Evidence:

- Enrollment numbers/trends based on demographic for school/ per program;
- Examples of ELL or hearing impaired student's participation in or completion of: live-work, bridge year, dual-enrollment, internship, or other academic/career development opportunities that extend beyond the classroom;
- Samples of student portfolios.

#### E. RECRUITMENT AND PROMOTIONAL ACTIVITIES

Applicable Regulations: Guidelines V.A, V.C and V.E

#### Minimum Requirements:

- Promotional and recruitment efforts must not discriminate on the basis of race, color, national origin, sex, sexual
  orientation, gender identity, or disability;
- Promotional, and recruitment materials must be reflective of the full student body proportionate to the overall demographic, as well as speak to potential future students who have yet to enroll;

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- All students regardless of race, color, national origin, sex, or disability must be included in promotional events, such as: career days, parent's night, shop demonstrations, step-up days, field trips, business and industry presentations/tours, etc.;
- Materials that are part of promotional efforts may not create or perpetuate stereotypes through text or illustration.

#### **Example Compliance Activities:**

- Portrayal of males or females, minorities or disabled persons in programs and occupations in which these groups traditionally have not been represented;
- Diverse representation of populations across promotional materials;
- Inclusion of a diverse population of student speakers during recruitment activities;
- Inclusion of non-traditional representatives and diverse speakers during promotional events;
- Printed/electronic promotional materials presented in multiple languages based on local demographic;
- Curriculum materials reviewed and presented with intension to be inclusive both in imagery and text.

#### Sample Evidence:

- Samples of program catalogues, flyers, press releases, posters, wall displays, etc. that include diverse imagery;
- Links to electronic materials, such as: TV and radio ads, school website, or social media platforms reflecting a diverse group of students, including nontraditional and minority students, to promote inclusivity;
- Examples of nontraditional, minority, or students with disabilities assisting with promotion of the school during events both on and off campus.
- Curriculum materials, (books/electronic presentations, and instructional handouts), displaying diverse imagery and messaging that promotes inclusivity.

#### III. ACCESSIBILITY FOR STUDENTS WITH DISABILITIES

Applicable Regulations: Guidelines IV.N; 34 CFR 104.21-104.23; 28 CFR 35.149-35.151

#### Minimum Requirements:

Accessibility requirements reflect ADA standards in place on the date of original ground breaking or substantive alterations to the facilities. Particular attention is paid to pathways, classroom/lab and equipment accessibility, administrative spaces which student's frequent, as well as restrooms and common areas such as cafeterias and auditoriums where activities are required.

Regardless of the building's age, all students must have full access to basic amenities and must have equitable access to all facilities that affect the success of their educational experience. If it is determined that due to the age of a school's structure, and based on enrollment, there is a lack of immediate accessibility, updates may be postponed until the time an enrolled student requires changes. However, a formal policy must be in place laying out the process for a needs assessment and immediate action should a qualifying student be admitted.

The formal policy must consider seating/work station options, pathways, access to equipment, common areas, and ADA bathroom compliance. (This policy does not supersede the need for immediate action due to violations identified by the Methods of Administration Coordinator during the review cycle but instead is intended to act as a plan of action should future need arise.)

#### Example Compliance Plan:

It is the commitment of [Name of CTE] that all enrolled students are provided access to facilities required for success within their assigned programs. As such, we recognize the need to identify and act upon any modifications deemed necessary prior to the program start date of the student requiring access. This may include, but is not limited to,

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alterations for wheel chair maneuverability, seating/work station options, classroom pathways, access to equipment, school amenities, ADA compliant bathrooms, and accessibility of common areas such as lunchrooms and auditoriums. Should alterations not be possible prior to the start of school, a needs assessment and corrective action must be taken as soon as a student is identified. Examples of possible solutions are as follows:

- The purchase of new, or alteration of existing, desks to accommodate wheelchair accessibility;
- Moving classroom or lab spaces to an alternative location to provide pathway mobility;
- Provide entrance to handicap accessible parking closer to applicable classroom/lab areas;
- Purchase specialized equipment to accommodate students with disabilities in the primary function of program activities, etc.

If safety is a concern [Name of CTE] will work with instructors, students, parents, and sending schools to determine what, if any, accommodations can be made to the curriculum, the facilities, and/or the equipment that would allow the student to safely meet the expectations of a program.

(See appendix III for a breakdown of the most common facility violations and their associated requirements)

#### Sample Evidence:

- Copy of the formal policy;
- Map of school with rooms labeled and dated;
- Information regarding all past and planned renovations to the facilities;
- During the onsite walk through the MOA Coordinator will evaluate the facilities to ensure compliance with applicable standards; photographs will be accepted as evidence of corrected violations.
  - When submitting photos, consider the vantage point and include contextual tools, such as a measuring tape, in the image when height, depth, or distance is a factor.

#### IV. COMPARABLE FACILITIES

Applicable Regulations: Guidelines VI.D; 34 C.F.R. § 106.33

#### Minimum Requirements:

- Recipients must provide changing rooms, showers, and other facilities for students of one sex that are comparable to those provided to students of the other sex.
- Facilities may be designated for one gender as long the other gender is provided equal access to comparable facilities.
- All facilities provided must be comparable in size, location, amenities, and cleanliness and cost.
- NOTE: Maine statute H.P. 1216-L.D. 1701, Sec. 7. 5 MRS §4592, sub-§9, An Act To Clarify Various Provisions of the Maine Human Rights Act, requires all single-occupancy toilets have dual designation. It is unlawful for a single-occupancy toilet to be designated for members of one sex only.

#### **Example Compliance Activities:**

- If there is access to only one restroom in a particular area of the building, this restroom would be made into a single stall, unisex restroom to prevent an inequitable distance to facilities of one sex or another.
- Locker rooms or bathrooms designated male and female must be equitable in all ways including, number of
  available changing stalls, size of facility, and all relevant amenities, i.e.: hand soap, water fountain, hand dryer,
  mirror, coat hooks, etc.;

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• Sports facilities designed to accommodate male or female specific programs must be comparable to the other gender's designated facilities.

#### Sample Evidence:

Photographs will be accepted as evidence of corrected violations; (When submitting photos, consider the vantage
point and include contextual tools, like a measuring tape, in the image when height, depth, or distance is a
factor.)

#### V. SERVICES FOR STUDENTS WITH DISABILITIES

Applicable Regulations: Guidelines IV.N, VI.A; 34 CFR 104.4(a), 104.33-104.36; 28 CFR 35.130

#### Minimum Requirements:

Student with disabilities of any kind may not be denied access to vocational education programs or courses because of architectural or equipment barriers, or because of the need for related aids and services or auxiliary aids. To avoid discriminatory practices schools must:

- Modify instructional equipment and practices as needed;
- Make accommodations for students with disabilities as defined in IEP and 504 plans;
- Remove structural barriers;
- Modify or adapt how the course is offered;
- House the program in a facility that is accessible;
- Provide auxiliary aids for lectures and course materials;
- Ensure the student needing accommodations is not singled-out, isolated, or receives a learning experience of lesser value than that of other students.

Students with disabilities must be placed in a standard educational environment to the maximum extent appropriate. If it is demonstrated that supplementary aids and services cannot be achieved satisfactorily, or if a program is deemed unsafe, a school may offer a comparable alternative to the student. This alternative may be offered at another CTE facility if the alternative program meets or exceeds facility, programing, and service needs of the student and is agreed upon by the student's guardian, the CTE school, and the student's sending school. Should this occur, the sending school must provide adequate transportation at a cost no greater than that of an able-bodied student.

#### **Example Compliance Activities:**

- Hand tools are provided to a student with grip issues that are designed specifically to meet this need;
- A program deemed inaccessible is moved to another location within the CTE building;
- Curriculum is altered to provide a comparable learning experience while allowing the student to work safely within a modified work setting;
- Referrals are made for students believed to need disability screening, or who require modifications to a IEP/504 plan, when appropriate;
- School representative participates in IEP/504 meetings;
- Education technicians are available to students on an individual or group basis and comply with IEP/504 requirements;
- Evidence of a timely process for receiving, storing, and providing IEP/504 information to program instructors.

#### Sample Evidence:

- Provide examples of modifications or accommodations made based on need of student with disability;
- Provide samples of redacted IEPs;

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Provide formal plan for receiving, storing, and providing IEP/504 information to program instructors.

#### VI. FINANCIAL ASSISTANCE

Applicable Regulations: Guidelines VI.B; 34 CFR 100.3(a), 100.3(b), 104.4(a), 104.4(b), 106.37

#### Minimum Requirements:

- Financial assistance in the form of loans, grants, scholarships, special funds, subsidies, compensation for work, or
  prizes to students based on race, color, national origin, sex, sexual orientation, gender identity, or disability, is
  prohibited except to overcome the effects of past discrimination;
- Recipients may administer sex restricted financial assistance where the assistance and restrictions are established by will, trust, bequest, or any similar legal instrument, if the overall effect of all financial assistance is deemed nondiscriminatory;
- Materials and information used to notify students of opportunities for financial assistance may not contain language or examples that would lead applicants to believe the assistance is provided on a discriminatory basis;
- If a recipient's service area contains a community of national origin minority persons with limited English language skills, such information must be disseminated to that community in its language;
- Secondary Only: Equipment or activities required for the successful completion of a program may not result in the exclusion of a student due to financial inaccessibility.

#### **Example Compliance Activities:**

- Information related to financial assistance is disseminated to students in multiple languages based on local demographic need;
- An assistance fund is established for students needing financial assistance for the purchase of required equipment;
- Application for financial assistance does not require a student to disclose any nonessential information related to race, color, national origin, sex, or disability.
- Providing interpreters to students with language barriers during the completion of financial aid applications when needed.

#### Sample Evidence:

- Copy of financial aid application;
- Detailed description of formal policy related to the distribution of financial assistance and the criteria required for consideration;
- Examples of when students requiring financial assistance toward required equipment was successfully provided.

#### VII. WORK STUDY, COOPERATIVE PROGRAMS, AND JOB PLACEMENT

Applicable Regulations: Guidelines VII.A, VII.B, 34 CFR 106.38(a).

#### Minimum Requirements:

- Schools must provide equal access to external career building experiences, such as: cooperative education, internships, work placements, apprenticeships, pre-apprenticeships, job referrals, and dual enrollment;
- Schools are responsible for ensuring students participating in job placement programs are not discriminated
  against by employers or prospective employers during the recruitment, hiring, placement, assignment of work
  tasks, hours of employment, levels of responsibility, and rates of pay;

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• Schools are responsible for providing information regarding opportunities for external placement to all students qualified regardless of race, color, national origin, sex, sexual orientation, gender identity, or disability.

#### **Example Compliance Activities:**

- Job opportunities board is prominently displayed in classroom and is accessible to all students;
- Industry partners must sign an agreement to not discriminate prior to student placements occurring;
- Diverse students within a protected class have received interviews and job offers due to instructor referral.

#### Sample Evidence:

- Sample cooperative contract with an agreement to not discriminate is provided;
- Photo of job board included in documentation;
- Live-work policy that includes criteria for placement is provided.

#### VIII. EMPLOYMENT

Applicable Regulations: Guidelines VIII.A-F; 34 CFR 104.11-104.14, 106.51-106.61

#### Minimum Requirements:

- Schools may not engage in any employment practice that discriminates against any employee or applicant for employment based on race, color, ancestry, national origin, sex, sexual orientation, gender identity, religion or disability;
- Schools may not limit their recruitment for employees disproportionately except for the purpose of overcoming the effects of past discrimination;
- Schools must include the Nondiscrimination Policy within all informational documents associated with recruitment and employment, including recruitment ads, applications, contracts, handbooks, etc.;
- Schools must establish and maintain salary scales and policy based upon the qualifications and responsibilities of employment, without regard to race, color, national origin, sex, or disability;
- Schools must make reasonable accommodations for the physical or mental limitations of handicapped applicants who are otherwise qualified unless recipients can demonstrate that the accommodation would impose an undue hardship. This same premise applies to employees.

#### **Example Compliance Activities:**

- Nondiscrimination notice included on all appropriate documentation;
- Clearly defined hiring process developed with expectations for nondiscriminatory practices expressed to hiring staff;
- Equitable employee classification and pay scale clearly defined and based on qualifications and assigned tasks;
- Job opportunities are communicated to all internal employees equitably;
- Employee demographics align with student and community demographic.

#### Sample Evidence:

- Recruitment policy provided;
- Employee demographic data provided;
- Recruitment ad with nondiscrimination disclaimer included;
- Staff handbook or copy of sample contract provided.

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#### **APPENDIX I**

### SAMPLE: GREIVANCE PROCEDURE FOR RESOLVING COMPLAINTS OF DISCRIMINATION (Employee and Student)

It is the policy of [Name of the CTE] not to discriminate on the basis of race, color, ancestry, national origin, sex, sexual orientation, gender identity, religion or disability in its educational programs and its employment practices.

[Name of CTE] has adopted a grievance procedure intended to provide a prompt and equitable resolution of complaints alleging any action prohibited by Title VI, Title IX, Title II and Section 504 of the ADA. Should an individual have questions, have witnessed, or have experienced acts of discrimination based on race, color, national origin, sex or disability and wish to express a grievance, please follow this procedure.

#### **Level One Procedure**

- 1. Any student or employee of [Name of CTE] who wishes to file a grievance alleging discrimination based upon the above criteria, sexual harassment or disability should file a written or verbal complaint to the compliance officer. Grievance Forms are available in any of the following school offices: central office, high school office, school office, bus garage office, and counselors' offices, or online at [link to form].
- 2. Grievance forms should be submitted to the district/school compliance officer:

Title IX compliance officer: Section 504 compliance officer:

Name:
Title:
Title:
Location:
Phone:
Phone
Email:
Name:
Title:
Location:
Phone
Email:

- The compliance officer or his/her designee will then: (You may adjust to a timeframe that works best for your school)
  - a) Investigate within one week (seven calendar days) the circumstances of the complaint
  - b) Render a decision within two weeks (fourteen calendar days) after receipt of the complaint;
  - c) Send a copy of the decision to the Complainant and Respondent
  - d) Provide the Complainant and Respondent one week (seven calendar days) to respond to the decision.
- 4. The Complainant can:
  - a) Accept the decision: The Complainant must provide signature of receipt, and acceptance of decision;
  - b) **Disagree**: If the Complainant disagrees with the decision, they must state such, in writing to the compliance officer and request an appeal to the decision;
  - c) **Not respond:** After seven calendar days (or a previously agreed upon timeframe), the Complainant has neither agreed nor disagreed with the decision, the decision will become final.

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Note that failure of the Complainant to respond will be interpreted as his/her acceptance of the decision. In the event that the district's level one compliance officer(s) is(are) involved in the alleged discrimination, the Complainant can bypass the level one procedure and proceed directly to the Level Two Procedure.

#### **Level Two Procedure**

If it is necessary to bypass the compliance officer, or after completion of the Level One Procedure, the Complainant can begin the Level Two Procedure by completing a written or verbal request to the compliance officer and/or Superintendent of Schools.

- 1. The compliance officer requests the Superintendent of Schools to review the complaint, if appropriate.
- 2. The Superintendent will schedule a hearing to be held within one week (seven calendar days) of receipt of the request. The participants in this hearing will include the Complainant, who may be accompanied by his/her parent(s), guardian, spouse, friends, and/or attorney, the compliance officer(s) and others who have information to present relevant to the hearing.
- 3. The Superintendent will review the information presented and render a final decision within one week (seven calendar days) of the hearing. The Complainant, Respondent and the compliance officer(s) will receive written copies of the final decision within one week of the hearing.

#### Other channels for filing complaints: (Section recommended not required)

Complainants are encouraged to follow the school district's/CTE's grievance procedures before filing a complaint through the channels listed below. Should the Complainant choose to file a Grievances of Discrimination with an agency outside of the local school district, the following offices can be accessed. Given each agency has its own procedures for providing technical assistance and filing complaints, it is recommended that Complainants directly contact each agency to determine its particular policy.

#### **U.S. Department of Education**

Office for Civil Rights

Boston Office (Serving Maine Locations)

8th Floor

5 Post Office Square Boston, MA 02109-3921

Telephone: 617-289-0111 FAX: 617-289-0150;

TDD: 800-877-8339

Email: OCR.Boston@ed.gov

#### **Maine Human Rights Commission**

51 State House Station

19 Union Street Augusta, ME 04330 Telephone: 207.624.6290

Fax: 207.624.8729 TTY: Maine Relay 711

Website: https://www.maine.gov/mhrc

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#### **Protection from Retaliation:**

It is the policy of [CTE School] that no person be subjected to retaliation resulting from a grievance of discrimination. Retaliation is unlawful and will not be condoned or tolerated. Retaliation is defined as any negative treatment or adverse action imposed on an individual for engaging in protected activity. Protected activity includes filing a charge of discrimination, participation in an employment discrimination proceeding, or otherwise opposing unlawful discrimination.

#### **Definitions:**

**Complainant**: The person(s) filing a grievance of discrimination.

Compliance Officer: The person(s) to coordinate district efforts to comply with Title IX and Section 504 rules and regulations.

**Employee:** Any full-time or part-time teacher, administrator, clerk, custodian, building services personnel, administrator, or other person receiving compensation for services rendered by a school district.

*Grievance*: A complaint alleging discrimination based upon sex, including sexual harassment, or handicapping condition. This issue involves the violation, interpretation, or inappropriate application of Title IX regulations forbidding discrimination on the basis of sex, and Section 504 forbidding discrimination on the basis of handicapping condition.

**Respondent:** The person(s) in which a grievance has been rendered against.

*Students*: Any person enrolled as a student in any school and/or educational or recreational program authorized by a school district.



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#### **SAMPLE: REPORT OF GREIVANCE FORM**

Please forward completed form to [Name, Title, Contact Information]

Complainant's Name:					
First Name		Last Name			
Phone:	Email:		1777		
Complainant's Status:	Student	mployee	<b> □</b> ent	Othe	
Program/Department:					
Sending School: (if CTE student)					
Statement of Grievance: Des	scribe your comp	plaint (how you	have been dis	criminated against	in as much detail as
possible. Include names, date	es and witnesses	). Use addition	al pages as nec	essary.	
Resolution requested by Com	plainant:		Data as		
Signature of Complainant:			Date su	bmitted:	<del></del>
INTERNAL USE ONLY: Compla	•	ded, the followi		n: rotection from reta	liation
Timeline for i		[	Appeal mo		nauon

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SAMPLE: GRIEVANCE INVESTIGATION FORM					
Name of school/program:					
Administrator(s) conducting inv	vestigation: (Name/Title)				
Name of Person Completing the	e Report: (Name/Title if differ	rent from above)			
Date of report of allegation:		Date of incident:			
Complainant(s):		All a			
Respondent(s):					
Witnesses of Event(s):					
	Complainant Demogr	aphic Information (Voluntary)			
Grade (If Student):	Gender:		Age: (If Applicable)		
Race/Ethnicity:					
Reported disabilities of signification	ance:				
	Inves	tigative Activities			
Incident/allegation first rep	oorted to:				
2. Nature of grievance: (example	2. Nature of grievance: (example: sexual misconduct, verbal racial slurs, racially motivated cyber bullying, etc.)				
3. What, if any, preemptive sa	afety measure where tak	ken to protect the claimant:			
4. If students: when and how Claimant:	were, parents contacted	d regarding submitted grievance	?		
Respondent:					
5. Location of occurrence (be s	pecific):				

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Description of the incident or series of events: (Feel free to use a secondary sheet of paper):	
. Witnesses interviewed: (include interview notes reflecting investigation contribution)	
Evidence found or received during the investigative process:	
Final findings:	
O. Dooylking Askings	
0. Resulting Actions:	
0. Resulting Actions:	
O. Resulting Actions:	
Reporting Compliance	
Reporting Compliance  Date, time, and method of parent notification:	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:	
Reporting Compliance  Date, time, and method of parent notification:	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:  Date and time of Complainant debriefing (Must be separate from Respondent):	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:  Date and time of Complainant debriefing (Must be separate from Respondent):	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:  Date and time of Complainant debriefing (Must be separate from Respondent):  Date and time of Respondent debriefing (Must be separate from Complainant):	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:  Date and time of Complainant debriefing (Must be separate from Respondent):	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:  Date and time of Complainant debriefing (Must be separate from Respondent):  Date and time of Respondent debriefing (Must be separate from Complainant):	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant: b) Respondent:  Date and time of Complainant debriefing (Must be separate from Respondent):  Date and time of Respondent debriefing (Must be separate from Complainant):  Was Complainant provided the following information: (Check those that apply)  Protection from retaliation Full grievance policy w/ timeline Method of appeal	
Reporting Compliance  Date, time, and method of parent notification:  a) Complainant:  b) Respondent:  Date and time of Complainant debriefing (Must be separate from Respondent):  Date and time of Respondent debriefing (Must be separate from Complainant):  Was Complainant provided the following information: (Check those that apply)	

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#### **APPENDIX II**

#### SAMPLE: ADMISSION POLICY AND PROCEDURE

An admission process is necessary for [Name of the CTE] to ensure those students entering our programs are those who will most benefit from such educational opportunities. All students will be evaluated using the eligibility requirements contained in this Admission Policy.

Eligibility: All potential students are required to meet the following requirements prior to being accepted into [Name of the CTE]:

1st Requirement 2nd Requirement 3rd Requirement

Programs specific Pre-Requisites Include:

Program- Pre-Requisite 1, pre-requisite 2...

Program- Pre-Requisite 1, pre-requisite 2...

Program- Pre-Requisite 1, pre-requisite 2...

Program- No additional pre-requisites required

Application Process: Students interested in applying for admission to [Name of the CTE] must complete the following steps:

- 1. Set up an informational tour or full day visit. Please contact our Student Services Coordinator to schedule a visit.
- 2. Obtain an application by visiting our website at (school web address) or by requesting a physical copy of our application form from the main office or your School Counselor.
- 3. Return the completed application form to the main office.

Applications will be reviewed within a week of being received at which time a recruiter will contact the student to schedule an interview.

If incomplete applications are received, the following procedures will be followed:

- 1. The applicant's parent(s)/guardian(s) will be notified by mail by [Name of the CTE] Director.
- 2. If after notifying the parent(s)/guardian(s), the application remains incomplete for ten school days, the application will be voided.

[Name of CTE] does not discriminate based on race, color, national origin, sex, disability, or age. If you require assistance in filling out this application due to limited English proficiency or visual impairment, a qualified staff member is available to assist upon request. Please contact the Title IX/504 Coordinator, (First and Last Name), at (phone number) or (email address) for assistance or if you have questions regarding your rights as an applicant.

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#### **APPENDIX III:**

#### **ACCESSIBILITY STANDARDS FOR STUDENTS WITH DISABILITIES**

 ACCESSIBLE TOTAL DARKES FOR STODE LATES WITH DISABLE TIES							
ACCESSIBILITY STANDARDS AND TIMELINE							
						1/	
Program Access	ANSI	UFAS	UFAS or 1991 ADA	1991 ADA or 2010 ADA	2010 ADA		
						. /	
			04/07/4000 00/45/0040				
<06/04/1977	. 06/04/1977 - 01/18/1991	01/18/1991 - 01/27/1992	01/27/1992 - 09/15/2010	09/15/2010 - 03/15/2012	03/15/2012>		

The table below is not an exhaustive list of potential violations. Instead it highlights common violations found in CTE facilities throughout Maine and provides the standard ADA requirements associated with those violations. To determine what set of standards should be considered for each space within a facility, you must align the date of ground breaking, or the date of the most recent alteration if alterations have occurred, to the accessibility standards for that period. In instances where facilities are leased and have not been modified, or were constructed prior to June 1977, as stated in 34 C.F.R. § 104.21 and 28 C.F.R. § 35.150, programs and activities must be accessible to and useable by individuals with disabilities. This does not mean the entirety of an existing facility must be updated to meet federal accessibility standards but applies only to those spaces, and the path-of-travel to those spaces, that are accessed by students. Federal guidance does indicate that entities should consider whether there are areas that may not be accessible to individuals with disabilities and give priority to providing activities and services in the most integrated setting appropriate [34 C.F.R. § 104.22(a)&(e) and 28 C.F.R. § 35.150]. For example, the entity should consider the locations of the restrooms, including those constructed prior to June 1977, and ensure that there are a sufficient number of restrooms meeting accessibility requirements to provide access to students with disabilities.

Prior to 1977, no specific requirements existed relating to placement of specific items such as dispensers, grab bars, or other elements. To determine whether the spaces constructed prior to 1977 were usable by individuals with disabilities, we used the "General Principles and Considerations" section of the ANSI Standards (Section 3). These Standards were the result of a project begun in 1959 by industry representatives to determine minimum requirements for persons with disabilities to be able to function independently. Many of the items identified do not require difficult or costly remedies and would make it easier for a person with a disability to more fully participate in the entity's programs and activities.

If alterations to a space are structural, or if the alteration changes the usability of a space, ADA standards aligning with the date the alteration took place must be followed. This includes in the altered space and in the path-of-travel to the space as stated in Title II 28 CFR § 35.151, b4iii, and includes restrooms and drinking fountains along the path-of-travel.

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images					
	RESTROOMS, SHOWERS AND LOCKER ROOMS									
Number of ADA Compliant Toilets	(5.6) Fitting to the nature and use of the facility	(4.1, 4.22.1, 4.23.1) At least one accessible ADA toilet for all students, must have accessible route	(4.22.1) Same as UFAS	(213.1, 213.2, 213.2.1, 603) Where toilet rooms are provided, each toilet room shall comply. Exception: Where it is technically infeasible to comply, altering existing toilet or bathing rooms shall not be required where a single unisex toilet room is provided and located in the same area and on the same floor as existing inaccessible toilet or bathing rooms.						
Restroom Pathway	(3.23, 4.2.12, 5.6.1) Minimum width 48in, where turning is required 63in x 56in or 60in x 60in. Walks shall be a continual common surface not interrupted by steps or abrupt change in levels	(4.1.23, 4.2.4.1, 4.13.5) Minimum clear floor or ground space 30 x 48in positioned for forward, parallel approach and 60in turning radius; 48in in addition to the projection of any swinging into the space. Door width minimum 38in.	(4.2.12) Same as UFAS	(603.2.1) Clear floor space within the restroom should permit a circle of at least 60in diameter or a T-shaped space within a 60in square.						

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Toilet Stalls	(5.6.2) minimum 36in wide x 56in deep	(4.17.3, 4.17.4) Size dependent on door placement and swing, Minimum 56in x 60in, Toe clearance of 9in minimum of partition is required.	(4.17.3) Same as UFAS	(604.3) Clearance around a water closet shall be 60in minimum measured perpendicular from the side wall and 56in minimum measured perpendicular from the rear wall. Toe clearance of 9in minimum on both side and front partition is required.	SE S
Toilet Stall Door	(5.6.2) 33in width and swings out	(4.17.5) 32" wide; door can swing in or out, if doors are in-swinging they cannot swing into the required clearance/floor space for any fixture; all hardware (e.g., locks, handle) inside and out between 34-48" from floor	(4.17.5) Same as UFAS	(604.8.1.2) Door must swing out and clearance between door side of the compartment and any obstruction shall be 42in minimum. Doors shall be located in the front partition or in the side wall or partition farthest from the water closet. Where located in the front partition, the door opening shall be 4in maximum from the side wall or partition farthest from the water closet. Where located in the side wall or partition, the door opening shall be 4in maximum from the door opening shall be 4in maximum from the	alternate door location location   4 max   100   27   27   27   27   27   27   27

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
				front partition. The door shall be self-closing.	
Toilet Seat	(5.6.2) 20in from floor	(4.16.3, 4.16.5) 17-19in from floor to top of toilet seat. Flush controls no higher than 44in	(4.16.3, 4.16.5) Same as UFAS	(604.4) 17-19in from floor to top of toilet seat. Flush controls no higher than 48in	
Urinal	(5.6.2) Open basin 19in max from floor	(4.18.2) Stall-type or wall-hung with rim at max of 17in from floor, flush controls no higher than 44in. Clear space of 30in x 48in in front of urinal	(4.18.2) Same as UFAS	(605.2) Same as UFAS	
Grab Bars	(5.6.2) 33in high, parallel to floor, 1.5in in diameter, 1.5in clearance from rail to wall, secured tightly	(4.17.6, 4.26.13) On one side and rear wall, 33-36in from floor, back length 36in min, side length min 42in with no more than 12 in from wall to start of bar, 1.25-1.5in diameter, 1.5in clearance rail to wall. The structural strength of grab bars must sufficiently hold 250lbs securely	(4.16.4, 4.26.14) Same as UFAS	(604.5.1, 609.18) Same as UFAS	54 min 1370 305 42 min 1005 42 min 1005  42 min 1005  1005  1005  1005  1005  1005

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Toilet Paper Dispenser and Sanitary Napkin Disposal Unit	(5.6.6) 40in max above floor	(4.16.6) Toilet paper dispensers within reach and a minimum of 19in above floor	(4.16.6) Same as UFAS	(308.3.2, 604.7) Toilet paper dispensers between 7-9in from the front of the toilet to the centerline of the dispenser and mounted between 15-48in from floor. Reach shall be 48 inches (1220 mm) maximum for a reach depth of 10 inches (255 mm) maximum. Where the reach depth exceeds 10 inches (255 mm), the high side reach shall be 46 inches (1170 mm) maximum for a reach depth of 24 inches (610 mm) maximum.	7-9 180-230 48 max
Alternate Stall (Ambulatory)	(5.6.2) Toilet rooms shall be a minimum 3ft wide and 4.8ft deep, with 32in between grab bars for accessibility	(4.17.3) Same as ANSI	(4.17.3) Same as ANSI	(604.8.2, 604.5.1) Minimum 60in depth and 35-37in width, one side wall mounted grab bar shall be min 42in long and rest 12in minimum from the rear wall. Between 33 and 36in from floor	60 min 1525 42 min 1005

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Shower Compartments		(4.21.23) Shower stall shall be 36 x 36. A seat will be provided and mounted on the wall opposite controls 17in to 19in from ground surface.	(4.21.2-4.21.3) Same as UFAS.	(608.1; 608.4) Transfer type shower compartments shall be 36in x 36in clear inside dimensions measured at the center points of opposing sides and shall have a 36-inchwide minimum entry on the face of the shower compartment. Clearance of 36in wide minimum by 48in long minimum measured from the control wall shall be provided; A folding, or non-folding seat shall be provided in transfer type shower compartments;	seat Control Se Se Seat Wall Wall Wall Wall Wall Wall Wall Wa
Grab Bars (Transfer Type Shower)		(4.21.4) Grab bars will be installed between 33in and 36in from ground surface spanning 18in on control wall and a minimum of halfway along back wall.	(4.21.4) Same as UFAS.	(608.3) Same as UFAS	seat wall

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Controls and Shower Units (Transfer Type Shower)		(4.21.5; 4.21.6) Controls, faucets, and shower spray unit shall be installed on the side wall opposite the seat 38 inches minimum and 48 inches maximum above the shower floor and shall be located on the control wall 18 inches maximum from the centerline of the seat toward the shower opening; A shower spray unit with a hose at least 60in long that can be used as a fixed shower head or as a hand-held shower stall will be provided.	(4.21.5; 4.21.6) Same as UFAS.	(608.5, 608.6) Controls, faucets, and shower spray unit shall be installed on the side wall opposite the seat 38 inches minimum and 48 inches maximum above the shower floor and shall be located on the control wall 15 inches maximum from the centerline of the seat toward the shower opening. A shower spray unit with a hose at least 59in long that can be used as a fixed shower head or as a hand-held shower stall will be provided.	38 min ses 48 max 48 max 4220
Dispensers	(3.3.4) 48in max above floor	(4.2) Forward unobstructed reach: 15-48in, Side unobstructed reach: 9-54in.	(4.2.56) Same as UFAS	(308.2.2, 308.3.2, 309.4) Forward reach 15-48in unless obstructed then max height 44. Side reach 15- 48in unless obstructed then max height 46. Force required to push/pull should not exceed 5lb	
Mirror	(5.6.4) Reflective area 40in max above floor	(4.19.6) Same as ANSI	(4.19.6) Same as ANSI	(603.3) Same as ANSI	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Shelving and Coat Hangers	(5.6.4) 40in max above floor	(4.25.3) Shelves and hangers must be within reach range- max height 48in if forward reach and 54 reach if side reach	(4.25.3) Same as UFAS	(803.5) Shelves and coat hangers shall be 40in minimum and 48in maximum above the finish floor or ground.	
Sink	(5.6.3) Sinks should have narrow aprons and mounted at a height usable by individuals in wheelchairs.	(4.19.2) Mounted with rim or counter surface max of 34in above floor with a clearance of 29in from floor to bottom of the sink basin and a minimum depth of 8in from leading edge of sink to pipe insulation.  Also, must be toe clearance of at least 9" high and 6" deep underneath bottom of pipe insulation	(4.24.25) Sink shall be mounted 34in above finish floor. Knee clearance beneath sink to be min. 27in high, 30in wide, and 19in deep. Must have a clear floor space of at least 30in x 48in	(306.3, 606.3) Sink shall be mounted 34in above finish floor. Knee clearance beneath sink to range between 9 and 29in high, 30in wide, and 9 and 11 in deep.	
Exposed Pipes	(5.6.3) Must be covered with no exposed metal	(4.19.4) Must be covered with no exposed metal	(4.19.4) Must be covered with no exposed metal	(606.5) Must be covered with no exposed metal	
Restroom Signs	(5.11, 5.11.1, 5.11.2) Appropriate Identification	(4.30) Signs displaying the International Symbol of Accessibility should be placed beside the bathroom entrance between 54in and 66in	(4.30, 4.30.6) Signs displaying the International Symbol of Accessibility shall be installed on the wall adjacent to the latch side of the room's exterior door. Mounting height	(216) Same as 1991 ADA, in addition signs must have raised characters and Braille, sign should be at least 18in x18in, it should be on the latch side or push side of door, and the base of the lowest character on	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
			shall be 60in from the floor to signs centerline. Individually accessible stall units must be identified with the International Symbol of Accessibility when all units are not physically accessible	the sign should be at least 48in above the floor and the base of the highest character should be no higher than 60in from floor.	
			PATHWAYS		
Exterior/Interior Accessible Routes	(5.2.1) One primary entrance usable by individuals in wheelchairs and provides access to elevators. Entrances clearly marked with International Symbol of Accessibility. Non-accessible entrances have sign directing to accessible entrance.	(4.1, 4.3, 4.14) At least one accessible route within the boundaries of a site shall be provided from public transportation stops, accessible parking, and accessible passenger loading zones and public streets or sidewalks to the accessible building entrance they serve. At least one accessible route must connect all building facilities, amenities, spaces and dwellings.	(4.3) Same as UFAS	(206, 206.2.2) Same as UFAS	
Interior and Exterior Door(s)	(5.3, 5.3.2) Clearance when open 32in minimum, 5ft flat floor surface shall be present	(4.13.5, 4.13.11) Minimum clearance 32in, applied pressure to open interior doors	(4.13.5) Same as UFAS	(404.2.3) Same as UFAS	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
	on either side of door with one foot extending beyond each side of door	not considered fire doors 5lbs max, minimum 90 degree swing			
Door Hardware	(5.3) Door must be operable with single effort	(4.13.9) Mounted 34- 38in above floor, shall have hardware easy to grasp with one hand and does not require tight grasping, pinching or twisting.	(4.13.9) Same as UFAS	(404.2.7) Same as UFAS	
Ground and Floor Surface	(4.5) Path of travel must be stable, firm, slip-resistant, and accessible to entrances.	(4.5.3, 5.5) ground surface must be stable, firm, slip-resistant, and accessible to entrances. Carpet must have a level loop and may not exceed 1.5in height, edges must be secured	(4.5.13) Same as ANSI	(302.12) Same as ANSI	½ max 13
Clear Floor and Ground Space		(4.2.4.1, 4.27.2) Minimum clear floor and ground space required for single wheelchair is 30in x 48in. Either forward or parallel approach at controls, dispensers, receptacles and other operable equipment is reasonable	(4.2.4.1, 4.27.2) Same as UFAS	(305.26) Same as UFAS	48 min 1220 30 min 780 1220 1220 1220 1220

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Path of Travel and Walkways	(4.2.1, 4.13.5) Minimum 4ft. or 48in wide with gradient no more than 5 inches	(3.2.3, 4.3.34) Minimum width of access points (such as doorways) 32in, 36in wide in continuous pathways. 60in minimum for two individuals in wheel chairs to pass one another	(4.3.34) Same as UFAS with passing space of 60in x 60in every 200 feet	(403.5, 403.5.3) Same as 1991 ADA, Exception: can narrow to 32in for 24in max length, narrow stretches must be at least 48in apart	24 max 510 48 min 1220 1220 1220 1220 1220 1220 1220 122
Change in Level	(5.3.2-3, 5.5.2) Floor on any given story must be level with no sharp changes or must be properly ramped. Thresholds shall be flush with floor for 5 feet on either side on entrance in the direction of the door swing, and extend a minimum of 1 foot beyond frame	(4.5.2) 1/4in high maximum vertical change in level, between 1/4in and 1/2in a bevel with a slope not steeper than 1:2 is required. Change in level greater than 1/2in must be accompanied by ramp	(4.3.8, 4.5.2) Same as UFAS	(303.23) Same as UFAS	1/4 max 6.4 2 1/2 13
Stairs	(5.4.14) Handrails 32in from tread surface. Risers should not exceed 7in. Handrails should extend 18in beyond the top and bottom step. Steps required to	(4.9.15) 11in minimum tread width, riser height and tread width should be uniform, handrails should run continuous along stairwell. If not continuous the rail must extend 12in at top and	(4.9.14) Same as UFAS	(504.17) 11in minimum tread width, riser height and tread width should be uniform, handrails should be provided on both sides of stairs and ramps (except for assembly areas - then one rail required),	radius ½  max  13  (a)  radius of tread edge (typical for all profiles)  30° max  (b)  angled riser

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
	have non-squared off edges.	12in plus the width of one stair at the bottom. Nosing at the edge of step shall not be abrupt and may protrude no more than 1½ inches and underside of step may slope no more than 60 degrees.		handrails should be between 34-38in from tread surface, handrails should extend 12in at top and bottom of stairs.  Nosing at the edge of step shall not be abrupt and may protrude no more than 1½ inches and underside of step may slope no more than 30 degrees.	1½ max  38  (c)  (d)  curved nosing beveled nosing
Ramp Slope and Rise	(5.1.1, 5.1.7) Max 1:12 (8.33%) slope with level platforms at 30ft max intervals, 36in width minimum	(4.8.2) Max 1:12 (8.33%) slope with level platforms at 30ft max intervals, 36in width minimum. Where ramp changes direction a 60in x 60in landing	(4.8.2) Same as ANSI Also, 1:50 (2%) max for cross-slopes	(405.6) Same as 1991 ADA	at least as wide as ramp run  (a)  Straight
Ramp Handrails	(5.1.2) All ramps must have at least 1 handrail resting 32in from ground and that extends one foot beyond ramp.	(4.8.5) Both sides of ramp should have handrail if rise is greater than 6in or if rise projects more than 72in (6ft), Between 30-34in high from ramp surface., clear space between handrail and wall shall be 1.5in.	(4.8.5) Both sides of ramp should have handrail if rise is greater than 6in or if rise projects more than 72in (6ft), Between 34"-38" from ramp surface to top of handrail gripping surface, Rail extends 12" beyond top and bottom of ramp.	(405.8) Same as 1991 ADA, unless handrail extension creates hazard- then not required.	(b) Change in Direction anding formin form from from from from from from from

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Landing(s)	(5.1.47) 5ft x 5ft clearance at top and bottom of ramp if door extends into landing. 3ft x 5ft landing required if door does not extend into landing. Landing must extend at least 1 foot beyond all entryways. Landing must extend 6ft at bottom of ramp and be available at 30ft intervals	(4.8.4) Same as ANSI	(4.8.4) Same as ANSI	(405.7) Same as ANSI	
Protruding Objects	(5.13.4) Objects below 84in from floor should protrude no more than 4in into path	(4.4.12) Objects protruding from walls with their leading edge between 27-80in above the floor (e.g., fire extinguishers) should protrude no more than 4in into path. Free standing objects mounted on posted may not exceed 12in overhang. No object shall reduce the required clear width of	(4.4.12) Same as UFAS	(404.2.5) Same as UFAS	4 max 100 08 ≥ X

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
		an accessible route or maneuvering space. If vertical clearance of an area adjoining an accessible route is reduced to less than 80 inches, a barrier to warn blind or visuallyimpaired persons shall be provided			protect shaded area from cross-traffic CANE CANE DETECTION AREA
Identification and Signage	(5.11, 1.11.13) Appropriate identification of specific facilities within a building used by public is essential, raised letters or numbers shall be used to identify rooms or offices, identification should be placed on the wall between 45in and 66in but preferably 60in	(4.30.16) Character portions for letters and numbers must be width: height ratio between 3:5 and 1:1 and a stroke width: height ratio between 1:5 and 1:10, Interior sign shall be located alongside a door on the latch side at a height between 54in and 66in above finish floor, Letters and numbers must be raised 1/32in minimum and in sans serif characters, raised characters or symbols in pictographs	(4.30.16) Same as UFAS except for: Where permanent identification is provided for rooms and spaces, signs shall be installed on the wall adjacent to the latch side of the door. Where there is no wall space to the latch side of the door, including at double leaf doors, signs shall be placed on the nearest adjacent wall. Mounting height shall be 60 in (1525 mm) above the finish floor to the centerline of the sign.	(703.14) Signs shall have visual and tactile characters, or two separate signs, one with visual, and one with tactile characters must be provided, characters shall be uppercase and raised 1/32 inch (0.8 mm) minimum above their background in san serif, Character height measured vertically from the baseline of the character shall be 5/8 inch (16 mm) minimum and 2 inches (51 mm) maximum based on the height of the uppercase letter "I", Braille	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
		high, Where permanent identification is provided signs must be mounted on the latch of the door and between 54 and 60in from ground floor	such signage shall be so that a person may approach within 3 in	the corresponding text. If text is multi-lined, braille shall be placed below the entire text. Braille shall be separated 3/8-inch minimum from any other tactile characters and 3/8inch minimum from raised borders and decorative elements. Tactile characters on signs shall be located 48 inches minimum above the finish floor or ground surface, measured from the baseline of the lowest tactile character and 60 inches maximum above the finish floor or ground surface, measured from the baseline of the highest tactile character. Characters and their background shall have a non-glare finish. Characters shall contrast with their background.	
International Symbols of Accessibility (ISA)		(4.30.5) Must use International Symbol of Accessibility	(4.30.7) Same as UFAS	(703.7.2) Same as UFAS	4

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
		REACH RAN	NGES AND OPERABLE PAR	TS	
Unobstructed Forward Reach	(3.3.13) Average unilateral vertical reach is 60in. With full reach range being 54in-78in.	(4.2.5) Between 15in to 48in from floor space to object.	(4.2.5) High forward reach shall be 48in maximum and the low forward reach shall be 15in minimum above the finish floor or ground.	(308.2.1) Same as 1991 ADA.	15 min 900 45 max
Obstructed Forward Reach	(3.3.13) Average unilateral vertical reach is 60in. With full reach range being 54in-78in.	(Fig 5) Max 24in horizontal reach, and max 46in from floor vertically.	(4.2.5) Same as UFAS.	(308.2.2) Clear floor space shall extend beneath the element for a distance not less than the required reach depth over the obstruction. The high forward reach shall be 48in maximum where the reach depth is 20in maximum. Where the reach depth exceeds 20in the high forward reach shall be 44in maximum and the reach depth shall be 25in maximum	20 max 510 agr 20-25 max 510 e35
Unobstructed Side Reach	(3.3.4) Average diagonal reach is 48in	(4.2.6) Between 9in to 54in from floor space to object.	(4.2.6) Maximum 44in high when obstruction is 20-25in wide. Maximum 48in high when obstruction is under 20in wide.	(308.3.1) High side reach shall be 48in maximum, low side reach shall be 15in minimum above the finish floor	10 max 10 max 290 200 200 200 200 200 200 200

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Obstructed Side Reach	(3.3.4) Average diagonal reach is 48in	(Fig 6) Max 24in horizontal reach, and max 46in from floor vertically.	(4.2.6) Maximum 46in high with maximum obstruction 24in wide.	(308.3.2) Obstruction 34in max height by 10-24in width equals max reach height of 46in above finish floor. Obstruction 34in max height by 10in max width equals 48in max reach above finish floor.	10 max 255-810
Operable Parts	(3.3.4; 5.10) Wall mounted operable parts require a maximum 48-inch reach range; Controls and operating mechanisms must fall within reach range	(4.27.24) Clear floor space must be available for approach. Controls and operating mechanisms must fall within reach range. Controls must be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist. The force required to activate controls shall be no greater than 5lbs.	(4.27.3) Same as UFAS	(309.24) Same as UFAS	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
	(	CLASSROOM AMENITIES,	LAB ACCESSIBILITY AND A	ASSEMBLY AREAS	
Fixed Seating	Accessible and Useable	(4.1.17, 4.32.1) Where fixed seating is provided, at least 5% but not less than one space must be accessible and usable.	(4.1, 4.32.1) Same as UFAS. Additionally, an accessible route shall lead to and through the built-in seating.	(221.2, 226.1) Same as 1991 ADA	
Workstations	(3.3.2) 28.5in-33.2in to top surface of horizontal desk/table	(4.32.14) Top of work surface must measure between 28in and 34in high, Knee clearance is min 27 high, 30in wide and 19in deep.	(4.32.14) Same as UFAS	(306.3, 902.3) Top of work surface must measure between 28in and 34in high, Knee clearance min 27 high with toe clearance of 9in, 30in wide minimum and 11in to 25in deep	8 min 205 9 min 230 11 min 230 elevation 25 max 635 (b) plan
Audio Amplification	Accessible and Usable	(4.33.6) if fixed seating must be within 50' of stage and have full view of stage	(4.1.19.b) Assembly areas with fixed seating that accommodate at least 50 people or have audio amplification require permanently-installed assistive listening systems. The number of receivers should be 4% of	(2.19.3) Same as 1991 ADA with following number requirements:  Min. Receivers Total Min. Hearing-Aid Seats Receivers Compatible <50 2 2	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
			the number of seats but no less than 2 receivers. A sign with the international symbol of access for hearing loss should provide notice of availability of listening system	51-200	
ADA Seating		(4.1.18) <u>Capacity</u> <u>ADA Spaces</u> 1-25	(4.1.19) <u>Capacity</u> <u>ADA Spaces</u> 1-25 1 26-50 2 51-300 4 Over 500 6+1 for each 100	(221.2.1) Same as 1991 ADA standards	
Access to performing area		(4.33.5) An accessible route must connect wheelchair seating with performing area, including: stages, arena floors, dressing rooms, locker rooms, and other	(4.33.5)	(206.2.6) Same as UFAS	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
		spaces used by performers.			
Wheelchair Spaces, Companion Seats, and Designated Aisle Seats		(Fig 46) 33 inches wide minimum for one space, if two or more adjacent spaces are provided 33 inches wide per space, if front or rear entry to space 48 inches' deep minimum, if side entry 60 inches' deep minimum.	(Fig 46) Same as UFAS	(802.1.2) 36 inches wide minimum for one space, if two or more adjacent spaces are provided 33 inches wide per space, if front or rear entry to space 48 inches' deep minimum, if side entry 60 inches' deep minimum.	(a) (b) (b) (c) (d) (d) (e) (d) (e) (e) (e) (e) (e) (e) (e) (e) (e) (e
Drinking Fountain	(5.7-5.7.2) Appropriate number must be accessible the 'Program Access' standard (prior to 1977) was: if only one on a floor, it must be accessible. If more than one, 50% are accessible, Spout no higher than 36in from floor, Controls on front or side	(4.15.15) If only one fountain on a floor it must be accessible.  More than one fountain 50% must be accessible, 30in x 48in clear floor space for forward approach, spout no higher than 36in from floor and water flow high enough to insert cup. Clear knee space of 27in from floor to apron. Controls on front or side and operable with closed fist.	(4.15.14) Same as UFAS except flow of spout positioned so flow of water is at least 4in high and within 3in from front of fountain.	(309.4, 602.16) If there is one fountain only then it must be accessible. More than one fountain 50% must be accessible, 30in x 48in clear floor space for forward approach, Spout max 36in from floor and water flow 4in min height, spout should be at least 15in from the rear of the fountain and 5in max from front edge. If fountain is no deeper than 20in, operable parts should be no higher than 48in and take no more	48 min  1220 17-19  230-488  24 max 610  15 min 126 380

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
				than 5lbs of pressure to operate; If fountain is between 20-25in deep, operable parts should be no higher than 44in nor take more than 5lbs of pressure to operate. Units shall have a clear floor space aligning with required reach ranges.	8 min 6 max 205 equipment permitted in shaded area
			ELEVATORS		
Elevator Accessibility	(5.9, 5.9.1) Elevators are essential and must be made accessible to, and usable by, individuals in a wheelchair from the level of entry to all floors used by the public.	(4.10) Accessible elevators must be on accessible route	(4.1.3) 1 elevator complying with 4.10 shall serve each level in all multi-story buildings unless exempted as follows: elevators are not required in facilities that are less than 3 stories or less than 3000 per story; ramps complying with 4.8 (e.g., max slope of 8%, max rise of 30" for any run) may be used in lieu of an elevator; platform lifts (wheelchair lifts) can be used in lieu of an elevator if elevator or ramp are technically infeasible	(407.1) Same as 1991 ADA, also Elevators must be in good working order.	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Elevator Car Size	(3.2, 5.9.2) 54in x 60in min required measurements, must allow for traffic by wheel chairs	(4.10.9) Centered opening, 51in deep x 80in wide. For off-center opening, 51in deep x 68in wide	(4.10.9) Same as UFAS for new construction. For modifications, when technically infeasible, elevator dimensions can be reduced but in no case, should be less than 48in x 48in or equal or greater square footage (16 square feet) when usability can be demonstrated (Cite 4.1.6)	(407.4) Existing configurations must provide 16 square feet minimum with an inside clear depth of 51in and width of 36in. For new construction, the accompanying diagrams apply.	80 min 2030  42 min 1063 (a) centered door 68 min 1726
Elevator Doors	(5.3, 5.9) 32 inches wide minimum	(4.10.6, Fig 22) 36in minimum width, doors must have automatic open and close feature that must stop and reopen should an obstruction present itself at height of 5 in to 29 in. Door must remain open for 20 seconds before proceeding with close function.	(4.10.6, 4.10.9) same as UFAS	(407.4, 407.3.3) For Centered door, 42" wide; for off-center door, 36". Doors automatically open and close - doors reopen for obstructions between 5" to 29" from floor and remain open for 20 seconds before closing, no physical contact must be made to initiate response.	36 min 915 (b) side (off-centered) door 1370  Se min 1370  (c) any door location
Elevator Car Position Indicator		(4.10.13) In car above control panel or door, a visual indicator shows the position of the car and it illuminates and produces and audible signal when car stops on	(4.10.13) Same as UFAS	(407.4.8) Same as UFAS	

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
		a floor. Numbers shall be minimum of ½ in tall.			60 min
Elevator Audio, Visual Signals			(4.10.7) (4.10.13) A special button may be provided that would activate the audible signal within the given elevator only for the desired trip, rather than maintaining the audible signal in constant operation.		36 min of some state of the so
Elevator Call Controls	(3.3, 5.9) Accessible and usable within standard reach range of 48in max height	(4.10.12) 42in to center of 'up button', which must be on top. All call controls should have visual indicator that shows when call has registered.	(4.10.12) Same as UFAS	(407.4.6) Max of 48in (min of 15in) to center of 'up button', which must be on top. All call controls should have visual indicator that shows when call has registered.	(e) Exception existing elevator car configuration
Elevator Interior Car Controls	(3.3.4, 5.9) Accessible and usable within standard reach range of 48in max height	(4.10.12) Max of 48" (front approach) to 54" (side approach), with 15" as minimum height from ground surface and measure 3/4in diameter. All control buttons designated by raised characters and symbols to the left of the buttons - Braille characters and tactile	(4.10.12) Same as USAF	(407.2.1) Same as USAF	Elevator Control Button Identification  Control Tactile Braille Button Message  Emergency Stop  Alarm  Door Open  Door Close  Main Entry Floor  Phone

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images	
Platform Lifts		symbols are required. Main floor designated with a star. Emergency buttons should have their centerline no less than 35" from floor and they should be grouped at the bottom of the panel. All call controls should have visual indicator that shows when call has registered.  (4.2.4, 4.5, 4.11.13 4.27) Must have a forward, clear ground approach and accessible controls compliant with 4.27.	(4.2.4, 4.5, 4.11.13 4.27) Same as UFAS	(410.1-410.6) same as UFAS with the addition of: shall have low-energy power-operated doors or gates complying with 404.3. Doors shall remain open for 20 seconds' minimum. End doors and gates shall provide a clear width 32-inch minimum. Side doors and gates shall provide a clear width 42- inch minimum.	blattorm in 242 min 250 min 25	
ACCESSIBLE PARKING						
Space Identified with International Symbol of	(4.3.1) Identification required	(4.6.4) Required	(4.6.4) Required, and Van accessible spaces should have a sign that reads	(502.6) Required, mounted at least 60" above ground surface (recommended: to be painted on ground). Van		

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
Accessibility (ISA)			'Van Accessible', along with the ISA	accessible spaces must have a sign that reads 'Van Accessible' with ISA	
Number of Spaces	(4.3.5) No required number, number should be based on frequency of parking need	(4.6.1)       Total     ADA Spaces       1-25     1       26-50     2       51-75     3       76-100     4       101-150     5       151-200     6       201-300     7       301-400     8       401-500     9       501-1000     2%       1001+     20+1 per 100	(4.1.2) Same as UFAS	(208.2) Same as UFAS	S8 min 132 min NSO (b) car van
Number of Van Spaces	(4.3.5) No required number, number should be based on frequency of parking needs	(4.6.3) No required number, number should be based on frequency of parking needs	(4.1.2) At least 1 van- accessible space, and 1 van-accessible space for every 8 (or fraction of 8) accessible spaces	(208.2.4) At least 1 van- accessible space, and 1 van-accessible space for every 6 (or fraction of 6) handicap spaces	area to be marked
Dimensions of Spaces	(4.3.3) 12 feet wide	(4.6.3) 8 foot plus 5-foot access, surface slope max of 1:50 (2%), if provided van space should measure 96in	(4.6.3) Van accessible space should be 16 feet wide (including 'access space', at least 5 feet of the 16 feet should serve	(502.2) Same as 1991 ADA	60 min √ 1925

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Common Violation	ANSI	UFAS	1991 ADA	2010 ADA	2010 ADA Standard Examples/Images
		wide and comply with 4.5ground and floor requirements	as 'access space'); other accessible spaces should be 8' wide and have an additional 5' serving as 'access space')		curb line vehicle pull-up space which pull-up space marked marked
Parking Requirements	(4.3.1-4.3.6) Parking is located closest to accessible entrances, parking surface is smooth, level and there is a clearly defined, safe path from parking spaces to accessible route	(4.6.2) Same as ANSI	(4.6.2) Same as ANSI	(502.4) Same as ANSI	

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