

## Protecting Children With Disabilities ADA Compliance

CCA Program  
3/6/14 2:35 – 3:40 pm

Bonnie R., Sr. Staff Atty  
Lisa Perkins  
Susan Rhodes

Title II – equal opportunity to access all programs, service in govt. agencies, programs, including municipal camps

Title III – equal opportunity to access all programs, service in private entity in the public sector – restaurants, movie theaters, camps

Must do Individualized Assessment  
Disability unique to each child  
Impact unique  
Modification unique

Talk to parents  
Talk to educators  
Talk to other caregivers

Diagnosis does not determine participation  
Participation... not exclusion

If service does not exist at camp ...  
Would a younger group be appropriate? CIT? Extra staff? Equipment required?

Allow naps, time out, special diet, medication – what works in other contexts?

It's all about can we make it work with what we have?

Limited exceptions to ADA compliance  
Fundamental alteration of program – training, contact sports  
Undue burden – financial resources, number of employees  
Direct threat to health and safety of others

If parent covers expense of one-to-one caregivers, camp cannot exclude child if it results in successful integration into camp program.  
Camp is not required to cover expense for one-to-one care or personal assistant.

Have a policy to get more information, not to exclude.

Individual Determination  
Ascertain risks

Insulin Diabetes or Epilepsy

Can't discriminate against parents, either

Individual Assessment  
What is the parent's responsibility? Tell the camp 20 business days prior. Physical, etc.  
Handouts with samples of forms for us.  
Sample camp policy for making modifications.

**Training for staff must happen – ADA compliance, med admin, epilepsy, behavior mgt., hyperglycemia, hypoglycemia.**

**ADA requires**

A non-response to an email or call is like saying no. Talk to them.

ADA does not require a licensed person to administer insulin but DPH does or wants the waiver and plan done.

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

Office of Civil Rights for the Dept of Human Services

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April 2012 Settlement agreement under Title 11 with Simsbury, CT.

8 year old girl with diabetes. Camp said they would not test or provide carbs. Town was found not in compliance and we have a copy of the new policy on diabetes management.

When making modifications consider how the modifications will impact the child's participation in the program.

Contact them with questions or for help with training.