



# Access *New England*

A Publication of the New England ADA Center

Spring 2011

Dear Subscribers,

March 2011 is proving to be a watershed moment in the history of disability rights and in this issue of *Access New England* online we bring you the reasons why. First up, the news that broke just on last Friday, March 25, of the EEOC's new regulations for the ADA Amendments Act, now official and published in the Federal Register. Next, we have an overview of the changes from the new Title II and Title III regulations that went into effect on March 15. We also have a brand new online disability rights course that debuted in March. Don't miss the updates on our popular publications or the instructive webinar and audio conference information we include in each issue, as well.

As always, call us toll free at **1-800-949-4232** for technical assistance on all the very latest in ADA related news.

Sincerely,  
Karen Murray, Editor

## Breaking News: EEOC Announces Final Bipartisan Regulations For the ADA Amendments Act!



ADAAA Regulations Implement Congressional Intent to Simplify the Definition of Disability.

WASHINGTON - The U.S. Equal Employment Opportunity Commission's (EEOC) final regulations to implement the ADA Amendments Act (ADAAA) are now available for public view on the Federal Register website.

The regulations were published Friday, March 25. Like the law they implement, the regulations are designed to simplify the determination of who has a "disability" and make it easier for people to establish that they are protected by the Americans with Disabilities Act (ADA). The regulations are intended to work well for both people with disabilities and employers.

Questions about the Americans with Disabilities Act?

Call  
**1-800-949-4232**  
(voice/tty)

The DBTAC-New England ADA Center provides information and guidance on the Americans with Disabilities Act.

New!  
Webcourse on Disability Rights Launched!



**Register!**

Webcourse on Employment Regs and ADA Amendments Act Changes!

The ADAAA was passed in 2008 and became effective January 1, 2011. It overturned several Supreme Court decisions that Congress believed had interpreted the definition of "disability" too narrowly, resulting in a denial of protection for many individuals with impairments such as cancer, diabetes or epilepsy.

These final regulations will become effective May 24, 2011

Visit the [New England ADA Center's](#) website for more information and a list of resources about this story.

Source: [EEOC Press Release](#)



### **New ADA Regulations in Effect March 15, 2011**

Important changes to the ADA Title II and Title III regulations are in effect starting March 15. Title II applies to state and local governments. Title III applies to the private sector: stores, hotels, day care centers, non-profit organizations, medical providers, etc. Most of the changes in the two regulations are the same.

#### **What are the changes?**

Service animals - The definition of service animals now only includes dogs. Other animals, whether wild or domestic, do not qualify as service animals. Dogs must be individually trained to do work or perform tasks. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not service animals. The regulations also clarify that the animal must be under the handler's control at all times, that the handler is responsible for the animal's care and what questions can and can't be asked a person who says his dog is a service animal,

Miniature horses - Although not under the definition of service animals, the regulations permits the use of trained miniature horses as alternatives to dogs, where appropriate.

Wheelchairs and Other Power-Driven Mobility Devices - The regulations distinguish wheelchairs and "other power-driven mobility devices" (OPDMDs). OPDMDs are mobility devices not designed for people with disabilities, but which are often used by people with disabilities (such as the Segway). Wheelchairs must be permitted in all areas open to pedestrian use. OPDMDs must be permitted unless their use would fundamentally alter programs, services, or activities, create a direct threat, or create a safety hazard.



[Register!](#)



**Audio Conference  
on the New  
ADA  
Amendments Act  
Employment  
Regulations**

**Monday  
April 4, 2011**

**2-4 p.m. EST**

**Featuring  
Sharon Rennert,**  
Senior Attorney  
Advisor, Office of Legal  
Counsel, Equal  
Employment  
Opportunity Commission

Visit the New England  
ADA Center [Website](#)  
for registration  
information.



**Webinars and Audio  
Conferences on the  
New 2010 ADA  
Standards for**

Visit the [New England ADA Center's](#) website to read about changes in ticketing and effective communication.

More regulations changes go into effect next year on March 15, 2012. We will discuss those in future newsletters.

Written by Kathy Gips, New England ADA Center

### Special April 4th - ADA Amendments Act Employment Regulations - Audio Conference



The ADA National Network is pleased to announce a special audio- conference session this **Monday, April 4, 2011 from 2 - 4 pm EST** on the ADA

Amendments Act (ADAAA) final regulations released last week by the Equal Employment Opportunity Commission (EEOC). We've been waiting for them. Now is the time to learn how the regulations will affect people with disabilities, employers, and the workplace on a day to day basis.

**Sharon Rennert, Senior Attorney Advisor with the EEOC** will be the guest speaker and presenter. Please visit our [New England ADA Center](#) website for more information and details on how to participate. Those in the Boston area are invited to join us at our office at 200 Portland St. Please RSVP to reserve a space by sending an email to [adainfo@newenglandada.org](mailto:adainfo@newenglandada.org) or call us at 617-695-0085 voice/tty.



### New England ADA Center Launches Online Disability Rights Course in March

The New England ADA Center, in collaboration with the Network of ADA Centers has launched a new online **Disability Rights Course**. A free, self-paced webcourse that is available 24 hours a day, 7 days a week and provides an overview of disability rights laws. The course takes approximately 2 hours and includes real life scenarios, quizzes and a final exam. Upon completion of this webcourse course, you

will:

- Have a general understanding of the major federal disability rights laws (the Americans with Disabilities Act, the Fair Housing Act, Section 504 of the Rehabilitation Act and the Air Carrier Access Act)
- Be able to assess what laws apply in different discrimination

### Accessible Design

Thursday  
April 7, 2011  
2:30-4 p.m. EST

### Enforcing the Architectural Barriers Act (ABA)

No cost but registration is required

### Transportation Webinar Series Final Session!



### "Topic Guides on ADA Transportation"

Tuesday  
April 12, 2011

2-3:30 p.m. EST

A 7 session webinar series that brings together the requirements of the ADA and the Department of Transportation ADA regulations, FTA determinations, and best practices for ADA compliance.

No cost but registration is required.



Tuesday  
April 19, 2011

scenarios

- Have resources for help and information about disability rights laws

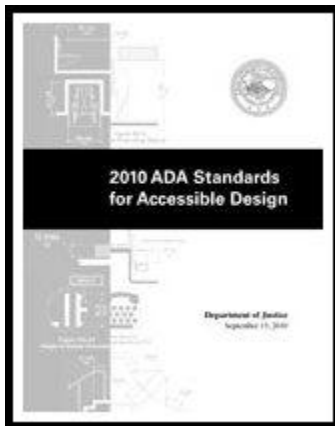
**Continuing Education Credits:**

- Commission on Rehabilitation Counselor Certification (CRCC): 2 credit hours

**Who should take this course:**

- People with disabilities
- Advocates for people with disabilities
- Law students
- Rehabilitation counselors
- Social service providers
- Anyone with an interest in disability rights laws

Register now for the [Disability Rights Course!](#)



**2010 ADA Standards for Accessible Design Publication Available to Order or to Download --UPDATED**

The Department of Justice (DOJ) has compiled a free official version of the 2010 ADA Standards for Accessible Design (2010 Standards) to bring together the information in one easy-to-access location. It provides the scoping and technical requirements for new construction and alterations resulting from the adoption of revised 2010 Standards in the final rules for Title II (28 CFR part 35) and Title III (28 CFR part

36).

The Department of Justice is providing the 2010 ADA Standards free of charge. A Printed copy may be ordered by calling the ADA Information Line (1-800-514-0301 (Voice) or 1-800-514-0383 (TTY). Automated service is also available 24-hours a day for recorded information. Copies are also available for viewing in accessible formats on the [DOJ's website](#)

At this time either the original 1991 ADA Standards for Accessible Design or the 2010 ADA Standards for Accessible Design may be used.

2-3:30 p.m.

Are my Recreation Facilities Accessible?  
Where Do I Start?

[Register!](#)



"A New Decade of Accessibility"

Save the Date  
May 8-11 2011

Las Vegas, NV

[Early Bird Registration](#)  
happening now!



Disability Law Lowdown  
-Podcast-

[Subscribe](#)  
for the latest in  
disability law  
information

Next Podcast: Meet Host  
Lex Frieden

Accessible Technology  
Webinar Series

Starting March 15, 2012 only the 2010 ADA Standards for Accessible Design may be used.

Please call or email us if you have questions.

## Revised ADA Checklist for Existing Facilities Coming Soon: Updated

Priority 3 - Restrooms		Comments	Possible Solutions
3.1	If restrooms are available to the public, is at least one restroom accessible? (Either one for each sex, or one unisex.)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<ul style="list-style-type: none"> <li>Reconfigure restrooms</li> <li>Combine restrooms to create one unisex accessible restroom</li> </ul>
3.2	Are there signs at inaccessible restrooms that give directions to accessible restrooms?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<ul style="list-style-type: none"> <li>Install signs</li> </ul>
<b>Accessible Route</b> (2010 Standards - Chapter 4)			
3.3	Is there a route to the accessible restroom(s) that does not include the use of stairs?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<ul style="list-style-type: none"> <li></li> <li></li> </ul>
<b>Signs at Restroom</b> (2010 Standards - 703)			
3.4	Do text characters contrast with their background, i.e. light text on dark background or dark text on light background?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<ul style="list-style-type: none"> <li></li> <li></li> </ul>
	Are text characters raised?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Is there Braille?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

The Institute for Human Centered Design--the parent organization of the New England ADA Center, is updating the *Americans with Disabilities Act Checklist for Existing Facilities* based on the recently released *2010 ADA Standards for Accessible Design*.

In 1992 IHCD (at that time Adaptive Environments) received funding from the National Institute on Disability and Rehabilitation Research at the US Department of Education to develop national ADA compliance material including the Checklist. The Checklist had some minor revisions in 1995. This current major overhaul includes the changes in the *2010 Standards* as well as illustrations and detailed instructions on conducting a survey. The Checklist will be available in print and as an online form. The project is again funded by the US Department of Education. It is expected to be completed in mid May.



Save the Date!  
**May 8, 2011**  
**2 -3:30 p.m.**

How a Firm Can Differentiate Itself By Hiring Technologists with Disabilities

[Register](#)



2011 Legal Issues Webinar Series

May 18, 2011  
 Save the Date!

[Topic: Procedural Requirements/Barriers when Bringing Suit Under the ADA](#)

2-3:30 p.m. EST

[Register!](#)

THE UNITED STATES  
 DEPARTMENT OF JUSTICE

ADA Settlement Agreements & Updates

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The New England ADA Center is a part of the ADA National Network funded by the US Department of Education.



The ADA National Network is the leader in providing information, guidance, and training on the Americans with Disabilities Act (ADA), tailored to meet the needs of business, government and individuals at local, regional and national levels.

Funded by US Department of Education through National Institute on Disability Rehabilitation and Research Grant # H133A060092

Visit our ADA resource website at [www.NewEnglandADA.org](http://www.NewEnglandADA.org)



Be sure to visit our sponsor's online store at [www.IHCDstore.org](http://www.IHCDstore.org) to check out these nifty products and many more!

DBTAC New England ADA Center is a project of the [Institute for Human Centered Design \(IHCD\)](http://www.IHCD.org)



[Ensuring the Chipotle Experience for Everyone](#)

[Settlement Agreement: US and Wolfboro, NH](#)

[Settlement Agreement: US & Frisbie Memorial Hospital, NH](#)

DBTAC-- New England ADA Center is a project of the Institute for Human Centered Design



[Read more IHCD News](#)