

NOTICE

Some chapters in this document display a notice to indicate that they may not fully reflect the current ADA regulations.

About This Tool Kit

Give a person a fish, and you provide food for a day. Teach a person to fish, and you provide food for a lifetime.

Chinese Proverb

During the past five years, the Civil Rights Division of the United States Department of Justice has worked with communities across the United States to improve access to state and local government for over 3 million people with disabilities.

We found that, despite good intentions, many communities did not have the knowledge or skills needed to identify barriers to access in their programs, activities, services, and facilities. They did not know how to survey buildings to identify physical barriers. They did not know how to review programs and policies for compliance with the Americans with Disabilities Act (“ADA”). They asked us to help fill their knowledge gap.

The Civil Rights Division is assembling this Tool Kit to help communities better understand the issues involved in providing equal access for people with disabilities. We encourage state and local government officials to use this Tool Kit to learn:

- how to survey facilities and identify common architectural barriers for people with disabilities;
- how to identify red flags indicating that their programs, services, activities, and facilities may have common ADA compliance problems; and
- how to remove the barriers and fix common ADA compliance problems they identify.

Are state and local governments required to use this Tool Kit? No. But they are required to comply with the requirements of Title II of the ADA, which prohibits state and local governments from discriminating on the basis of disability. This Tool Kit will provide a reasonable approach to help communities achieve compliance.

The Tool Kit will be released in installments to help state and local officials begin to set up an “accessibility audit.” This first installment of the Tool Kit includes:

- Chapter 1, ADA Basics: Statute and Regulations.

- Chapter 2, ADA Coordinator, Notice & Grievance Procedure: Administrative Requirements Under Title II of the ADA. Chapter 2 includes a checklist that will help state and local officials determine if their governments are in compliance with basic ADA administrative requirements. It also includes a sample “ADA Notice” and a sample “ADA Grievance Policy” that state and local officials can use to comply with basic ADA administrative requirements.

Watch for future installments of the Tool Kit, which will further guide communities in understanding how to review the accessibility of state and local government programs, services, and activities, and how to survey buildings and facilities to identify barriers to access for people with disabilities.

Note: This Tool Kit provides an overview of ADA compliance issues for state and local governments. While comprehensive, it does not address every possible ADA compliance issue. The Tool Kit should be considered a helpful supplement to – not a replacement for – the regulations and technical assistance materials that provide more extensive discussions of ADA requirements. It also does not replace the professional advice or guidance that an architect or attorney knowledgeable in ADA requirements can provide.

The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

This guidance document is not intended to be a final agency action, has no legally binding effect, and may be rescinded or modified in the Department's complete discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent.