

Eyes on the Gold

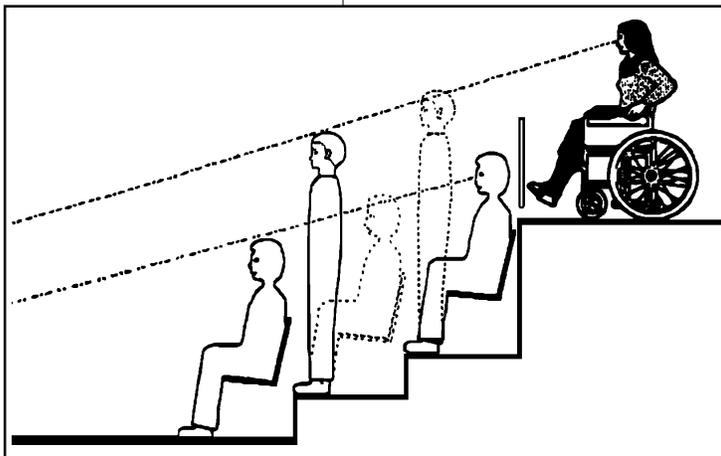
Unobstructed Sight Lines Introduced at the Summer Olympics in Atlanta

Proclaiming the Olympic Stadium in Atlanta the “most accessible stadium in the world,” Assistant Attorney General Deval L. Patrick announced that the Atlanta Committee for the Olympic Games (ACOG) has agreed to ensure that the construction of newly-built Olympic venues are completed in compliance with the American with Disabilities Act (ADA) Standards for Accessible Design.

“This agreement sets a new standard for stadium access,” said Patrick. “The Olympic Stadium will serve as a model for all future stadiums.” The agreements spell out the way in which the stadium and other venues will be accessible during the Olympics,

to begin in July, as well as when they are converted for future use after the Paralympics, set for August. DOJ became involved in the Olympic projects when some people voiced their concerns about the direction of the design and construction of Olympic facilities. “We learned about what was going on... and started a dialogue.” said Myron Marlin, DOJ public affairs specialist. DOJ received some complaints, but Marlin said the “out of court agreements” were not a direct result of those complaints.

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This DOJ drawing illustrates comparable line of sight for a wheelchair seating location.

When You Want It Done Right

Picking A Contractor for Accessibility Changes

by Mark J. Mazz, AIA

Hiring the right contractor to make accessibility modifications in your facility can make the difference between a successful project that yields long-term satisfaction, and a hassle-loaded venture that gives you months of fiscal and logistical headaches. Presumably, you have taken advantage of the professional skills of (1) a qualified accessibility consultant who has helped you to identify your true needs, and (2) an architect who has developed comprehensive drawings and specifications.

You'll be looking for some of the same qualities in a contractor that you sought in those two previous consultative relation-

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Valuing People with Disabilities

When are we going to start recognizing that people with disabilities can often provide unique and valuable perspectives on how well our environment really works? They can quickly point out problems and successes that others may never even perceive.

In the early 80s we said: "People with disabilities are highly effective indicators of the efficacy of the environment". High falutin' words for a simple concept. It meant that someone with low vision can easily tell you how much light is needed to safely use an exit stairway. People with arthritis in their hands can tell you what makes it easy or hard to open a box of cereal. People who are in the middle rarely see the forest for the trees. People on the periphery have a very different perspective.

Input from people with disabilities during the design and evaluation processes forces us into a radical re-evaluation of what it means to design universally for all people. When we design products and environments to meet the needs of a wider user group, we create more universal, and ultimately, more marketable designs.

Even though the ADA requires input from people with disabilities in certain situations (historic renovation projects and Title II transition planning), the fact

remains that people are only beginning to recognize the potential value of that input. And they are learning not to be afraid of what might happen when you allow input from the people who are going to have to use the product or environment.

The new book Strategies for Teaching Universal Design (See New Media, UDN, April 1996) explains the powerful, positive impact that the involvement of people with disabilities has on design students.

In our society, we often value things by placing a price on them. Businesses which are profit-driven commonly believe that if there is no price, there is no value. If people with disabilities, whether as individuals or as non-profits, give their "valuable perspectives" away for free, businesses will value that input accordingly -- nothing for nothing. Perhaps if people with disabilities were to charge for their insights, businesses would stop thinking of accessibility and universal design as "charity."

Both businesses and people with disabilities must begin to realize that there is "no such thing as a free lunch." To improve our environments and products we must include the perspective that people with disabilities have to offer, and we must learn to value their input in the process.

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The Search for Universal Design Excellence Jury Meets

On April 8, a distinguished jury of professionals met at the Old Post Office Building in Washington, D.C. to review entries from around the world in the first universal design competition of its kind.

The National Endowment for the Arts (NEA) and National Building Museum have sponsored Search for Excellence in Universal Design with the objective of collecting images that can be used to educate and motivate designers to adopt the concept of universal design. The jury spent eight hours evaluating images from 97 entries submitted by designers, manufacturers, inventors and private citi-

zens who have made efforts to universally design playgrounds, parks, homes, commercial buildings, furniture, products and signage.

While the jury recognized that each of the projects had some universal design features, 45 projects were considered exemplary and selected for inclusion in this inaugural year's collection.

"We hope that this can become an ongoing event with support from the private sector" said Paula Terry, project officer for the NEA. The collection of images will be available after Oct. 15. For more information contact Universal Designers & Constants Inc. at 301.770.7890, v/tty. 

DOJ Casts a Wide Net

Lawsuits Raise Liability Questions for Architects and Franchisors

The U.S. Department of Justice (DOJ) filed five lawsuits in February under Title III of the Americans with Disabilities Act (ADA) against a hotel chain. The suits are an attempt to clarify the question of who is responsible for accessibility in franchisee/franchisor and designer/client relationships. The courts have yet to take action in the cases.

DOJ alleged Days Inn of America (DIA) allowed individual owners to build inaccessible facilities after the passage of the ADA in 1990, which requires all buildings constructed after Jan. 23, 1993 to be accessible.

"Travelers with disabilities should be as welcome at our nation's hotels as anyone else," said Assistant Attorney General for Civil Rights Deval Patrick. "It is much easier to make a hotel accessible from the start than to go back and fix it later."

The lawsuits are the first DOJ has filed under the ADA challenging the construction and design of a building built after the law went into effect.

DOJ said the owners of the five hotels have refused repeated agency attempts to resolve the matter. DOJ said it also attempted unsuccessfully to reach an agreement with franchiser DIA and its parent company, Hospitality Franchise Systems (HFS) Inc., both in Parsippany, N.J., to correct the violations.

DIA corporate officials said they are trying to work with DOJ to reach an agreement. However, the effort has been in vain.

DIA says it is not responsible for the actions of independent owners of the hotels. Before DOJ filed its lawsuit, DIA filed a lawsuit in U.S. District Court in the Western District of Texas to clarify whether solely as a franchiser it was responsible under the ADA for compliance of new hotels built or under construction by its franchisees.

"We tried to find a way to work with [DOJ] to help our franchisees comply with the ADA, but Justice seemed more concerned with establishing liability on our part than achieving compliance," said DIA's corporate counsel Jeanne Murphy.

The DOJ maintains that if a franchisor requires its franchisees to comply with chain-wide design standards and that it conducts on-site inspections to ensure compliance with those standards, the franchisor is as responsible as the individual owners. What's more, John Wodatch, chief of the DOJ's disabilities rights section says, "the architects are as liable as the owners and builders."

Although the ADA and its Title III regulations do not specifically mention architects or address the responsibility of designers, the outcome of this case could have a profound effect on the liability of architects and interior designers as well as franchisee/franchisor business relationships throughout the U.S.

"I hope these lawsuits make it clear to architects and contractors that they are responsible for making sure buildings are accessible," Wodatch said.

In a statement regarding the lawsuits, the hospitality company said DOJ has singled DIA out as "a test case to determine the responsibility of franchisors, not only in the hotel industry but also the more than 2,500 companies who franchise goods and services," the company said in a recent statement. DIA further believes it is "fully indemnified by its franchisees."

DIA, which is a franchiser of approximately 1,700 independently owned and operated hotels, stands on the principal that ADA requirements directed at "owners, operators, lessors and lessees" does not include franchisors.

Murphy said, "As a franchiser, DIA does not fit into any of these categories. Its franchisees, and not DIA, have designed and constructed franchised facilities."

DOJ has a different interpretation of the law. "They all shared responsibility for the problem," Patrick said. "They should all share in remedying it."

DIA is named in the lawsuits, because as franchiser, the company helped design and construct the hotels, explained Wodatch. DIA also has standard building, room and site plans in its franchise agreement. In addition, DIA inspects facilities to make sure they comply with the requirements.

"DIA and its management fully support the letter and spirit of the ADA. This is not a question of whether we care or not, of course we do," Murphy said. "As a franchiser, we are simply not a responsible party under the statute and so we are seeking determination from the court to that effect."

DOJ has the discretion of determining on a case-by-case basis the level of responsibility a parent company has in the compliance of its entities, according to the July 28, 1991 Federal Register notice describing ADA's rules and regulations.

The U.S. Architectural and Transportation Barriers Compliance Board (Access Board) is responsible for developing ADA guidelines. However, DOJ determines who is responsible for being accessible,

**"the architects
are as liable
as the owners
and builders."**

John Wodatch, chief,
disability rights
section,
US Department of
Justice

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ships--someone who is informed and knowledgeable and whose goals with regard to the finished project are like your own.

Why barrier removal projects are different

This process differs from other construction contracts. It's not like asbestos removal, where only one or two trades are involved in the work. Most likely you'll have concrete finishers, masons, carpenters, cabinet makers, tilesetters, plasterers, plumbers, sheet metal workers, and electricians involved. Often, some imagination and creativity must go into the resolution of barrier challenges and the contractor must have the experience to know when to pause and ask the right questions.

These projects also require more effort from the contractor's office staff. For instance, finishes must be coordinated with many existing materials. It takes a lot of patience to match tile in a restroom that's being renovated. Perhaps the contractor will suggest overlapping the new tile on the ragged edge of the existing tile to save everyone time and money. Maybe your architect didn't think of it, but it will provide a cleaner edge detail. Or maybe she suggests using a contrasting border to separate color fields as a better way to deal with the fact that the original tile color is no longer available. That is the sort of relationship you need between your architect and contractor.

Also, there will be more administrative time involved in this kind of project. There are often multiple work sites, and your contractor may need to get along with the occupants who remain at the sites during renovation. Also, he or she must use higher-paid, more responsible workers who have many skills and can work independently.

The problem with bidding

The low bid process rewards inexperienced contractors. They tend to underbid the work because they don't realize their overhead will increase significantly on an accessibility project. They also tend to think that local supply companies will carry or have easy access to specified materials--often, they don't. Special toilet partition hardware, handrails with proper extensions, door closers where the force can be reduced to less than five pounds pressure, or out-of-stock tile are not typically available overnight from a local supplier.

Inexperienced contractors often underestimate how much time the superintendent will consume keeping tabs on several trades on several sites at the same time. Therefore, little time is left to plan the week and order supplies, and work can slow to an

unproductive pace.

So, if you must solicit bids, try to:

- Incorporate other qualifying requirements that will reveal the kind of experience you're looking for in a contractor.
- Require a list of five similar projects that the contractor has completed.
- Request resumes on key personnel to be involved.
- Ask the bidders to layout their approach to the project.

Finding candidates

Try using only a prequalified list of contractors. Contact your peers in similar organizations. Ask who they have used, or who has impressed them. Once you've identified a list of three to five candidates, it's a good idea to conduct telephone interviews. Ask them why they're particularly interested in your project. Discuss their approach to barrier removal projects.

Require a full-time superintendent ... and let the prospective contractors know you expect to pay for him/her.

Prequalify the contractors... if procurement procedures allow it. Do these things:

- Require an American Institute of Architects Qualifications Statement;
- Require resumes of key personnel, including the superintendent;
- Check references.

Try the T&M approach

Try hiring two contractors on a time and materials (T&M) basis, and have them compete with each other to get more work. For example, let's say you're removing \$2 million worth of barriers in 50 schools:

- Get prices for removing barriers at ten groups of five schools from five qualified contractors or get prices on two typical groups of five schools.
- Award one group to each of the two lowest bids.
- Promise them more if they can do the work well, on time, with minimal disruption to the occupants.
- As a contractor completes a group satisfactorily, award another group of five schools.
- Negotiate revisions to the proposed price as necessary.

• The T&M contractors have the opportunity to raise their prices if necessary; however, they run the risk of losing the work to the other contractor who

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Mark Mazz

Where Do the Signs Go?

Committees Study a Change in Signage Requirements

A change in signage requirements that could save American businesses millions of dollars is being considered by an American National Standards Institute (ANSI) and an Americans with Disabilities Act Accessibility Guidelines (ADAAG) advisory committee.

In the last year, both the ANSI A117 Committee and the Federal Advisory Committee responsible for the revision of the ADAAG have recommended a change to the criteria for where signs to designate rooms and spaces are located. While many observers would consider this to be a minor change, the ramifications are profound, especially for buildings that must comply with the readily achievable requirements of Title III of the Americans with Disabilities Act (ADA).

In the past, both the ADAAG and the CABO/ANSI A117.1 standard have required signs to be lo-

cated on the wall next to the door at a height of 5 feet 0 inches above the floor, in new construction and in existing buildings when it was readily achievable. The proposed change would allow the signs to be left on the door itself, under certain conditions, the traditional location for most room signs.

The thinking behind the requirement for locating signs adjacent to the door, on the wall, was that they would always be in the same place, whether the door was open or closed and that the reader wouldn't be hit by the door as they stood there reading the sign.

The new proposal recognizes this functional requirement, and allows the signs to be located on the doors only when the door swings away from the side upon which the sign is located, the door has a closer, and the door has no hold-open device. These three conditions insure that the reader will be safe when locating and reading the sign. Moreover, the new criteria place the sign in the place that most people look first.

This small change means that many spaces, such as hotel guest rooms and public bathrooms will no longer be required to relocate their signs, sometimes to obscure places that cause problems for the designers, facility managers, and people who are looking for the bathroom. The savings to the hospitality industry alone, could be millions of dollars. ■



The National Federation of the Blind headquarters building in Baltimore has had on-door signs for years.

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can readily take over.

If the contractor disrupts classrooms, you can replace him with the third lowest bidder without derailing your project.

The T&M contractors are competing for a bigger piece of the contracting pie. By doing more work, they can make more profit. You win because you can respond to users' needs more effectively (which makes them happy), you can control costs, and you are never at the mercy of one contractor.

Conclusion

By carefully selecting a contractor who will be able to cooperate with your team and provide high quality work, you will accomplish your goals. The job will be done well, at a fair price, and in a timely fashion. Also, you will have lessened the frustration for all building occupants who must tolerate the construction. All in all, you'll have a project of which you can be proud.

Mark J. Mazz, AIA has surveyed more than 42 million square feet, developed barrier removal programs for large and small organizations, and personally designed over \$4 million of barrier removal projects. His clients include large institutions, small historic cities, architectural firms, and homeowners. Mr. Mazz is based in Hyattsville, Md. ■

At Home with Universal Design

As universal design becomes a standard, real estate developers will come to view accessibility features as "value added" features in the sale and rental of homes, according to Ed Steinfield, chairman of the Association for Safe and Accessible Products (ASAP).

Speaking at the April Home Modifications and Fair Housing Law Special Interest Forum sponsored by ASAP, Steinfield and others addressed specifics about the current issues surrounding home modifications.

Among the issues discussed were the relationship between demographics and home modifications. As the population ages, more people will find that they need to make certain modifications

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The Quest for 'Equivalent'

ADA equivalent facilitation clause is fertile ground for innovation and frustration

If you've ever shot at a moving target, while blind folded, you know what some designers and architects feel when attempting to comply with the Americans with Disabilities Act "equivalent facilitation" clause.

The clause, found in Section 2.2 of the Americans with Disabilities Act Accessibility Guidelines (ADAAG), allows for deviations from the standard "as long as substantially equivalent or greater access to facilities or opportunities are provided."

The clause's vague nature, intended to provide flexibility, challenges designers who dare to venture outside the confines of ADA's specific rules. Designers who chose to travel the equivalent facilitation path are guided by not much more than the term "equivalent or greater."

The only body that can issue an official determination that a design is "equivalent" is DOJ's Civil Rights Division. And it will do so only in situations where it is investigating a possible violation of the

law. Such investigations usually occur only after a structure is in place.

Thus, the equivalent facilitation creativity boom that many hoped would occur as a result of the clause, has failed to materialize.

"Designers, building owners and managers are put in a difficult position," says John P. S. Salmen, AIA, president of Universal Designers & Consultants Inc., Rockville, Md. "It's hard to advance accessibility when the only sure-fire solution is strict compliance with the ADAAG -- the minimum standard."

Besides the risk involved, another factor that could be hampering equivalent facilitation innovation is awareness.

"It is not well known that there is this opportunity," says Elaine Ostroff, executive director of Adaptive Environments Center, Boston. "When

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"...architects and design professionals are nervous, they don't want to get involved when there is some element of risk."

Elaine Ostroff,
executive director,
Adaptive Environment
Center

Strategies for Reducing Your Risk

Here are some risk reduction tips from industry experts to help those attempting a design that complies with the equivalent facilitation clause of the Americans with Disabilities Act.

Katherine McGuinness of Katherine McGuinness & Associates Inc., a division of TMA consultants, Boston, recommended a process that includes: gathering the best available research -- some of which can be obtained through the U.S. Architectural and Transportation Barriers Compliance Board (Access Board); obtaining input from people with disabilities; and examining what new products and technologies are available and assessing how well they work and their maintenance requirements.

Rationale for some design features can be found in discussions of code groups as they seek to revise existing building codes, according to John P. S. Salmen, president of Universal Designers & Consultants Inc., Rockville, Md., and the American Institute of Architects representative to the Americans with Disabilities Act Accessibility Guidelines Review Federal Advisory Committee. Written versions of such discussions are often available to the public.

Among Salmen's suggestions are that people looking to build support for an equivalent facilitation design, look to the code and standards setting groups for guidance. Salmen notes that the Access Board's Recreation Advisory Committee has developed a "spectrum of recreation opportunities." It is a rationale for why some trails are accessible and some not. It's intent is to provide users with a level of choice. He suggests looking at the documentation of code-making entities as they proceed through the routine revision of their codes. He also recommends involving people with disabilities in design development and using experts who will help share the liability.

The key to success is coming up with rationale that's acceptable to everyone, says Salmen. But even when you've taken all the necessary steps, he cautions there are no guarantees. 

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to their homes to prevent the need to relocate. The installation of features such as: blocking in the walls to accommodate the placement of grab bars, a curbless shower, or the wider doorways can mean the difference between an individual's ability to stay in their home and live independently or moving to a more accessible dwelling.

Participants at the conference received a report from Dick Duncan, of the Center for Universal Design, on the Home Modification Policy Conference. Duncan reported that the task force plans include: encouraging architects, designers, contractors, real estate professionals and consumers to participate in the taskforce; developing a Resource Action Guide; and creating an electronic network that will link conference participants via

electronic mail to facilitate the exchange of ideas. For more information, contact Dick Duncan at 919.515.8857 or 800.647.6777. 



Grab bars and a ledge around a tub are universal design features suitable for any home.

For more information, contact Dick Duncan at 919.515.8857 or 800.647.6777. 

Play for All - CD

Play for All: Images and Ideas for Outdoor Play Environments, a new CD ROM produced by Moore, Iacofano & Goltsman Inc., contains a marvelous collection of color images of universally designed play spaces. The CD comes with 94 high resolution exportable images organized into groupings illustrating the key concepts found in their award winning book Play For All Guidelines. The easy to navigate menu system and the stunning images with explanatory text provide an enjoyable and highly educational tool for designers and others who have an interest in children's environments. While the CD can be used on a wide variety of computers, it seems to work best on newer and faster multi-media machines. Minimum computer requirements include Windows 3.1 or Macintosh System 7.0 (or later) 4 MB Ram, a CD Rom drive and 256 color monitor. Available for \$89.95 from MIG Communications 510.845.0953.

Workplace Workbook

The Workplace Workbook 2.0, An Illustrated Guide to Workplace Accommodation and Technology, written by James Mueller (copyright, 1992 by the Dole Foundation, Washington D.C.) is a resource "intended to provide a common ground for cooperation among supervisors, co-workers, counselors, technologists, doctors, therapists, and others involved in accommodation process with the person with a disability." This extensively illustrated publication focuses on the inclusion of the person with a disability in any and all accommodation consideration as opposed to taking an all too common "Big Brother" approach. The book offers suggestions rather than dictates requirements, an approach that is less threatening to employers concerned about expenditures.

The Workplace Workbook examines the fundamentals of the "universal workplace," i.e. an environment functional to individuals with or without a disability. The author outlines and defines 17 "functional characteristics of disabilities." He indicates that it is not necessary to understand the medical nature of a person's disability, only those physical limitations pertinent to job performance which could be compensated with reasonable accommodation. Powerfully clear graphics highlight universal as well as specific well designed accommodations.

An extensive portion of the text is devoted to considerations one should keep in mind when selecting

electronic technology as a means of accommodation. The Workplace Workbook also contains a glossary of terms and a resource directory of publications; databases and clearinghouses; disability-specific organizations; technology-specific organizations; and rehabilitation professional organizations.

It is available from: HRD Press, 22 Amherst Rd., Amherst, MA 01002; phone 413.253.3488 or 800.822.2801, FAX: 413.253.3490

Accessibility and Outdoor Recreation

A recent issue of Trends, a quarterly publication by the U.S. Department of the Interior, National Park Service, and National Recreation and Park Association, focuses on the growing number of individuals with disabilities who are enjoying, expecting, and even demanding access to outdoor recreation and wilderness activities. Articles by experts in recreation, disability, and universal design and an outdoor recreation enthusiast who has a disability, trace the past, present, and future of recreational opportunities for people with disabilities.

The article by David Park and Gary M. Robb notes the gradual shift away from creating "special" environments which tend to segregate individuals with disabilities from their peers. The principles of universal design, designing for the lifespan, are slowly being integrated into wilderness programs. While a certain exhibit may not be experienced the same way by any two people, the goal is to give everyone equal opportunity to appreciate it.

In "Disability and Wilderness: Future Trends," Gregory J. Lais acknowledges that some directors of recreation have realized that number of people with disabilities who enjoy outdoor recreation can no longer be ignored and have begun marketing themselves accordingly. Lais points out, this is a change from the "compliance driven" mentality which had some entities feeling threatened and defensive.

Julee Quarve-Peterson, author of "The Americans with Disabilities Act and Public Recreation: Fact, Fiction, and Common Sense" explains that one of the greatest misconceptions about the ADA is "providing accessibility is extremely and unreasonably costly." On the contrary, often major structural renovations are unnecessary.

To obtain this or other issues of Trends contact: National Recreation and Park Association, 2775 So. Quincy St., Suite 300, Arlington, VA 22206; phone 703.820.4940 



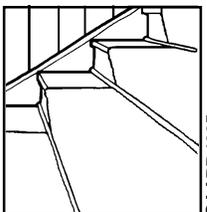
While a certain exhibit may not be experienced the same way by any two people, the goal is to give everyone equal opportunity to appreciate it.

David Park and
Gary M. Robb

Editor's Note: These tips come from The Doble Renewable Home, American Association of Retired Persons, 1995. Illustrations by Howard Mandel.

? **Problem:** Interior wooden stairs (particularly in homes and older buildings) often have extended tread nosings that can create a tripping hazard for people with limited leg strength.

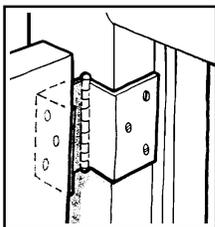
TIP: Install a carpet runner, securely attaching it at the back of each tread with a decorative rod or nails to create a smooth (non-abrupt) transition from riser to tread.



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? **Problem:** Some existing doors may be a little too narrow to meet the 32" clear width dimension required by accessibility codes or the actual dimensions of a person's wheelchair.

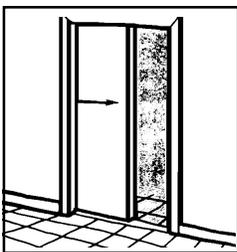
TIP: Replace the existing standard hinges with swing-clear hinges that will increase the clear opening of the doorway to the maximum width available between the door stops on the frame.



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? **Problem:** Some existing doorways, may have inadequate clear floor area, free of the door swing to allow a person with a walker or a wheelchair to easily open the door.

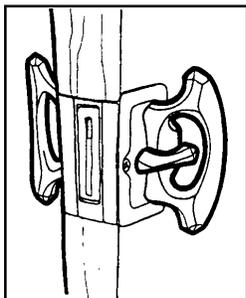
TIP: Replace the swinging door with a pocket door that slides into the wall.



©AARP 1995

? **Problem:** Standard operating hardware on pocket doors is often small and recessed making it difficult to use for people with limited hand/finger dexterity and strength.

TIP: The Easy Way Pocket Door Adaptor provides an attractive and accessible add-on hardware handle and lever lockset that fits over most conventional pocket door hardware. Available from RBO Architecture/Products 604.873.0066.



■

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The level of accessibility comes after extraordinary efforts on the part of Olympic organizers and the DOJ. According to DOJ, the department began working with summer Olympic officials three years ago.

"We have been working closely for some time with the Olympic organizers and are pleased with their efforts to make their facilities accessible for all people with disabilities," said Patrick. "We also appreciate the assistance of members of the disability rights community during the past few years."

Among the 85,000-seat Olympic stadium's features are:

- virtually all wheelchair seats will have a comparable "line of sight," so that wheelchair users can still see the playing surface even when spectators in front of them stand up during the event;
- 1 percent of seats will be set aside for wheelchair users -- these will be dispersed throughout the stadium, including in suites and on the Club level;
- each wheelchair space will be next to a conventional seat so that spectators with disabilities can sit next to family and friends; and
- concession stands, restrooms, parking areas, bank machines, locker rooms, and employee work areas will be accessible.

The DOJ efforts focused on the Olympic Stadium as well as the Olympic aquatic center, the Stone Mountain Memorial tennis center, and the Morris Brown College and Clark Atlanta University field hockey stadiums.

The Olympic Stadium and the field hockey venues are particularly noteworthy because those outdoor facilities break new ground in the area of unobstructed views. Wheelchair seats in those two specific venues have specially designed "lines of sight," so that wheelchair users can still see the playing surface even when spectators in front of them stand up during the event.

Media fact sheets released in May by the DOJ, appear to state that DOJ believes unobstructed sight lines are necessary only in places where people are expected to stand up during a show or an event. This is a marked departure from the December 1994 version of the Title III technical assistance manual which called for unobstructed sight lines for all wheelchair seating. Liz Savage, special assistant to the assistant attorney general, said that the documents were a form of technical assistance meant to clarify the meaning of comparable lines of sight. She said that the definitions contained are "consistent with what we believe a comparable line of sight is."

■

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The Laborsaver Button Station™

The Laborsaver Button Station, from Regency Elevator Products Corp., allows existing elevator hall call button fixtures to be lowered to wheelchair-accessible height as required by the Americans with Disabilities Act (ADA) without rewiring. The station features a backplate that bolts to the existing hall station box; the pre-wired electrical harness is spliced to the existing wiring and a faceplate is attached using hidden screws to complete installation. Installation of a new electrical box, piping, rewiring, and patching are eliminated. The Laborsaver features a vandal-resistant button and a LED display visible through a Lexan window. Options include special tactile or Braille, a fire department key switch, bronze faceplates and/or buttons, custom dimensions, touch button conversion units, and non-illuminated stations.



Miconic 10™ Elevator System

The Schindler Elevator Corp. Miconic 10 Elevator System manages elevator traffic by analyzing positions of elevators, the number of passengers using the system, and the destinations of those passengers. The system, when called, allocates a car that will take the passenger to his or her destination most efficiently and with the fewest steps. Unlike conventional elevator systems, the Miconic 10 allows the passenger to enter a destination on a hall-mounted keypad; once the destination is entered, the system analyzes data and notifies the passenger of the appropriate elevator via a display screen on the keypad. Because the elevator is programmed to stop only at floors requested by passengers, no floor buttons are required in the elevator car.



The system also offers an array of special features for passengers with disabilities which are activated

by pressing the accessibility button marked with the universal wheelchair symbol prior to entering a destination.

Afwall™ ADA Retrofit Toilet

The American Standard Afwall ADA Retrofit Toilet replaces any existing wall-hung 1.6- or 3.5-gallon per flush toilet using the existing carrier and wall plumbing. When properly installed, the toilet raises the seat height 17 to 19 inches above the finished floor as required by the American with Disabilities Act (ADA).



Because the existing carrier can be utilized, it is possible to renovate any toilet stall. Available in white, bone, silver, shell, or black, the vitreous china toilet features off-floor mounting, an elongated bowl, a condensation channel, a glazed trapway, and a flush valve rough-in adapter kit for relocating the valve upward. The Afwall toilet flushes on 1.6 gallons per flush and exceeds ANSI minimum flush requirements.

Safe Guard Playground System

The Safe Guard Playground System is a playground surface designed to minimize bodily injury as a result of falls while providing accessibility to individuals with disabilities. The non-slip surface offers shock-absorbent cushioning and is a blend of EPDM rubber and urethane. The system may be installed over hard surfaces such as tile, brick, concrete, and asphalt or over loose material such as sand and gravel. Because the surface is poured, it can be molded to a variety of thicknesses and shapes to accommodate various types of playground equipment. The porous material allows for drainage and it can be cleaned simply by sweeping and rinsing with water. Standard colors include black, green, red, beige, and blue.

The New Products column was provided by the ABLEDATA project, a computerized database of information on assistive equipment which is funded by the National Institute on Disability and Rehabilitation Research and is administered by Macro International, Inc., Silver Spring, MD. □

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Piscataway, NJ 08855
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Safe Guard Surfacing Corp.
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The Quest for 'Equivalent,' from page 6

people do read [the clause], they aren't sure what it means. And architects and design professionals are nervous, they don't want to get involved when there is some element of risk." Salmen agrees, "How do you determine what is equivalent when there is very little understanding of what the standard is?"

ADAAG actually includes some good examples that illustrate the nature of equivalent facilitation that respond to unique and very specific circumstances. In "Transient Lodging" cites the use of raised decking on a hotel patio to assure an accessible route where a high threshold was necessary to avoid wa-

ter damage. The appendix cites the places where examples can be found in ADAAG.

According to Dennis Cannon, accessibility specialist with the U.S. Architectural and Transportation Barriers Compliance Board (Access Board), the equivalent facilitation clause is supposed to both encourage and inhibit accessibility innovation. "Equivalent facilitation tries to walk a thin line between opening up to anything or sticking rigidly to the standard that allows for changes every five years. It puts somewhat of a damper on innovation because people have to do some work to validate a deviation."

"Equivalent facilitation tries to walk a thin line between opening up to anything or sticking rigidly to the standard that allows for changes every five years."

Dennis Cannon, accessibility specialist, U.S. Architectural and Transportation Barriers Compliance Board

Success with Equivalent Facilitation

When building owners and architects successfully employ the equivalent facilitation clause accessibility can flourish. Here are some examples:

- In the case of a stadium, built 30 years ago, the owner planned to add 20,000 seats in the stadium end zone, this constituted new construction. Under Americans with Disabilities Act Accessibility Guidelines, 200 wheelchair seating locations and 200 companion seats were required. Strict interpretation would have put all 200 seats in the new part of stadium when there were a total of 75 throughout the rest of the stadium. Using the equivalent facilitation clause, the decision makers spread the seating throughout the stadium.

- In another stadium project, 480 wheelchair seating locations were required in a 48,000-seat stadium. Because the owners believed that there would probably not be 480 wheelchair users at all games, they wanted to be able to sell seats to people not in wheelchairs. Seats were designed to be fixed seating or converted into a wheelchair seating location. Instead of putting just two seats together as required under the ADA, designers arranged it so that sometimes there were whole rows of wheelchair seating locations. This allows for groups of wheelchair users or a wheelchair user and his or her family to sit together.

- Architects undertaking a freshman dorm renovation project at a New England university decided to develop two accessibility plans from the start of their project. One plan followed the letter of the law and required few deviations from the ADA. The other plan, developed with input from students, faculty and staff, required 37 deviations, provided access to nine of 16 buildings, 30 wheelchair accessible rooms and seven ambulatory accessible rooms. (A total of 30 rooms were required to be accessible.) The first plan provided no choice and no integration, but complied with the letter of the law, according to the architect. The second provided both, and preserved the freshman experience for students with disabilities. 

The equivalent facilitation clause was put in place to allow for innovation -- not to be a variance. "It is not supposed to be a way to get out of complying with the law. It's a way of doing it differently," says Cannon.

"Equivalent facilitation has to be viewed on many levels," says Salmen. "Technical criteria creates specific solutions. The question is -- is it enough?" The limitations of the specific requirements has people coming up with clever solutions to accessibility challenges. (See examples in the adjacent box.)

The clause also allows for designing in situations when the standards aren't appropriate for the setting, such as facilities for children and frail older people.

"It may be one of the ground breaking areas for the entire movement," says Salmen.

Equivalent facilitation challenges architects and designers to focus on the users of their design, says Ostroff. "They don't need to follow code if there isn't a fit between users and code."

Ostroff noted, "Facilities primarily for very young children are a great example of where equivalent facilitation can use the extensive research done for the Access Board. There are recommendations for some issues people always ask about, such as grab bar and toilet height."

She cautioned that the design alternatives must be based on significant information, including research and consensus among users. And there is a wealth of research available, if only designers would seek it out. "Unfortunately, clients don't want architects to do research," says Ostroff. "They pay them to design." 

DOJ Casts a Wide Net, from page 3

Ola, the Access Board's director of communications, said. "Once you're covered, we tell you what you have to do to be in compliance," she said.

The five lawsuits were filed against hotels in Evansville, Ind.; Wall, S.D.; Hazard, Kan.; Champaign, Ill.; and Willows Calif. Each of the lawsuits, filed in the respective U.S. federal districts, seek a court order to require DIA, HFS, individual owners, architects and general contractors of the buildings to correct each violation and pay a civil penalty of up to \$50,000 for the first offense.

While Days Inn hotels are not identical, the DOJ investigation found similar problems throughout the chain, including the following:

- Some hotels lack sufficient visual alarms to alert those who are deaf or hard-of-hearing to smoke, fire or other emergencies.
- Many ramps for wheelchair users are either too steep, have no handrails or hazardously sloped side-ways.
- The deadbolts and security latches, switches for lamps, heating and air condition controls require tight grasping, pinching or twisting, which is difficult or impossible for individuals with limited manual dexterity.

San Francisco's Embattled Street Toilets Endure

The large accessible, on-street toilets (See UDN, July 1993, Vol. 1, No. 3) that the city of San Francisco purchased are in place and working well, according to Richard Skaff, disability access coordinator for the city's Department of Public Works.

The plan to purchase the toilets came under fire when the maker, J. C. Decaux said that they could become a refuge for drug dealers, prostitutes and the homeless.

The company's comments came as it was encouraging the city to purchase a dual unit system that would use small street toilets in combination with larger toilets restricted for use by people with disabilities. Advocates for people with disabilities successfully argued that the dual system did not meet Americans with Disabilities Act requirements for all toilet facilities.

Twenty of the toilets have been installed and there have been no problems with misuse or damage, said Skaff.



San Francisco's new street toilets

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Events to be placed in the UDN Calendar must be submitted to the Editor two months before the publication date.

July 7-9: ADAAG Review Federal Advisory Committee will meet in Washington, DC to review range of reach and other issues. (Open to the public) Contact Marsha Mazz at 202.272.5434(v)/ 202.272.5449 (tty).

July 11: InfoRamps '96: New Markets and Inclusive Communications, to be held in Washington, DC, will feature the latest in universal design related to new and emerging information technologies. For more information, contact 510.763.4100

July 29-30: The Fourth Annual Association of Disabled American Golfers National Tournament will be held at Fox Hollow at Lakewood Golf Course in Lakewood, CO. For more information, contact the Association of Disabled American Golfers at 303.220.0921.

Aug 5-7: Advanced Training in ADA and UFAS Design Compliance is one of Harvard University Graduate School of Design's summer professional development courses to be held in Cambridge, MA. For information, call 617.495.1680

Sept. 16-20: Equality through Participation - 2000 and Beyond, the 18th World Congress of Rehabilitation International, will be held in Auckland, New Zealand. The congress will present activities to build environments which enable people with disabilities to have the same freedom of choice and action as the rest of their community. For more information, contact Mrs. Bice Awan in Auckland, New Zealand at +64.4.473.8487 (fax).

Sept. 17, 18 & 19: ADA Update for Hotels & Motels will be presented on consecutive days in San Francisco, Los Angeles and San Diego by the California Hotel &

Motel Association. For further information, call 916.444.5780.

Oct. 2: Reasonable Accommodation and Universal Design will be the subject of two seminars to be conducted at the Industry Labor Council's Annual meeting in Orlando, FL. For more information call 516.465.1515

Oct 6-8: Quality: The Spirit of Assisted Living is the fall conference of the Assisted Living Facilities Association of America. The meeting will be held in Arlington, VA. For information on the program and exhibits, call 703.691-8100(v/tty).

Oct 21: ADA Update for Hotels & Motels will be presented as part of the Oregon Lodging Association's Annual Convention at Salishan Lodge in Glen Eden Beach, OR. For further information, call 503.255.5135

Oct. 28-30: Retrofitting for Accessibility will be conducted by the National Center on Accessibility (NCA) in Martinsville, IN. This course is designed to educate maintenance professionals, facility managers, site access coordinators and planners on the needs of people with disabilities and the barriers that can be eliminated to promote full access to recreation facilities. For more information, call NCA at 800.424.1877 (v/tty).

Oct 31 & Nov 1: Trail Access Symposium conducted by the National Center on Accessibility (NCA) in Martinsville, IN. This course will discuss methods of allowing access to people of all abilities without sacrificing the natural integrity and experiential opportunity of the environment. For more information, call NCA at 800.424.1877(v/tty). 

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