

Celebrating 20 Years of the ADA

Twenty years ago, on July 26, 1990, President George H.W. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities. This legislation established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

Although barriers still remain, over the last 20 years the ADA has made tremendous strides in reducing discrimination, changing perceptions and increasing full participation in community life for people with disabilities. Education and public awareness continue to remain vital in order to overcome the challenges which still remain.

A number of disability advocacy organizations have celebrations planned to mark this notable milestone. Be sure to check out www.UniversalDesign.com for a list of celebratory events. 



Credit: DBTAC Mid-Atlantic ADA Center

Heumann Joins US State Department

Fulfills Obama-Clinton Pledge

Judith Heumann, director of the Department of Disability Services for the District of Columbia and an international leader in the disability rights movement, joined the US Department of State on June 7 as Special Advisor for International Disability Rights. This position was announced last summer, when President Obama and Secretary of State Clinton declared that the US would sign the Convention on the Rights of Persons with Disabilities (CRPD).

Heumann served as Advisor on Disability and Development for the World Bank from 2002-2006, and as President Clinton's Assistant Secretary for the Office of Special Education and Rehabilitative



See Heumann, page 8

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by John P. S. Salmen

It's Why, Not What

The Americans with Disabilities Act (ADA) Title III regulations are pretty clear about what is required in new construction and additions to buildings, but have two differing requirements for modifications to existing buildings. If the building has not been previously

altered, an accessibility enhancement is usually seen as “readily achievable” barrier removal. If the building has undergone or is undergoing alterations², accessibility enhancements are no longer barrier removal but are required either because that element has been altered or it was required to satisfy the non-disproportionate³ Path of Travel⁴ requirements.

In our practice of advising clients involved with accessibility renovation projects, we are frequently asked to help determine whether the project has met the requirements of the law. We sometimes find the reason for the modification more important than what was done.

Combining two toilet compartments to create one accessible compartment could be considered voluntary “readily achievable” barrier removal if undertaken in the absence of other construction projects. On the other hand, it would likely be required by the 20% Path of Travel rule if the meeting room down the hall was recently renovated.

We have found that some clients have made this into a fine art (“game”)

where they carefully calculate only those costs of alterations that affect usability to primary function areas, and simultaneously calculate the cost of all related Path of Travel improvements to verify compliance. (Tracking and calculating this information is much easier to do during or immediately after a construction project, rather than waiting years until a plaintiff challenges the accessibility of the property.)

Ultimately these analyses are based on why a particular accessibility enhancement was implemented...the context surrounding the alterations. Where it was not readily achievable (and thus not required) to change narrow doors at the entry to an existing restaurant, replacement of the bar or renovation of the party room, could make the replacement of those same doors be required above and beyond the cost of the other renovation project. Even more interesting is the question that is raised when modification of the entry doors was originally planned to be part of the project but later, when viewed in the light of the disproportionality rule, is rationalized to be part of the path of travel improvements.

It's not what you do, it's why you do it!

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¹**Readily Achievable:** “easily accomplished and able to be carried out without much difficulty.”

²**Alterations:** “A change to a building or facility that affects or could affect the usability of the building or facility or portion thereof.”

³**Disproportionate:** “when the cost exceeds 20% of the cost of the alteration to a primary function area.” **Primary Function:** “any area where a major activity takes place. It includes both the customer service areas and work areas in places of public accommodation. It includes all offices and work areas in commercial facilities. It does not include mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors, or restrooms.”

⁴**Path of Travel:** A continuous accessible route from the exterior to the altered area, including the telephone, drinking fountain and restrooms that serve the altered area.

Correction

In the April 2010 issue of *Universal Design Newsletter*, the origin of the I-Sit Chair was incorrect. The chair was developed in Denmark, and exhibited at the furniture fair in Sweden. We apologize for the error.

DOJ ADA Enforcement “Sweeps” May Hit the West Coast

The US Department of Justice (DOJ) is continuing its practice of conducting in-depth investigations of hotels to determine whether or not they comply with the ADA. These investigations are known as “sweeps” because they generally target all hotels in a specific geographic area. (Previous “sweeps” locations include Manhattan’s Theater District and the state of Rhode Island.)

According to the Hotel Law Blog, a hotel in Portland, OR recently received an investigative survey from the DOJ, and the Blog’s authors (including top hotel lawyer Jim Butler, leader of the Global Hospitality Group®) also have information that an ADA sweep may hit San Francisco in the near future as well. Lodging operators should take these investigations very seriously and prepare for them as quickly and thoroughly as possible.

For detailed information about the sweeps, how they can affect lodging operators and what you need to do, visit the Hotel Law Blog at http://hotellaw.jmbm.com/2010/06/ada_sweeps.html.

Federal Appeals Court Victory for Movie Goers with Visual Impairments

The Ninth Circuit Court of Appeals ruled on April 30 that audio description is “clearly” an “auxiliary aid and service” under the Americans with Disabilities Act (ADA). This ruling brings new life to a lawsuit against the Harkins movie theater chain, which was thrown out of court in 2008. Plaintiffs can now continue their case against the Harkins chain for their failure to provide audio description at their theaters, and the case can also go forward with claims for captioning by theater patrons who are deaf or have hearing impairments.

In its ruling, the Ninth Circuit Court said specifically it “disagree[d] with Harkins that captioning and descriptive narration fall outside the ADA as a matter of law. As stated previously Plaintiffs are seeking an auxiliary aid, which is specifically mandated by the ADA to prevent discrimination of the disabled.”

Lawyers for Harkins argued that the ADA did not require audio description, because blind moviegoers are not prevented from attending movies without it. And the lower court agreed, ruling that the necessary technology would force Harkins to provide an “extra” service for patrons who are blind, beyond what the ADA requires.

The Court said “The district court’s reasoning effectively eliminates the duty of a public accommodation to provide auxiliary aids and services. By its very definition, an auxiliary aid or service is an additional and different service that establishments must offer people with disabilities. For example, a courthouse that was accessible only by steps could not avoid ADA liability by arguing that everyone...has equal access to the steps. And an office building could not avoid having to put Braille numbering on the buttons in its elevator by arguing that everyone—including the blind—has equal access to the written text.”

Access Board to Set Standards for Medical Diagnostic Equipment

The “Patient Protection and Affordable Care Act” recently signed into law by President Obama includes provisions to address access to medical diagnostic equipment for people with disabilities. The US Access Board is now authorized to develop new access standards for examination tables and chairs, weight scales, x-ray machines and other radiological equipment, and mammography equipment, among others. Currently, access to this equipment is not addressed by existing accessibility standards or regulations, including those issued under the ADA.

The law mandates that the Access Board issue the new standards—which must address independent access to, and use of, medical diagnostic equipment by people with disabilities—within two years, in concert with the Food and Drug Administration. The Board also will be responsible for periodic review and revision of the standards. For more information, contact David Baquis at baquis@access-board.gov, 202.272.0013 (v) or 202.272.0082 (tty). (See New Media, p. 11.)

Check out even more Reg/Leg Watch articles at www.UniversalDesign.com!!

The Court said that audio description is “clearly” an “auxiliary aid and service” under the Americans with Disabilities Act (ADA).

Louis Tenenbaum: On the Lost Art of Aging

by Lindsey Scherloun

In 1988 Louis Tenenbaum was working as a general contractor and carpenter when he got a call. A recently disabled young man needed a new bathroom. Though it was a crude attempt at what he now knows expertly, he was struck by the impact of so small a renovation. Soon after he read gerontologist Ken Dychtwald's *Age Wave*, voicing the importance of aging generations, and by 1990 he had applied specialized remodeling to the regenerating market of an aging population. Tenenbaum developed an independent living strategy and focused on "Aging in Place": designing homes to accommodate aging. "It is really popular," he says about growing old. "Everyone is doing it." And approaching 50 years after the baby boom's height, it's becoming a bigger fad than ever.

Now, 20 years later, Tenenbaum has developed reputations among senior providers and contractors who refer customers seeking Aging in Place renovations. But, he says, "It is functionally a tough business." The market exists, but it isn't planning for its future. Mostly approached in emergency situations, he faces the tough questions of remodeling in circumstances not ideal



"Ramp it Up," a summer program Tenenbaum founded.

for taking on issues of design and remodeling nor confronting the unpleasant reality of aging: Are some activities more difficult now than they were in the past? Does your health impact your ability to use space? Planning for old age is hard because of its attachment to frailty and degeneration. But sly Tenenbaum approaches it from another angle. He calls it "stealth design." Essentially Universal Design emphasizes value, whether it's needed or not.

"Louis is a class act. Not only is he an experienced carpenter and builder, but very knowledgeable about accessibility issues and products. An awesome talent," remarked William K. Wasch, author of *Home Planning for Your Later Years*.

"Boomer plans for retirement living," Louis postulates, "are different than the common impression of retirement migration," which often turns to assisted living when functionality drops below the level of more able-bodied age brackets. A baby boomer himself, Louis says on his blog (<http://aginginplace-guide.blogspot.com>), "We are going to stamp our feet and let the world know we DEMAND dignity, respect, choice and control of our homes and the care we need."

Easier said than done, this begs a changed cultural mindset. Tenenbaum mentions The Atlanta Regional Council's "Lifelong Communities" ideals. It reaches beyond housing into transportation, access to basic and preventive health care, and the ability to stay active. The answer, he says, is a system strategically designed so aging can be fluid, comfortable and mentally manageable. Like universal design, it benefits everyone whether it's needed or not. In a well-designed home, efficiency may reduce fuel consumption and enable living on a fixed income. In a well-designed community, a bicycle errand allows a talk with an elderly neighbor also needing groceries. The carbon footprint is reduced, the biker gets in shape, the neighbor is helped and community is strengthened.

Of Louis, Kathy Poole of Poole Designs LLC, said, "Through passion and gentle persistence, he reframes the issue, spurring a project team to imagine a richer set of relationships and, therefore, an expanded—and more robust—repertoire of solutions."

But, Tenenbaum says, change doesn't come easy. In 1993, already frustrated by the lack of interest in Aging in Place, he attended his first American Society of Aging (ASA) conference. Now, almost 20 years later, the market has barely grown. Though he has engaged his community in organizations such as Ramp It Up, a summer program for high school students, and

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Tenenbaum says
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CANADA

Universal Design for Toronto

A partnership between Toronto Community Housing and the Ontario College of Art and Design (OCAD) may result in improved living standards for Toronto residents with disabilities. Earlier this year, the two groups came together to announce a collaboration on researching ways Toronto housing can become more accessible through Inclusive Design.

In this collaboration, OCAD students will do applied research in the Moss Park area of Toronto, speaking to residents with disabilities about the challenges they face. Specifically, the students will be looking at approaches to wayfinding and navigation systems in public spaces. Their findings will result in planning and implementation strategies that adhere to the Built Environment standards of the 2005 Accessibility for Ontarians with Disabilities Act. It is the hope of housing officials that these strategies will affect their broader portfolio of housing around the city, which includes more than 350 high- and low-rise apartment buildings.

According to Doreen Balabanoff, acting dean of the Faculty of Design, the biggest challenges will be “making sure that Inclusive Design actually responds to the rich set of needs that a diverse community represents—who is being forgotten or left out? What abilities or disabilities are we missing in our considerations? And, as with all design challenges, are we asking the right questions?”

OCAD’s Faculty of Design has a rich history of innovative talent and emerging designers with fresh perspectives, as well as a strong curriculum in Universal and Inclusive Design. The students will make recommendations in the form of a design guideline in late 2010, followed by a prototype in 2011.

ENGLAND

Olympic Park Design Awarded for Standard Setting Inclusive Design

Since unveiling its “Inclusive Design Strategy” for London’s Olympic Park in September 2008, the Olympic Delivery Authority (ODA) has been strongly committed to ensuring the Park will be the most accessible and inclusive in London.

And this philosophy was recently rewarded, as the “Inclusive Design Strategy” was recognized with the Award for Equality and Diversity from the Royal Town Planning Institute (RTPI) earlier this year.

The judges said, “The Olympic Delivery Authority has turned traditional design principles on their heads. By taking a holistic view of people’s needs, it is using the power of the Games to change the way that people think about designing places...there is a strong indication that these principles will influence future sports facilities design.”

The “Inclusive Design Strategy” includes the following plans:

- Wider pathways with smooth surfaces, and seating and resting places at regular intervals;
- Setting a new benchmark for the UK with regard to wheelchair spaces and amenity seating;
- Gentle gradients, giving all users greater freedom of movement;
- A range of accessible rest room facilities; and
- Clear and easily understood signage.

“Inclusive and accessible design principles have always been at the heart of our plans and we have embedded them into the ODA’s procurement, design and construction processes,” said ODA Head of Design Jerome Frost. “After the Games, the most accessible sporting venues in London and an inclusive public park will be left for the local community. Aside from the physical legacy, we hope we can set a precedent for the industry and future developments will meet the same high inclusivity standards.” 

**“After the Games,
 the most
 accessible sporting
 venues in London...
 will be left for the
 local community.”**

Jerome Frost,
 ODA Head of Design

“World Update” is compiled by Elaine Ostroff, Hon. AIA, founding director of the Institute for Human Centered Design, and Larry Hoffer, *UDN* Editor. If you have information about international universal design efforts that you would like to have published in **Universal Design Newsletter**, write to us at: 6 Grant Ave., Takoma Park, MD 20912; or contact publisher@universaldesign.com

Australian Government Launches New Proposed Access Standard

With the ultimate goal of making buildings safer and more accessible for everyone, the Australian government recently launched the Access to Premises Standards (APS). These standards clarify how designers, developers, managers and building certifiers can meet their responsibilities under the country's Disability Discrimination Act (DDA) to ensure buildings are accessible to people with disabilities.

Since the DDA was adopted in 1993, complaints to the Australian Human Rights Commission and state/territory anti-discrimination agencies have shown that while a building might meet the requirements of the Building Code, it could still be the subject of a successful complaint under anti-discrimination law. This inconsistency covers both the level of access required (i.e., the area of coverage of a hearing augmentation (assistive listening) system in a conference room)

and the accessible objects or areas themselves (i.e., the location of unisex accessible toilet rooms or the location of accessible entrances and doorways).

"The launch of these standards means that we are close to finalizing what will be far-reaching improvements in building design and construction throughout Australia," said Disability Discrimination Coordinator Graeme Innes. "We are also closer to the goal of making building law and discrimination law say the same thing when it comes to access."

Some of the major changes from the current Building Code requirements include increases in the number of accessible entrances and doorways; increases in circulation space requirements in elevators and accessible bathrooms, and at doorways; improvements in signage relative to accessible facilities; improvements in the number and location

See [Australian Government](#), page 7

The Australian government recently launched the Access to Premises Standards (APS).

UDN Editor Says Farewell...

After writing and editing *Universal Design Newsletter (UDN)* for more than 16 years, I decided it was time for me to move on, but *UDN's* Publisher wouldn't let me leave without saying goodbye, so here goes:

UDN is approaching its 20th anniversary, just like the Americans with Disabilities Act. During those years the newsletter covered accessibility victories as well as examples of "what were they thinking" from around the world. It has showcased examples of excellence in Universal Design, described research efforts and reported on the abundance of litigation that followed the passage of the civil rights law that looks like a building code. (Or is it the other way around?)

However, for me, *UDN* has always been about the people behind the stories. Flipping through the archives is like reading a "who's who" of universal design and accessibility. We interviewed: Mark Fiedler, Coco Raynes, Elaine Ostroff, Marsha Mazz, Harold Kiewel, Jim Mueller, Kim Paarlberg, Ed Steinfeld, David Capozzi, Eleanor Smith, Mary Jo

Peterson, Tricia Mason, Valerie Fletcher, Judy Heumann, Cindy Leibrock, Lainey Feingold, Minh Vu, Irene Bowen, Jennifer Skulski, Emory Baldwin and Scott Rains...to name just a few. Although they don't all sit on the same side of the table, they are all working to make our environments accessible.

It has been a pleasure working with you all. Thank you for your help in chasing down stories. And thank you for returning my phone calls and answering my countless questions. With this issue of *UDN*, please welcome Larry Hoffer, the new editor. He comes to the newsletter with great enthusiasm for the issues and interest in Universal Design.

All the best,
Denise McGiffin Hofstedt

UDN thanks Denise McGiffin Hofstedt for her exemplary job as Editor over the last 16+ years.

Best of luck in the future, Denise!!

Australian Government, from page 6

of unisex accessible bathrooms and the introduction of “ambulant-accessible cubicles” in standard bathrooms.

“The APS is the result of over five years of national consultations and debate – and provides the basis for a more equitable and accessible built environment for all Australians,” remarked Michael Fox, director, Access Australia.

Subject to adoption by the Australian Parliament, the standards will take effect beginning May 1, 2011, and will apply to new buildings and parts of existing buildings undergoing renovation or upgrade. It is anticipated that, at the same time, the Building Code of Australia will be changed to reflect the content of the APS, in order to ensure consistency between the requirements of building and discrimination law relative to building construction.

Visit [www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandantidiscrimination_Disability\(AccesstoPremises-Buildings\)Standards](http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandantidiscrimination_Disability(AccesstoPremises-Buildings)Standards) for more information. 



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“The Access to Premises Standards (APS) provide the basis for a more equitable and accessible built environment for all Australians.”

Michael Fox, director
Access Australia

Tenenbaum, from page 4

Grass Roots Organization for Seniors (GROWS), the market’s readiness for change is just the start. A good design can cause change on its own.

Tenenbaum sees his contribution to home modification as only part of the concept, and seeks collaboration with other spheres and community interest to build something marketable. Other than market forces, Tenenbaum says change happens from above. Policy makers are beginning to see value in both composing environments which foster Aging in Place and in Tenenbaum’s expertise. An activist, he has been a reference for committees such as the Howard County (MD) Housing Commission, the steering committee of the National Home Modification Action Coalition, and served as an advisory board member of the National Center for Seniors Housing Research at the NAHB Research Center. And he notes that small steps, such as Universal Design LEED points and NAHB Aging In Place certifications, are productive incentives to make remodeling thoughtful. But more can be happening. Tenenbaum hopes for health insurance with lower premiums for preventative design measures, or state rebates similar to those for green energy.

“If government incentive is what it takes to do something so important for our future,” he

says, “then why should we be surprised when the same reasoning needs to be applied to something as fundamental as aging?”

At this year’s ASA conference, Ken Dychtwald urged Americans to make growing old interesting and important, and counter its current lack of purpose. Tenenbaum agrees. “The country and each of us needs to pay attention, make demands and realize if we do nothing we will have a mess.”

Visit Louis’ web site at <http://www.louistenenbaum.com>. 

This regular column will continue to highlight the people who have made, and continue to make, significant contributions to the Universal Design and disability communities. We welcome your feedback.

Is there someone you’d like to see highlighted in a subsequent column? Please let us know; send your suggestions or other comments to publisher@UniversalDesign.com.

CONTINUING EDUCATION: Harvard Accessibility Program

Whether you are a code specialist, transportation engineer, architect, interior designer, facility or project manager, and whether your practice is residential or commercial, focused or diverse, you need to hone your skills in Universal Design and ADA standards compliance. **Universal Design, Fair Housing and the New ADA/ABA** will be held at Harvard University's Graduate School of Design, Aug. 4-6, 2010, and will include presentations by some of the nation's leading accessibility experts, led by award-winning author, lecturer and designer, Cynthia Leibrock, MA, ASID, Hon. IIDA.

Following this program, you will be able to: demonstrate up-to-date skills in universal design and accessibility-standards compliance; recognize the common compliance errors made in Fair Housing and the ADA standards; master the components and scope of the New ADA/ABA; analyze Universal Design research including the latest findings from Japan and northern Europe; and carry out reviews of case studies in specific areas of specialization.

Leibrock has assembled a stellar panel for this program, including:

- John H. Catlin, FAIA, founding partner, LCM Architects;
- Valerie Fletcher, executive director, Institute for Human Centered Design;
- Bill Hecker, AIA, architect and accessibility consultant, Hecker Design, LLC;
- Marsha K. Mazz, senior accessibility specialist and technical assistance coordinator, US Access Board;
- John P.S. Salmen, AIA, president, Universal Designers & Consultants, Inc., and a licensed architect who has specialized in Barrier Free and Universal Design for over 30 years;
- James L.E. Terry, AIA, CEO and leader of the access-compliance team, Evan Terry Associates, PC; and
- Gregg C. Vanderheiden, PhD, professor of industrial and biomedical engineering, and director of the Trace R&D Center, University of Wisconsin-Madison.

For more information, or to register for the course, visit http://execed.gsd.harvard.edu/cgi-bin/exec_ed/details.cgi?offering_id=101851. ■

If you need to hone your skills in Universal Design and ADA compliance, attend this workshop.

Heumann, from page 1

Services from 1993-2001. She was a cofounder of the World Institute on Disability in Oakland, CA, and worked there from 1982-1993. She also was a cofounder of the Berkeley Center for Independent Living, serving as deputy director from 1975-1981.

"This is a significant step forward for the US government's capacity to include disability in our foreign policy," said Marca Bristo, president of the US International Council on Disabilities (USICD). "The knowledge Judy will bring to the State Department will be invaluable to international development programs, US ratification of the CRPD and our country's approach to international engagement. As longtime colleagues and friends of Judy, the USICD Board of Directors is elated with her appointment and we wish her all the best in her new role." (Heumann served as a

governmental representative to USICD's Board of Directors.)

In March, prior to Heumann's appointment to the State Department, the Courage Center, a Minnesota-based nonprofit organization, announced that it will award her the 2010 Medtronic National Courage Award this September. She was selected for the award in recognition of her lifelong advocacy on behalf of children and adults with disabilities. ■

Looking for further information on stories in this issue?

Visit **Universal Design Newsletter** online (www.UniversalDesign.com)!

PRODUCTS

5900 Series X-in™ Power Operator

The Norton 5900 Series X-in™ Power Operator offers an intelligent, cost-effective option for power door control. Available for either push- or pull-side mounting, it automatically adjusts itself based on door weight, latch and sweep speeds, and positioning, based on ADA and ANSI standards.

It provides a smart solution for automated moderate-to-high traffic openings in health care facilities, offices and public buildings.

When the unit is activated, it allows a door to be opened manually with a force less than 5 lbs. As the door is opened, the operator “senses”



Power operator

movement and opens the door to a fully-open position. When the operator is in use, the door will stop once it hits an obstruction and will rest against the obstruction until it is removed.

Delta® Zero Threshold Shower Bases

Stepping or even wheeling into the shower is effortless thanks to the Delta® Zero Threshold Shower Base. Delta provides base-only models, so you can customize your shower to be as unique as you’d like. Whatever your custom shower design, Delta’s shower bases—available in 39”x39” or 63” x 39”—will blend beautifully.



Threshold shower base
Credit: www.DeltaFaucet.com

The base comes with a flush, integrated trench drain and cover that is level with the floor. Made of heavy-gauge material with a choice of brushed stainless or chrome trench grates, the shower bases also feature removable drain covers for easy cleaning.

Foundations® Diaper Changing Stations

Foundations® produces a number of diaper changing stations (in high-density polyethylene as well as clad and full stainless steel), providing a safe and clean place for changing infants in public restrooms. Changing stations come in both horizontal and vertical orientations, and can support a static load of up to 250 lbs.

(An extended length model, designed for adults and individuals with physical disabilities, can support a static load of up to 400 lbs.) All models are ADA compliant when properly installed, and include the necessary mounting hardware, strap and buckle.



Diaper changing station

Dyson Airblade™

The Dyson Airblade™ hand dryer works in 12 seconds, scraping water from hands just like a windshield wiper.

It’s the fastest hand dryer and it cleans the air before blowing it onto hands, so it’s also hygienic.

It also uses up to 80 percent less energy than warm air hand dryers. Multiple units mounted at differing heights can be used by people who use wheelchairs as well as standing adults and children.



Airblade Dryer

Norton Door Controls

(Power Operator)
<http://www.nortondoort-controls.com>
877.974.2255

Delta Faucet Company
(Shower Bases)

<http://www.deltafaucet.com/landing/zerethreshold.html>
800.632.0911

Foundations Worldwide, Inc.

(Diaper Changing Stations)
7001 Wooster Pike
Medina, OH 44256
www.foundations.com
866.740.0195

Dyson

(Hand Dryer)
888.397.6622
www.dysonairblade.com



Emergency Egress: How Far is Far Enough?

Welcome to *Universal Design Newsletter Aha! Moments*. Students of Universal Design know that “no one knows it all.” Those in the field occasionally come across technical accessibility criteria anomalies that evoke an **Aha! Moment**. This column seeks to identify those surprising criteria and present opinions as to their intent. We welcome your discoveries as well. If you have comments or other examples of strange things you have found in the technical standards that made you scratch your head or otherwise change your mind -- send them to us at publisher@universaldesign.com.

How far away is far enough when it comes to emergency egress from a building?

How far away is far enough when it comes to emergency egress from a building? The ADA Standards (1991 ADAAG) are not clear about where the obligation for an accessible route ends when it comes to egress from a building in the case of fire or other emergencies. Does the obligation stop at the exit door threshold? Does it go to the Public Right of Way? Does it get you to fresh air, or does it get you 10 feet away from a building?

The lack of coordination between the 1991 ADAAG and other national building and fire safety codes was one of the main reasons for the US Access Board’s establishment of the ADAAG Review Federal Advisory Committee. That coordination led to the 2004 ADAAG.

The 2004 ADAAG directly references the International Building Code which requires an accessible route to a “public way” (as opposed to the Public Right of Way). But where the accessible means of egress ends and the public way begins is still vague. The IBC says egress has three connected portions: **Exit access** (corridors, stairs etc.) that leads you to an **exit** (doorway) with **exit discharge** getting you to a public way.

The Access Board’s ADAAG Manual (published in July of 1998) also picked up on this concept and states on page 22: “Accessible “means of egress” include exit access, exits and **exit discharge**.”

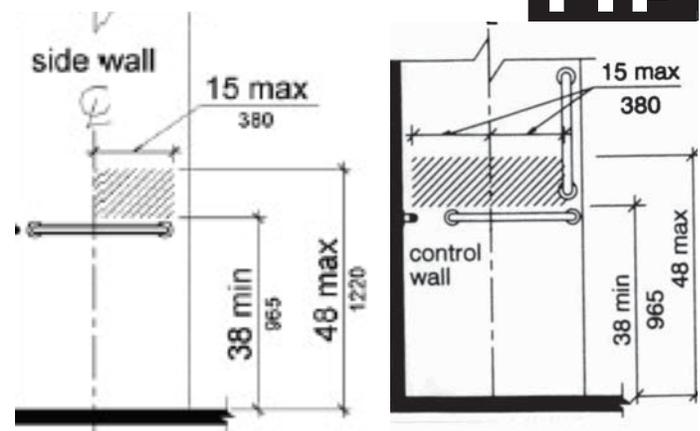
So how far does the exit discharge go? A Google search led to an official opinion written for the State of Connecticut by John Blashik Jr., Deputy State Fire Marshal that was affirmed July 1, 2002¹. He cites the NFPA Life Safety Code Handbook, but ultimately admits: “Unfortunately, there is no magical solution to this problem other than open dialogue and understanding the general intent and spirit of the code. ...the authority having jurisdiction and the design professional must both exercise good judgment keeping in mind the fundamental concept of free and continuous egress to a place of safety away from the building.”

¹ <http://www.ct.gov/dps/cwp/view.asp?a=2149&q=294248>

Location of Transfer Shower Controls

PROBLEM: The location of transfer shower controls is different in 2004 ADAAG than in ANSI A117.1 (2003). Which should I use?

TIP: ANSI 2003 allows the controls to be within 15 inches on either side of the center of the control wall. ADAAG allows the controls to be within 15 inches of the center but only towards the opening. In line with the requirement that the most restrictive provision rules, you should probably locate the controls called out by 2004 ADAAG Section 608.5.1. (The latest draft version of ANSI A117.1 brings it in line with 2004 ADAAG.)



2004 ADAAG
Figure 608.5.1

2003 ANSI
Figure 608.5.1

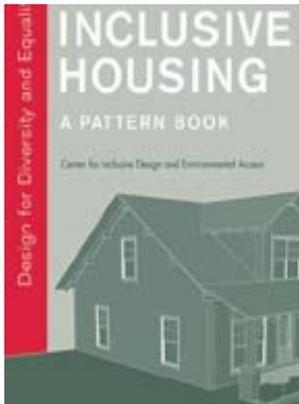
DESIGN TIP

Access to Medical Care for Individuals with Mobility Disabilities

The US Department of Justice has developed a new technical assistance publication, *Access to Medical Care for Individuals with Mobility Disabilities*, which provides guidance to medical professionals on the ADA’s requirement to provide accessible health care to individuals with these disabilities. The 19-page publication includes an overview of ADA requirements, commonly asked questions, and illustrative examples of accessible facilities, medical equipment and exam rooms. This guide is available at http://www.ada.gov/medcare_mobility_ta/medcare_ta.htm. (See related article, p. 3.)

Inclusive Housing: A Pattern Book

The Center for Inclusive Design and Environmental Access (IDEA Center) has produced the publication *Inclusive Housing: A Pattern Book*. This is an invaluable resource for designing communities that accommodate social diversity and provide equitable opportunities for all residents. The book was developed with contributions from Edward Steinfeld and Jona-



than White.

Focusing on housing that provides access to people with disabilities while benefiting all resi-

dents and incorporates inclusive design practices into neighborhood and housing designs without compromising other important design goals, *Inclusive Housing* recognizes that to achieve the goals of urbanism, we must consider the total picture. The house must fit on the lot; the lot must fit in the block; and the block must fit with the character of the neighborhood.

For further information, including how to order *Inclusive Housing*, visit <http://books.wwnorton.com/books/Inclusive-Housing-A-Pattern-Book/>.

NAHB 50+ Housing E-Learning

The National Association of Home Builders’ (NAHB’s) 50+ Housing Council offers a comprehensive lineup of educational webinars, offering the latest information on 50+ housing. One recent webinar, *Reimagining Universal Design*, is available for replay on the Council’s web page.

Reimagining Universal Design is a two-part webinar—Part 1 focuses on trends, techniques and cutting-edge products in Universal Design, and Part 2 deals with communicating value to your customers. Mary Jo Peterson of Mary Jo Peterson, Inc., moderates Part 1; she is joined by John Wesley Miller of John Wesley Miller Companies, and Diana Schrage of Kohler. Part 2 of the webinar is moderated by Tracy Lux of Trace Marketing, Inc., and she is joined by John King of Rampart Homes and Dan Bawden of Legal Eagle Contractors. For information on how to register for the replay of these and other 50+ Housing Council webinars, visit <http://www.nahb.org/generic.aspx?genericContentID=114156>. 

The 19-page publication includes an overview of ADA requirements, commonly asked questions and examples of accessible facilities.

**CONTINUING EDUCATION:
Universal Design Summit 4**

North America’s only recurring conference focused on universal housing and neighborhoods, the fourth UD Summit (UDS4), Creating Livable Homes and Communities, continues providing content on universal design in housing, sustainable community design, and affordability to create living environments usable by all.

Sponsored by The R.L. Mace Universal Design Institute and The Starkloff Disability Institute, UDS4 will be held October 10-12, 2010, at Saint Louis University in St. Louis, MO. For more information, or to register for UDS4, visit <http://uds4.org/>. 

July 26-28, 2010: US Architectural & Transportation Barriers Compliance Board Meeting, Washington, DC. Contact: www.access-board.gov/about/meetings.htm.

July 29, 2010: US Access Board Public Forum on Access to Medical Diagnostic Equipment, Washington, DC. Contact: <http://access-board.gov/news/medical-equipment-mtg.htm>, or email baquis@access-board.gov.

Aug. 4-6, 2010: Universal Design, Fair Housing and the New ADA/ABA, Harvard University's Graduate School of Design, Cambridge, MA. **John P.S. Salmen** will be one of the guest speakers at this interactive, three-day program, which will be led by **Cynthia Leibrock**. Contact: http://execed.gsd.harvard.edu/cgi-bin/exec_ed/details.cgi?offering_id=101851.

Sept. 29-Oct. 1, 2010: US Architectural & Transportation Barriers Compliance Board Meeting, Chicago, IL. Contact: www.access-board.gov/about/meetings.htm.

Oct. 7-8, 2010: ADAAG/ABAAG Training with US Access Board, Albuquerque, NM. This training is sponsored by the Southwest Disability Conference and New Mexico Governor's Commission on Disability. Contact: Hope.Reed@state.nm.us.

Oct. 9-12, 2010: Universal Design Summit 4: Creating Universal Homes & Communities, St. Louis, MO. The goal of this national conference is to bring about community integration, participation

and enhancement of the independence of all people. Contact: www.UDInstitute.org.

Oct. 14-16, 2010: Visions of an Inclusive Community 2010, Tampa, FL. The conference includes tracks on the built environment, community engagement and community support. **Elaine Ostroff** will be a keynote speaker. Contact: www.vic2010.com.

Oct. 18-21, 2010: National Association of ADA Coordinators National Conference, San Diego, CA. Training for architects, engineers, ADA coordinators, attorneys on access, services and design. Contact: <http://askjan.org/naadac/> or 888.679.7227 ext 1.

Oct. 30-Nov. 3, 2010: The 3rd International Conference for Universal Design, Hamamatsu City. This conference will be hosted by the International Association for Universal Design (IAUD). Contact: www.iaud.net/en/event/090731.html.

Nov. 8-10, 2010: US Architectural & Transportation Barriers Compliance Board Meeting, Washington, DC. Contact: www.access-board.gov/about/meetings.htm.

Nov. 17-19, 2010: Build Boston's Annual Symposium and Trade Show, Boston, MA. Daylong Symposium on Socially Sustainable Design on November 18 with national and international experts, plus the first US Design Challenge with the Helen Hamlyn Centre of London. (The Helen Hamlyn Centre of London's Royal College of Art has a special research focus on inclusive design, patient safety and workplace design.) Contact: www.buildboston.com.

Events to be placed in the UDN Calendar must be received three weeks before the publication date.

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