



By Mara Kaplan and Ian Proud

# GOING BEYOND THE STANDARDS

*Working towards the 2010 Standards for Accessible Design for playground safety and exceeding expectations*

Last year marked the 20th anniversary of the Americans with Disabilities Act (ADA), the comprehensive civil rights law which prohibits discrimination on the basis of disability. In July 2010, President Obama commemorated the anniversary and also announced new Department of Justice (DOJ) regulations that include updated standards governing the construction and alteration of facilities covered by the ADA. Recreation facilities, including play areas, are among the types of facilities covered.

While there were no notable changes made to the play area guidelines between 2004 and 2010, entities will now be required to meet the requirements, and any complaints filed will be investigated by the DOJ. Therefore, a thorough understanding of the requirements is essential as municipalities consider playground development or renovation in the community.

Complying with the guidelines may help municipalities avoid complaints or legal action. But will simply meeting the minimum requirements assure play areas are serving the needs of everyone in the community?

#### Complying with the Guidelines

The DOJ's standards apply to facilities and public entities including places of public accommodation, commercial facilities and state and local government facilities. They do not apply to transportation facilities, including bus stops and rail stations, which are subject to similar standards issued by the Department of Transportation.

Entities that do not need to comply with the requirements include:

- Childcare facilities where the proprietor resides
- Amusement attractions (separate clauses apply)

Photo by Playworld Systems



**ACTIVE STANDARDS** Accessible ground and elevated play components, accessible routes, ramps and transfer systems, and accessible ground surfaces must be provided under the 2010 standards

#### Religious entities Accessibility Standards

The 2010 standards provide requirements for new recreational area construction and alterations. In general, if you have been following the most recent set of ADA guidelines, your play areas should already be compliant.

Play area elements defined in the 2010 Standards include:

- Elevated and Ground-level Play Components
- Play Areas
- Play Components
- Soft Contained Play Structures

#### Use Zones

The 2010 standards cover play areas that are designed, constructed and altered for children ages two and over in a variety of settings, including parks, schools, childcare facilities and shopping centers. Accessible ground and elevated play components, accessible routes, ramps and transfer systems (typically a platform or transfer steps), and accessible ground surfaces must be provided. Those who operate play areas have a separate obligation under the ADA to provide program accessibility

## Evolution of the ADA: A Timeline

- 1990: The ADA was signed into law by President George H.W. Bush
  - 1992: The foundation of the ADA requirements was defined and the law was enacted
  - 1998: A section dedicated to play areas was introduced
  - 2000 and 2004: The guidelines were updated and revised, and the requirements were defined with greater clarity with each version
  - 2010: The DOJ officially adopted the 2010 ADA Standards for Accessible Design via publication in the Federal Register on September 15
  - 2011: The rule will become effective on March 15
  - 2012: Compliance with the 2010 Standards will be required for new construction and alterations as of March 15\* **(B)**
- \*In the 18-month period between September 15, 2010 and March 15, 2012, covered entities may choose between the 1991 standards and the 2010 standards*



Photo by Playworld Systems

**MORE THAN PLAYTIME** For children, community play areas should be places to get active outdoors, exercise bodies and imaginations, solve problems, challenge limits and interact socially

which may require the removal of architectural barriers in existing facilities.

The following are some of the provisions specific to play spaces:

- **Accessible play components.** Accessible play components are required to be on accessible routes, including elevated play components that are required to be connected by ramps. These play components must also comply with other accessibility requirements. The ADA mandates that persons with disabilities be able to participate in programs or activities in the most integrated setting appropriate to their needs. Therefore, all accessible play components must be integrated into the general playground setting.

- **Accessible route to play components.** Accessible routes to ground level and elevated play components and to soft contained play structures must be provided. The accessible route must connect to at least one ground-level play component of each different type provided (e.g. for different experiences such as rocking, swinging, climbing, spinning and sliding). Specific requirements are provided regarding transfer systems and ramps.
- **Ground surfaces.** Ground surfaces on accessible routes, clear floor or ground spaces, and turning spaces must comply with relevant ASTM standards and be inspected and maintained regularly to

ensure continued compliance. The type of surface material selected and play area use levels will determine the frequency of inspection and maintenance. Permitting a surface to deteriorate so that it does not meet the 2010 Standards would violate the ADA regulations.

**Is Accessibility Enough?**

The ADA guidelines are laudable because they represent a higher standard in providing access to programs and services for people with disabilities. However, conforming to the guidelines for play area accessibility under the 2010 standards should only be the first step in creating a community play environment.

Before planning a new play area or altering an existing one, officials

should take a step back and consider the purpose of the space. Why do communities invest in incorporating play areas in the first place?

Play is a vital part of strong, healthy neighborhoods. By benefiting every aspect of total wellness, play improves the quality of life for the entire community.

For children, community play areas should be places to get active outdoors, exercise bodies and imaginations, solve problems, challenge limits and interact socially with others. Play spaces should also provide enriching experiences for everyone in the community, including family members and friends, the old and the young.

Many playground designs are based on the notion that ramps are the answer because they meet the ADA requirement that playgrounds be easy to approach, enter and move through. But being accessible doesn't necessarily mean the equipment offers the best possible play experiences.

Simply adding elements such as a ramp here or a level path there may help meet the letter of the law, but it doesn't fulfill its spirit. To put things in perspective, 13 percent of children 6 to 14 have a disability, while one in five people are living with chronic illness or disability. Following the guidelines still leave some of these people out. The ideal community playground is useable by all – a truly inclusive space where everyone has fun and no one is excluded based on ability.

#### Universal Design

All community members should be able to use local facilities. The best playground designers in the industry strive to create play spaces that don't simply meet accessibility guidelines, but achieve the principles of universal design.

Universally designed, barrier-free play spaces meet the needs of the widest range of users by creating a comparable, integrated experience

for all children, their parents, grandparents and everyone who uses the play area.

#### Getting Started

Before establishing or refurbishing a playground for your community, consider the following points:

- **Know the requirements.** The 2010 standards require that all new and altered play areas be accessible and usable by people with disabilities. Obtain a copy and read them thoroughly.
- **Consult with a specialist.** Find trustworthy expert resources such as a playground designer or manufacturer who uses the principles of universal design, understands child development and thinks beyond the regulations to create a truly usable playground the entire community can enjoy.
- **Take inventory.** You are obligated to comply with the 2010 Standards by March 15, 2012. In the meantime, take time to review existing play areas and plans for new ones in your community. Prioritize areas that may need altering or adjustment according to the accessibility requirements.
- **Plan and budget.** Develop an action plan to assure all play areas (including other types of recreational areas) comply with the 2010 standards by March 15, 2012. Conduct a cost analysis at the beginning of the planning process, being sure to factor in maintenance costs. This is especially important when considering the type of ground surface you choose, as some may cost less upfront but will need regular upkeep.
- **Involve the community.** Listen and observe at existing playgrounds. Ask the community for feedback on new concepts and changes. Find out what would make the play area more useable and fun, and include

advocates for people with disabilities in your discussions.

A fully integrated, universally designed play area is better for communities – not only in terms of compliance with the law but in offering an outstanding community amenity people will actually use. Creating an inclusive, fun space where caregivers can feel good about bringing children will generate tremendous goodwill and community pride for years to come. **(B)**

#### About the Authors

Mara Kaplan is the founder of Let Kids Play!, a consulting firm that works with manufacturers, communities, non-profits, park districts, retail stores, and parents on projects and strategies that ensure that all children have the best play opportunities possible. Ian Proud is the research manager for Playworld Systems Inc., a leader in imaginatively designed and customized commercial recreation and playground equipment for 40 years. For more information, go to [www.playworldsystems.com](http://www.playworldsystems.com), [www.letkidsplay.com](http://www.letkidsplay.com) and [www.accessibleplayground.net](http://www.accessibleplayground.net).

## Resources

U.S. Department of Justice/ADA  
800-514-0301 (voice)  
800-514-0383 (TTY)  
[www.ada.gov](http://www.ada.gov)  
[www.access-board.gov](http://www.access-board.gov)

Disability and Business Technical Assistance Center  
Information on the Americans with Disabilities Act  
800-949-4232 (voice/TTY)  
[www.adata.org](http://www.adata.org)

DBTAC: Mid-Atlantic ADA Center (DC, DE, MD, PA, VA, WV)  
451 Hungerford Drive, Suite 700  
Rockville, MD 20850  
Toll-free: 800-949-4232 (voice/TTY)  
Local: 301-217-0124 (voice/TTY)  
[www.adainfo.org](http://www.adainfo.org) **(B)**