

The Library Board and Building Accessibility

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Role of the Board / Role of the Director / Role of the Municipality

As the governing body for the library, the board has a responsibility to ensure that the library and its policies are in compliance with all laws, including the federal Americans with Disabilities Act (ADA). The director has the responsibility to keep the board aware of current issues related to building accessibility. Although the municipality, as the parent agency for the library, is ultimately responsible for ADA compliance, it is very important that the board and director work closely with the municipality to ensure equitable access to the library for all people in the community.

ADA Background on Building Compliance

The Americans with Disabilities Act is a federal law passed in 1990. It is a civil rights law for people with disabilities that ensures people are not discriminated against because they have a disability. Two parts of the law apply particularly to public libraries. Title I requires equal employment opportunities for individuals with disabilities. Title II prohibits discrimination on the basis of disability in state and local government services (including public library buildings and services).

The law provides that all people, including those who have disabilities, have essentially the same rights of access to public buildings and services. The law requires certain universal design characteristics to make buildings accessible to people with disabilities. These building specifications are called ADAAGs (ADA Accessibility Guidelines) and the UFAS (Universal Federal Accessibility Standards). Since the 1970s, Wisconsin's building codes for public buildings have followed higher standards than the federal guidelines. For that reason, many Wisconsin library buildings were already in compliance with the federal law when it was passed. However, some older public libraries remain inaccessible.

The law requires funding agencies to write and maintain an ADA Accessibility Plan. The first step in developing a plan is to evaluate the building and identify areas that do not meet the standards. Then the plan has to specify how the building will be modified, or in some cases replaced, to attain compliance. Finally, the plan has to indicate a time frame within which the problem shall be addressed, typically within five years. The plan should also be updated regularly.

The law requires "reasonable" modifications to buildings. The law permits buildings to remain unchanged if the modifications would be too costly, as long as the plan indicates that the problems are to be resolved if remodeling is undertaken or a new building is built.

While many libraries have made excellent progress toward compliance, some libraries have made little or no progress in making their buildings accessible. The

In This Trustee Essential

- The role of the board and the library director in ensuring that the library building is accessible
- How the library building can equitably accommodate all members of the community, including those with disabilities

responsibility to address and correct the problems is one that is shared by the board and the municipality.

General Access Issues

Below is a general overview of the requirements of the law. For details on each requirement, please refer to the Americans with Disabilities Act Technical Assistance Manual, or contact the Great Lakes ADA Center. See below for contact information.

All buildings open to the public must meet federal specifications, but government buildings are held to a higher standard by those specifications. There are some specific regulations for public libraries, which are discussed below. There are also some exceptions for designated historical buildings.

Outside the Library

Your review can start with consideration given to features outdoors. There should be appropriate curb cuts at the sidewalk, and there must be adequate parking reserved for people with disabilities. The law specifies how many parking stalls must be provided, the way the stalls must be painted, the wording on the signs for that parking area and their placement. The law also specifies how buildings must be signed to indicate accessible entrances.

The entrance itself is of critical importance to an accessible building. It may be necessary to create a new entrance if a ramp cannot easily resolve the problems steps create. Automatic door openers are not required by the ADA but are certainly very helpful to people who have disabilities. If the library does not have an automatic door opener, the law requires a doorbell or some other way for the person who uses a wheelchair or who cannot open the door to signal a need for assistance. The law specifies the acceptable weight limit for the door and the type of door handles that must be used.

Inside the Library

The federal specifications indicate that all *public* areas of the building should be accessible to those with physical disabilities; e.g., to someone who uses a wheelchair. However, if a staff person should become disabled, or a person with a disability is hired, all staff areas would have to be modified to make them accessible as well.

The regulations define an “accessible path” and specify the width of doorways and aisles, turn radius at certain points in the room, requirements for the floor surfaces, and bathrooms’ signage and design, including stalls, toilets, counter tops, legroom under counters and placement of grab bars, mirrors, soap, and towel dispensers. The law specifies the placement and design of water fountains and public telephones. The height of service desks is also specified. Lever door hardware must be used, rather than round doorknobs.

All levels of the building must be accessible, and all meeting rooms. The person with a disability should not be expected to leave the building and enter a

lower level from an outside entrance; he or she should be able to get to different levels in the building using an elevator.

The federal law, updated in 2011, indicates that certain types of permanent directional signs must have certain font size and spacing, tactile characters and Braille, contrast, and positional mounting. The most common ones include labels on rooms, such as bathroom doors, and elevator instructions.

Specific ADA Regulations for Public Libraries

Public libraries must meet all the general requirements indicated above and address the following areas as well.

Reading and Study Areas—A certain percentage of the seating area must be accessible to people using wheelchairs so that they can sit at a table. Specific clearances must be allowed between pieces of furniture so people who use wheelchairs can move between them.

Checkout Areas—At least one part of the checkout desk has to be a specific height for people who use wheelchairs. Security gates must accommodate wheelchairs.

Library Catalogs— Accessible workstations must be available for use of an online catalog. (Though not specifically addressed in the technical guidelines, this point falls under the need to make services accessible.)

Magazine and Reference Areas—There must be access to these areas for people who use wheelchairs, and there is a maximum height for shelving in these areas.

Book Stacks—There is not a maximum height for the general book stacks, but the library staff must accommodate people by helping them get the materials they need. There are width specifications between the book stacks, and there must be a turn radius at the end of each one.

Everyone Benefits When the Libraries are Accessible

Generally, when the topic of accessible buildings comes up, people tend to think that the benefit of the modifications is for people who use wheelchairs or walkers, or perhaps people who use leg braces or crutches. But the reality is that accessible buildings make life easier for everyone. Most people become at least temporarily disabled at some point in life. They may break an arm and not be able to open a heavy door. They may be using crutches because they broke a leg, had a hip replacement, or had surgery for a sports injury.

When parents arrive at the library with a child in a stroller, they appreciate being able to walk right in and not having to squeeze through aisles and around tables. Healthy, active seniors appreciate not having to struggle with heavy doors and having safety bars in the bathroom. Children appreciate service counters that are at their height and don't force them to stand on tiptoe or look way up to talk to library staff. And busy library staff appreciate doors that open automatically when they approach with an armload of heavy books.

Discussion Questions

1. Has the municipality or board completed an ADA Plan and building assessment? If so, has it been updated?
2. What accessibility concerns were identified in the early 1990s and what has been done to resolve them? Can more progress be made?
3. How many taxpayers in the community are unable to access the services of their public library because they cannot enter or move freely through the building, due to a disability? What would the impact be on the library if it could increase its services to about ten percent more of the community who are not currently being served? (Ten percent is the general estimate of people with disabilities in most communities.)
4. Have board members experienced difficulty in getting themselves or family members into non-accessible buildings? Do board members appreciate electronic doors at the grocery store and elevators in multistory buildings? How do these features make life easier for them, and how might an accessible library building benefit the community?
5. Are other municipal buildings accessible? Are there community meeting rooms in other buildings that are accessible? Are area stores, doctors' offices, post offices, etc., accessible? How does the library building compare?

Sources of Additional Information

- *Americans with Disabilities Act*. The most helpful section for building accessibility questions is the *Title II Technical Assistance Manual* available at: www.ada.gov/taman2.html.
- *Pocket Guide to the ADA: Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities, Version 3.0* edited by Evan Terry Associates. International Code Council, 2010.
- Great Lakes ADA Center (MC 728), 1640 W. Roosevelt Road, Room 408, Chicago, IL 60608, (312) 413-1407 or (800) 949-4232, www.adagreatlakes.org
- Your library system staff (See Trustee Tool B: Library System Map and Contact Information.)
- Division for Libraries and Technology staff (See *Trustee Tool C: Division for Libraries and Technology Contact Information*.)

This Trustee Essential provides only a general outline of the law and should not be construed as legal advice in individual or specific cases where additional facts might support a different or more qualified conclusion.

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