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AMERICANS WITH DISABILITIES ACT (ADA) RESOURCES AND INFORMATION ABOUT CAMPS

Visit <https://www.ada.gov/>, which is an outstanding resource by the DOJ Civil Rights Division that provides a variety of Information and Technical Assistance on the Americans with Disabilities Act (ADA).

ADA STATUTES & REGULATIONS

Text of the ADA, <https://www.ada.gov/pubs/adastatute08.htm>

ADA Title II Regulations, State and Local Governments https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm

ADA Title III, Regulations, Public Accommodations https://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm

ADA TECHNICAL ASSISTANCE MANUALS

ADA Title II (State and Local Governments) Technical Assistance Manual <https://www.ada.gov/taman2.html>;

ADA Title III (Public Accommodations and Commercial Facilities) Technical Assistance Manual <https://www.ada.gov/taman3.html>

Technical Assistance Manual Excerpts:

II-2.6000 "Regarded as" having a disability (for private camps see III-2.6000). The ADA also protects certain persons who are regarded by a public entity as having a physical or mental impairment that substantially limits a major life activity, whether or not that person actually has an impairment. Three typical situations are covered by this category:

1) An individual who has a physical or mental impairment that does not substantially limit major life activities, but who is treated as if the impairment does substantially limit a major life activity; ILLUSTRATION: *A, an individual with mild diabetes controlled by medication, is barred by the staff of a county-sponsored summer camp from participation in certain sports because of her diabetes. Even though A does not actually have an impairment that substantially limits a major life activity, she is protected under the ADA because she is treated as though she does.*

2) An individual who has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others towards the impairment; ILLUSTRATION: *B, a three-year old child born with a prominent facial disfigurement, has been refused admittance to a county-run day care program because her presence in the program might upset the other children. B is an individual with a physical impairment that substantially limits her major life activities only as the result of the attitudes of others toward her impairment.*

3) An individual who has no impairments but who is treated by a public entity as having an impairment that substantially limits a major life activity. ILLUSTRATION: *C is excluded from a county-sponsored soccer team because the coach believes rumors that C is infected with the HIV virus. Even though these rumors are untrue, C is protected under the ADA, because he is being subjected to discrimination by the county based on the belief that he has an impairment that substantially limits major life activities (i.e., the belief that he is infected with HIV).*

II-3.5100 Eligibility criteria generally (for private camps see III-4.1100 & III-4.1200). A public entity may not impose eligibility criteria for participation in its programs, services, or activities that either screen out or tend to screen out persons with disabilities, unless it can show that such requirements are necessary for the provision of the service, program, or activity.

CIVIL RIGHTS PROGRAM, U.S. ATTORNEY'S OFFICE, DISTRICT OF SOUTH CAROLINA

Website: <https://www.justice.gov/usao-sc/civil-rights>

List of Civil Rights Statutes (civil): <https://www.justice.gov/usao-sc/civil-rights-laws-affirmative-civil-enforcement>

Criminal Civil Rights Laws Enforced: <https://www.justice.gov/usao-sc/criminal-civil-rights-laws>

Civil Rights Coordinator (Civil): (864) 282-2100; Criminal Civil Rights Coordinator: (803) 929-3000



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ILLUSTRATION 1: *The director of a county recreation program prohibits persons who use wheelchairs from participating in county-sponsored scuba diving classes because he believes that persons who use wheelchairs probably cannot swim well enough to participate. An unnecessary blanket exclusion of this nature would violate the ADA.*

II-3.5300 Unnecessary inquiries (for private camps see III-4.1300). A public entity may not make unnecessary inquiries into the existence of a disability. **ILLUSTRATION:** *A municipal recreation department summer camp requires parents to fill out a questionnaire and to submit medical documentation regarding their children's ability to participate in various camp activities. The questionnaire is acceptable, if the recreation department can demonstrate that each piece of information requested is needed to ensure safe participation in camp activities. The Department, however, may not use this information to screen out children with disabilities from admittance to the camp.*

II-3.9000 Discrimination on the basis of association (for private camps see III-3.5000). A State or local government may not discriminate against individuals or entities because of their known relationship or association with persons who have disabilities. This prohibition applies to cases where the public entity has knowledge of both the individual's disability and his or her relationship to another individual or entity. In addition to familial relationships, the prohibition covers any type of association between the individual or entity that is discriminated against and the individual or individuals with disabilities, if the discrimination is actually based on the disability. **ILLUSTRATION 1:** *A county recreation center may not refuse admission to a summer camp program to a child whose brother has HIV disease.*

SAMPLE DOJ SETTLEMENT AGREEMENTS REGARDING SUMMER CAMPS

Camp Name	State	Date	Resolution	Disability	Link to Document
Camp Treetops	New York	2016	Agreement	Diabetes	https://www.ada.gov/camp_treetops_sa.html
Camp Bravo	Maryland	2015	Agreement	Epilepsy, Diastat	https://www.ada.gov/camp_bravo_sa.html
Hospital for Special Care	Conn.	2014	Agreement	Diabetes	https://www.ada.gov/hospital_specialcare-sa.htm
Arlington-Mansfield Area YMCA	Texas	2016	Agreement	Diabetes	https://www.ada.gov/arlington_ymca.html
Town Sports International, Inc. and TSI Wellesley, Inc	Mass.	2006	Consent Order	Diabetes	https://www.ada.gov/tsi.htm
Rocky Run YMCA	Penn.	2016	Agreement	Diabetes	https://www.ada.gov/rocky_run_sa.html
Winnwald Day Camp	New Jersey	2015	Agreement	Diabetes	https://www.ada.gov/camp_winnwald_sa.html
Town of Rocky Hill	Conn.	2012	Agreement	Diabetes	https://www.ada.gov/rocky-hill.htm
West End YMCA	Calif.	2007	Agreement	Autism	https://www.ada.gov/westend_ymca.htm
Rieck Avenue Country Day School, Inc	New Jersey	2004	Agreement	Epilepsy, cerebral palsy	https://www.ada.gov/riekave.htm
Raynor Country Day School	New York	2008	Agreement	Diabetes	https://www.ada.gov/raynor/raynorsa.htm
Pine Hills Kiddie Garden	Indiana	2009	Agreement	Diabetes	https://www.ada.gov/pinehillscare.htm

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