

Commission for Accessibility

Meeting Minutes

**Monday, November 18, 2024 5:00PM
Via Zoom**

In Attendance: Michael Londrigan, Tony Phillips, Christine Santori, Debbie Prieger, Maureen Culhane, Don Ciota

5:00 PM. Call to Order

In his opening remarks the chairman welcomed our newest member, Debbie Preiger, who has been appointed by the BOS.

NOTE: THIS MEETING INCLUDES 2 MOTIONS.

APPROVAL of MINUTES.

MOTION 1: To approve the CfA Meeting Minutes from October 7 9, 2024

Motion made by Debbie

Seconded by Maureen

PASSED UNANIMOUSLY

MOTION 2: To approve the 2025 Proposed Meeting Dates

Proposed Meeting Dates* for 2025:

Jan 13	Feb 10	Mar 10
Apr 7	May 12	June 9
July n/a	Aug n/a	Sept 8
Oct 6	Nov 10	Dec 8

Motion made by Debbie
Seconded by Michael

*All meetings are Via Zoom on Monday of the dates above at 5:00 PM.

PASSED UNANIMOUSLY

Public Comment

none

Comparison of ADA Title II and Title III requirements.

Under the ADA the requirements for accessibility compliance is stricter for Title II entities than for those of Title III. Please explain the differences.

Title II and Title III of the Americans with Disabilities Act (ADA) impose different requirements on entities concerning accessibility, and Title II requirements tend to be stricter. Here's a breakdown of the differences:

Title II Entities: Public Entities

- **Who it Covers:** Title II applies to all **state and local government entities** and any of their departments, agencies, or special-purpose districts.

This includes public education, transportation, law enforcement, and municipal services.

- **Accessibility Requirements:** Title II mandates that public entities make all services, programs, and activities accessible to individuals with disabilities. They are required to ensure that individuals with disabilities have **equal opportunity** to benefit from all of their programs.
- **Stricter Standards:** Public entities under Title II have stricter obligations because they must ensure that **both facilities and services** are fully accessible. This often includes making physical modifications to buildings, accommodating communication needs, and providing auxiliary aids and services for effective communication (e.g., sign language interpreters, assistive listening devices).
- **Self-Evaluation and Transition Plans:** Title II entities are also required to conduct self-evaluations to identify barriers and create transition plans to address these issues. This includes setting specific timelines to ensure compliance and accessibility in facilities and programs.

Key Differences in Requirements Title III Entities: Private Businesses and Nonprofits

- **Who it Covers:** Title III applies to **places of public accommodation** operated by private entities. This includes hotels, restaurants, theaters, retail stores, schools, doctors' offices, and other private businesses that serve the public.
- **Accessibility Requirements:** Title III entities must **remove barriers** in existing facilities when it is "readily achievable," which means that changes should be easy to accomplish without much difficulty or expense.
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- **Less Strict Standards:** The accessibility obligations for Title III entities are somewhat less strict compared to Title II entities. For example, the "**readily achievable**" standard means that private businesses are only required to make modifications if they are economically feasible.
- **New Construction and Alterations:** For new construction and significant alterations, Title III entities must comply with ADA Standards for Accessible Design. However, existing buildings only need to be modified if the changes are readily achievable.

- **Physical Accessibility:** Title II entities must make all their services accessible, including making physical modifications if necessary. Title III entities only need to make modifications if they are readily achievable.
- **Communication Accessibility:** Both Title II and Title III require auxiliary aids and services for effective communication, but Title II requirements for public entities may be more comprehensive.
- **Programmatic Accessibility:** Title II requires programmatic access, meaning that public entities must ensure that individuals with disabilities can participate in programs, even if the physical facilities themselves aren't accessible. Title III primarily focuses on ensuring accessibility within the physical place of business.

In summary, Title II imposes stricter requirements on public entities, with broader obligations for accessibility, compared to the more limited obligations under Title III for private businesses and nonprofits.

6:40 PM Adjourn

Next Meeting Date: Monday, December 9, 2024

Meeting Dates for 2025:

Jan 13	Feb 10	Mar 10
Apr 7	May 12	June 9
July n/a	Aug n/a	Sept 8
Oct 6	Nov 10	Dec 8

BEST WISHES FOR A HAPPY THANKSGIVING

Minutes prepared by Don Ciota, Chairman