
PORTLAND

PARKS, RECREATION & FACILITIES

ADA and Inclusion - Questions and Answers

1. What is the Americans with Disabilities Act (ADA)?

The Americans with Disabilities Act (ADA) is a civil rights law passed in 1990 that prevents discrimination against people with disabilities. It consists of five titles protecting the rights of individuals with disabilities. Under Title II, individuals with disabilities must have an equal opportunity to participate in and benefit from state and local government programs, services and activities. These services include recreation.

2. What is inclusion?

Inclusion is the process of including all people, regardless of their ethnic origin, sexual orientation, socio-economic level, color, language or abilities. An inclusive environment welcomes everyone, including individuals with disabilities. The ADA, with few exceptions, mandates that community recreation must be available to all people, with and without a disability. Access to equal services cannot be denied due to the cost of providing such a service. Accommodations are individualized and may require modifications for the person with a disability to participate.

3. How does this inclusive recreation program work?

Individuals with a disability or their family members should indicate on their registration form that they need an accommodation/modification to participate. There are eligibility requirements for the majority of the Recreation Department's programs. The inclusion process examines what each individual person may need to participate and how best to provide that accommodation through an individualized assessment. Based on the information provided by the individual and/or the parent, a recreation professional will determine what supports, aides and/or equipment are necessary; how the supports will be provided in the setting; what skills the person may need to participate; and what support the staff and/or program will provide.

4. What are the eligibility requirements?

Eligibility requirements include a minimum set of requirements that determine whether a person will be permitted to use a facility or program. In most cases, with a reasonable accommodation/modification, an individual can meet the essential requirements for participation.

Capacity: the participant must register before the program fills to capacity.

Fee: the participant must pay the appropriate registration fee. Individuals will not be charged a higher fee if accommodations are necessary.

Age: The activity must be age appropriate. Programs are based on chronological not mental age. For example, a middle school student cannot enroll in a program and participate with a third grade student. Adult programs are for participants 18 years and older.

Rules of Conduct: Persons must agree to follow the Recreation Department's Behavior Rubric and the expectations of conduct for the program they are registering for, even with reasonable accommodation/modifications.

Safety: All participants must refrain from placing themselves and/or others at risk with aggressive or unsafe behaviors.

Relative/readiness skills: The participant must possess the basic skills of the activity in order to participate. These may include the ability to use a form of communication (e.g. communication board, PEC system), follow simple directions, and stay engaged in the activities for the majority of the time (with/without accommodations/modifications). The participant have the ability to tolerate and function with assistance as a member of a larger social group; remain with the group (no running away). The participant must follow the activity and refrain from disrupting the group with and without reasonable accommodation/modifications as outlined in the Recreation Department's Behavior Rubric.

5. What kinds of supports would my child be eligible for?

- Large print or audio tapes; assistive listening devices
- Sign language support
- Medication monitoring (e.g. diabetes monitoring)
- Use of communication systems (e.g. white boards, Picture Exchange System [PEC])
- Staff support (small group ratios, 1-1)
- Adaptations and modifications in games and activities

6. Why do I have to wait 10 days as part of the assessment?

When a parent submits a completed request form for a reasonable accommodation, the inclusion supervisor will conduct an initial assessment to review the information. The assessment consists of an phone/in person interview to discuss what the parent has shared, a possible contact with the child's case manager or classroom teacher/therapist to determine what types of supports would be appropriate in a recreation setting. The ten-day wait period allows the recreation staff to complete the assessment, including the interview, and to determine the best accommodations for the child. Parents may be asked for permission to speak with the child's case manager or teacher as part of information gathering.

7. Who will conduct the assessment?

A professional behavior specialist and/or recreation therapist will work together to complete the accommodation assessment and will write up a strategy sheet to help the program staff guide the child in the program. The individual plan will note what accommodations are needed, how they are to be provided and how they will be evaluated.

8. How do I apply for an accommodation/modification?

You will be asked to answer the question on the registration form that indicates that your child requires an accommodation/modification to participate. There is a link on the online application that brings up the request form (*Inclusion Intake Profile*). If you do not register online, you can request a paper copy of the intake request form from the 212 Canco Road recreation office and a registration form.

9. What are the minimum requirements to participate?

The minimum readiness requirements for participation in recreation programs with and without accommodations/modifications list participants as:

- Able to participate independently or with reasonable accommodations/modifications
- Are age appropriate
- May be aged up or down by one grade level in some activities
- Able to take direction and instruction from a staff person
- Comfortable with and able to interact in a group environment
- Able to interact and participate in a manner that is physically and emotionally safe for themselves and others
- Able to perform or engage in self-care (toileting, feeding, etc.) independently or with minimal verbal prompting
- Able to stay with the group and not leave the group unattended.

10. How are individual accommodations decided?

Based on the information parents share and any input from others who work with the child (case manager, school team), the behavior specialist/recreation therapist will consider the type of activity, its environment, any physical considerations of the setting, and the range of activities that the child might participate in when determining reasonable accommodations/modifications. Staff will also consider staffing patterns, noise levels, mobility issues, etc. when making their determinations about reasonable accommodations. Thoughtful consideration may find that the child is not ready at this time to participate, even with a reasonable accommodation/modifications in place. Parents will be informed of all decisions and the reasons for them.

11. What is the role of support staff?

Support staff can act as a reasonable accommodation/modification. This may include small group ratio within the larger group and/or 1-1 support, following the individualized accommodation plan for the participant, assisting the child as needed, providing cues and use of communication systems to assist the child, use of identified strategies to assist the child (e.g. transitions, dealing with noise, sudden changes in program schedules, etc.).

12. Will I have to pay more money for the accommodations?

No additional fees are required for a reasonable accommodation. Some accommodations may include the use of a personal care attendant or Behavioral Health Professional (BHP) who may attend with the child in the before and aftercare programs.

13. Is there a grievance process if I disagree with the decision(s) made about my child's accommodations?

Yes, there is a grievance process. The complaint should be filed no later than 60 calendar days after the alleged violation of complaint. Within 15 calendar days after the receipt of the complaint, the director of recreation and his/her designees will meet to discuss the complaint and the possible resolutions. Within 15 days of the meeting, the director and his/her designee (ADA Coordinator for the City of Portland) will respond in writing, or where appropriate, in an accessible format to the complainant. All written complaints will be retained by the Portland Parks, Recreation and Facilities Management Department for three years.