

19

CHAPTER NINETEEN

Library Building and Services Accessibility

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 the library and its policies are in compliance with all laws, including the federal Americans with Disabilities Act (ADA). All libraries, whether municipal or private association, are considered “places of public accommodation” and should adhere to the principles of the ADA. The director has the responsibility to keep the board aware of current issues related to building and services accessibility. 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. It is recommended that public libraries develop accessibility plans which identify barriers in their facilities for people with various physical disabilities and state what steps will be taken to ensure access to library resources and services for all.

ADA Background on Building Compliance and Accessible Services

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 also 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, Maine’s building codes for public buildings have required accommodations for people with physical disabilities. For that reason, many Maine library buildings were already in compliance with the federal law. However, many older public libraries remain inaccessible. The law does require “reasonable” modifications to buildings but permits buildings to remain unchanged if the modifications would be too costly. However, modifications would have to be included in any major building renovation or new construction.

The requirement to provide accessible services is not dependent on a building’s being accessible. Public library services must be made available in some way if

the building is not accessible. The best way to provide access to most library services is to have an accessible building. But some accommodations can and must be made until such time as the building is remodeled or a new building is constructed. Provision of certain services may require accommodations even if the building is accessible.

General Building 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 New England 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 later in this chapter. There are also some exceptions for designated historical buildings.

Outside the Library

Give consideration to outdoor features. 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 spaces must be provided, the way the spaces 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, as well as 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 2012, 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	There is a maximum height for card catalogs. There must be accessible workstations for use of an online catalog. (Though not addressed in the 1990 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.

Types of Disabilities that May Require Accommodations to Make Library Services Accessible

Mobility Limitations

People who use wheelchairs, crutches, and/or braces may have difficulty accessing library services, even if they can get into the building. Other people may also need accommodations, if they have limited ability to walk, reach, grasp, or turn pages. If the building itself is not accessible, the problem of providing access to services is more complicated. Some libraries offer services by phone and make selections for their patrons and then either bring the materials out to the people who cannot come into the building or else deliver them to their homes. Some libraries offer a drive-up window with customized service to make pickup and delivery easier for people with disabilities—and provide a great convenience to the general public. Some libraries offer services to daycare centers, nursing homes, and senior living complexes. One helpful service public libraries can provide is to refer people who are homebound or with severe mobility limitations to Outreach Services at the Maine State Library. Outreach Services can help eligible people obtain books by mail.

Tables and seating areas should be designed so those patrons who use wheelchairs have adequate access to them. Computer workstations can be adapted in several ways to make use of computers easier for people who use wheelchairs. The table must accommodate wheelchairs in terms of height and legroom under it. A long cord can be added to the keyboard so it can be set down onto the tray of a wheelchair. A trackball can be added as an alternative to a mouse, or in addition to one. Trackballs are easier for some people to manipulate. Any service desk (circulation, reference, etc.) is required to have at least one section that is no higher than 36 inches.

Blind and Low Vision

Public libraries frequently act as an intermediary in connecting people who are blind with Outreach Services at the Maine State Library where they can receive “talking books” and Braille materials. The library can purchase or borrow descriptive videos (which describe the action in a video when there is no dialog). Library materials in Braille and/or on CD can be added to the collection. The library’s regular collection of CDs, computer software, and audio books can be made accessible to patrons who are blind if clear Braille labels are added. Brailist organizations can do this for the library at very little cost. Large-print materials should be available for both adult and child patrons who have some vision but can more easily read large-print. Library brochures and fliers should be routinely printed in large print, or large print versions should be made available. Audio materials may also be of interest to patrons who have limited vision.

Computer workstations can easily be adapted for large print, often using the features built into the standard computer, although larger monitors also help. The ability to change the background colors and contrasts is also very helpful. Many libraries offer in-house magnifiers; some allow them to be checked out. An intensely bright table or floor lamp that can be moved around in the library is a very useful accommodation. Some libraries have machines that can enlarge photos or text. Some have machines that can read text out loud. Computer scanners can also be used to scan and then enlarge text and images. Photocopy machines can be used to enlarge pages of text for people who use large print. Some libraries have adapted toys for children who are blind or who have severe vision impairments.

Computer workstations can also be adapted with software that reads the text aloud. This feature would be very helpful to people with learning disabilities, adults who are just learning to read, and people who are learning English as a second language as well. The library’s webpage should follow universal design recommendations, so that it can be read easily by people who use a screen reader (USDHHS Section 508).

Deaf and Hard of Hearing

As with many disabilities, the biggest barrier to service for people who are deaf is often other people’s attitude. People who are deaf may use sign language, speech read, use an interpreter, write their communication, or use a combination of all of these when they want to access public library services. Service desk staff need training to understand how best to offer services to people who are deaf or who have a significant hearing loss. Patrons should be allowed to decide individually how they want to communicate, and the staff should try to work with each patron to meet his or her needs.

Programs for both adults and children and all public meetings should routinely include sound amplification by the use of a microphone. This single accommodation is typically enough to meet the needs of most people who are

hard of hearing. A closed sound system (which amplifies the sound only for the person using the equipment) can also be used. Libraries must provide an interpreter for any programs or meetings when one is requested.

It is difficult for people who use a Telecommunications Device for the Deaf (TDD or TTY) to call for reference service unless the reference desk has access to a TDD. Signs should be posted indicating the library has a TDD, and people who need to use one should be allowed to use it. Often a hearing family member needs to call home to communicate with someone who may be using a TDD, and having one at the library makes this much easier. Some libraries use the state

Relay Service for the Deaf as an alternative to having a TDD. That is acceptable as long as the staff is trained to use the service and the number is readily available at all service desks.

Libraries should routinely flash their lights when announcements are made, especially for emergency announcements, and to warn patrons that the library is closing soon. Flashing lights is a technique commonly used with people who are deaf to get their attention. It alerts the patron that something important is happening. Adaptations can be made in story hours to help a child who is deaf or hard of hearing get more out of the program. Some libraries circulate special toys that light up or vibrate for children who are deaf. Libraries often order open and closed-captioned videos. All libraries should have current information on deafness and hearing loss in their collections.

Developmental delays / brain injury / mental illness

People who have a developmental delay, have suffered a brain injury, or have emotional or mental illness may need accommodations when they are in the library. Staff should be trained to treat all patrons with respect, to enforce all rules fairly, and to be tolerant of behavior that may be unusual but not threatening or may be involuntary. Staff should strive to make all patrons feel welcome in the library.

Age restrictions for programs are sometimes relaxed for people who have developmental delays and for whom the programs might be appropriate for their mental age rather than their chronological age. Extra assistance and reminders are sometimes needed when patrons with developmental or emotional disabilities attend programs and meetings at the library. The library can be an important resource for families who have a member with a developmental delay, a brain injury, or an emotional illness. More importantly, the public library has a role in making the family and individual feel accepted and a part of the larger community. Being at a public library is a very “normalizing” experience.

Service animals

Service animals recognized under the ADA include individually trained dogs or miniature horses that perform tasks for individuals with disabilities and must be allowed to accompany their owners in public buildings. A service animal is not a pet and library staff may ask a person if his/her animal is a service animal required because of a disability. They may also ask what work or task the animal has been trained to perform. Staff may not ask the service animal be removed from the premises unless it is not being kept under control by the owner or is not housebroken. Check ADA revised requirements for further clarifications on use of service animals.

Communication with dignity and respect

All library patrons, including those who have any type of disability, should be welcomed, and staff should try to talk directly to them, rather than to friends or family who may be with them. Children with physical disabilities should be welcomed at programs that are developmentally appropriate for them. Accommodations at story hours or other programs should be made to help every child feel comfortable, accepted, and an active participant in the program. The library collection should include resource materials on physical disabilities. Some collections include toys adapted for children with mobility impairments. Library publicity should routinely include a phone number (and a TDD number if available) to call if accommodations are needed.

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, edited by Evan Terry Associates. John Wiley & Sons, Inc, 2006.
- ADA Title III Technical Assistance Manual www.ada.gov/taman3.html
- New England ADA Center www.newenglandada.org/
- Disability Law Center ADA Checklist for Libraries <http://disabilitylawcenter.org/wp-content/uploads/publications/ada%20checklists/ADA%20Library%20Checklist.pdf>
- Maine Human Rights Commission 94-348 Chapter 7:ACCESSIBILITY REGULATIONS OF THE MAINE HUMAN RIGHTS COMMISSION www.maine.gov/rehab/ada/
- Maine Revised Statutes Title 5, Chap 337, Subchapter 5, Human Rights Act, Public Accommodations
- US Dept. Health and Human Services Section 508 www.hhs.gov/web/508/

- US Department of Justice, Civil Rights Division, Disability Rights Section
“ADA 2010 Revised Requirements: Service Animals”
www.ada.gov/service_animals_2010.htm
- Maine State Library website: Legal Resources for Libraries
www.maine.gov/msl/libs/admin/legalresources.shtml

Notice: This Trustee Handbook provides only a general outline of the law and should not be considered legal advice.