

How Accessible is Your Facility?

By Scott Clein

When the U.S. Department of Justice (DOJ) filed a complaint against one of the nation's largest universities for discrimination, the action proved that everyone can be impacted by the Americans with Disabilities Act (ADA). In 2007, the Civil Rights Division of the DOJ filed a motion on behalf of the Michigan Paralyzed Veterans of America stating that the University of Michigan had illegally discriminated against people with disabilities by failing to make its football stadium accessible. The action resulted in the addition of 200 wheelchair and companion seats to the stadium and a hefty price tag of \$15 million, plus attorney fees and overall bad publicity.

The lesson here is that today's facility managers must remain ever-vigilant of evolving requirements to avoid costly lawsuits that may also tarnish a facility's reputation. For example, in 2010 the DOJ revised the original ADA standards. These revised standards went into effect in 2012 for all new construction and facility alterations. Much has changed since the ADA was first enacted in 1992, so remaining compliant with the act is a never-ending task.

How does a facility avoid a lawsuit or complaint? All facility managers are encouraged to be proactive and evaluate policies and physical structures in light of the changing times and guests' needs. The DOJ recommends a rigorous site evaluation conducted by an experienced professional to confirm that design, construction, or alterations follow the most current standards.

By being proactive, a venue can decrease the chances of a lawsuit if a complaint is filed. In the U.S., the DOJ is unlikely to get involved in a case in which a facility owner has been diligent in staying current with ADA changes and has a written plan for compliance.

But avoiding a lawsuit is not the only reason to take note of your facility's accessibility. Opening your venue to all customers is legally and morally right, and it increases the opportunity to expand your market and increase your profitability.

According to government statistics, 10 percent of the world's population lives with a disability. Furthermore, there are more people living with a greater variety and severity of disabilities than ever before—many are using mobility devices that didn't exist just a few years ago. This is a new and untapped customer base to exploit if your facility is universally accessible.

Additionally, the number of adults age 65 and older is projected to increase to more than 690 million by 2020. Seniors, people with disabilities, and families with young children have similar needs with regard to mobility and accessibility. These groups will also have a sizable amount of discretionary income and will favor businesses that are more accommodating while shunning those that are not.

What does this mean for facility owners? Trends indicate that a growing segment of your patrons will need, and therefore demand, enhanced accessibility in the near future. Facilities that are perceived to be less accessible will fall behind those that are seen as open to all.

Further, while most modern facilities may be able to tout wide concourses and barrier-free bathrooms, the truly future-thinking facility manager will begin to consider accessibility before patrons even enter the grounds. The user experience doesn't start once attendees are through the turnstile, but rather upon entering a complex. Consider the bigger picture: Where are the parking facilities and do they meet ADA guidelines? (Do you even know what those guidelines are?)

At suburban-style venues, patrons are likely parking in massive parking lots that surround the facility like moats. While most of these sites have adequate barrier-free parking spaces (at least per code) near the doors, what is the overall experience for seniors or people with families? They are likely forced to walk through the parking lot, fighting with vehicles for a way toward the entrance. Strong considerations should be given in these cases to creating dedicated pedestrian routes to the venue to improve safety, efficiency, and customer satisfaction.

While the more urban settings may come with different structural configurations, they provide a similar challenge. Guests may park in a nearby structure or surface parking lot and likely have to walk to the venue via public sidewalks. It is important to evaluate whether these paths—even if they are ADA approved—provide a user experience that excites guests or one that might dissuade their future attendance.

In general, facility operators need to think outside of the box (and outside of the arena) to provide a complete experience that will welcome all patrons from the moment they park their car, step off a bus or light rail car, or simply walk up. Working diligently to attain full ADA compliance will likely provide a surprising return on investment for any facility and garner a positive reaction from all patrons, regardless of their mobility needs. **FM**

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