



Civil Rights Federal Regulations for Accessibility

Applicable accessibility standards are determined by the date the facility construction began or the last date renovations/alterations to the building began.

Note: 1977, 1991, 1992 are pivotal years. Month, date and year are necessary to determine the applicable accessibility standard in these years.

Note: Construction dates of January 27, 1992 or after need to be clarified with the sub recipient as to whether they followed ADA or UFAS accessibility standards in construction.

1. **Readily Accessible:** Construction or alteration initiated before June 4, 1977.

Existing facilities: Section 504: 34 CFR 104.22

2. **ANSI A117.1-1961 (R1971):** Construction or alteration initiated between June 4, 1977 and January 17, 1991.

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New construction: Section 504: 34 CFR 104.23

3. **UFAS:** Construction or alteration initiated on or after January 18, 1991.

New construction: Section 504: 34 CFR 104.23

<http://www.access-board.gov/ufas/ufas-html/ufas.htm>.

4. **ADA or UFAS:** Construction or alteration initiated on or after January 27, 1992.

New construction: ADA 28 CFR 35.151

<http://www.ada.gov/adastd94.pdf>

http://www.ada.gov/2010ADASTandards_index.htm

Equity Requirement: Existing facility under 504 – Built or altered beginning June 3, 1977 or earlier

Legal Citation: A recipient shall operate its program or activity so that when each part is reviewed in its entirety, it is readily accessible to disabled persons. A recipient is not required to make each of its existing facilities or every part of a facility accessible to and usable by persons with disabilities.

Section 504: 34 CFR 104.22

Indicators of Compliance: Redesign of equipment, Reassignment of classes or other services to accessible buildings, Assignment of aids to beneficiaries (but not carrying), Home visits, Alteration of existing facilities and construction of new facilities in conformance with the requirements for new construction, Any other methods that result in making its program or activity accessible to persons with disabilities.

Equity Requirement: New construction under 504 – Built or altered between June 4, 1977 and January 17, 1991 inclusive

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Legal Citation: Each facility or part of a facility construction by, on behalf of, or for the use of a recipient is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the “American National Standard Specifications for making Buildings and Facilities Accessible to, and Usable by, the Physically Disabled,” published by the American National Standards Institute, Inc. (ANSI A117.1-1961 (R1971)) Later versions of ANSI A117.1 do not apply.

Section 504: 34 CFR 104.23 (prior to January 18, 1991 amendment)

Equity Requirement: New construction under 504 – Built or altered between January 18, 1991, and January 26, 1992, inclusive. New construction under ADA Title II and 504 – Built after January 26, 1992; exercising the option to follow UFAS.

Legal Citation: Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by

persons with disabilities. Conformance with the Uniform Federal Accessibility Standards (UFAS) (Appendix a to 41 CFR subpart 101-19.6) has been implemented. Departures from particular technical and scoping requirements permitted where substantially equivalent or greater access to and usability of the building is provided.

Section 504: 34 CFR 104.23

Title II: 28 CFR 35.151

Equity Requirement: New construction under ADA Title II and 504 – Built after January 26, 1992; exercising the option to follow ADA

Legal Citation: Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity is designed and constructed in such a manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADA) (Appendix A to 34 CFR Part 36). Departures from the particular requirements permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided.

Section 504: 34 CFR 104.23

Title II: 28 CFR 35.151