

RISK COMMUNIQUÉ

Playground Areas and Accessibility

“Playground designers, installers and operators should be aware that the Americans with Disabilities Act of 1990 (ADA) is a comprehensive civil rights law that prohibits discrimination on the basis of disability. Titles II and III of the ADA require, among other things, that newly constructed and altered state and local government facilities, places of public accommodation and commercial facilities be readily accessible to and usable by individuals with disabilities. Recreation facilities, including play areas, are among the types of facilities covered by titles II and III of the ADA.”¹

Introduction

Playtime helps teach children how to interact with friends, explore their imagination and develop physically. But when it comes to time on the playground, children with disabilities may be limited from accessing playground areas and then can feel left out.

“When the playground has barriers prohibiting use by a child with a disability, the opportunity for play and physical activity is lost. Inaccessible surfaces can pose barriers for those who may use canes, crutches, walkers or wheelchairs from ambulating through the play area. Pushing a wheelchair over loose gravel or sand requires tremendous physical effort. When so much effort is exerted, little to no energy is left for play.”²

In March 2012, federal law required all newly constructed or altered play areas to be accessible including accessible surfacing and play equipment that allows children with disabilities to use the play area. The U.S. Department of Justice’s (DOJ) 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design required accessibility to newly constructed or altered play areas including ground level and elevated accessible routes through ramps or transfer steps, accessible surfacing and a minimum number of accessible ground level and elevated play components.

How do these new requirements impact play areas?

According to the ADA:

- An accessible route from parking or the site arrival point must be provided to and into the play area.
- A compliant ground surface that provides access to at least one of each type of ground-level play component provided within the play area.
- Access, by ramp or transfer system, must be provided to at least half of the elevated play components within the play area.
- The number or type of accessible ground-level components may need to be increased based on the number of elevated play components provided.

¹ Consumer Product Safety Commission “Public Playground Safety Handbook” – Pg. 3
cpsc.gov/PageFiles/122149/325.pdf

² Ibid

This is a sample guideline furnished to you by Glatfelter Public Practice. Your organization should review it and make the necessary modifications to meet the needs of your organization. The intent of this guideline is to assist you in reducing risk exposure to the public, personnel and property. For additional information on this topic, you may contact your GPP Risk Control Representative. www.glatfelterpublicpractice.com

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- A compliant surfacing is needed on the way to, under and around all accessible play components. The surface must be resilient or fall attenuating to protect against injury but also be accessible to a child using a mobility device. Certain surfaces such as sand and pea gravel may prevent injuries, but are not considered accessible.

The United States Access Board is an independent agency of the United States government devoted to accessibility for people with disabilities. The Access Board has created a guide called “Surfacing the Accessible Playground: 7 Things Every Playground Owner Should Know About the Accessibility of Their Playground Surfaces.”³

As the Access Board’s guide on surfacing highlights, special consideration must be given when selecting accessible surfaces for play areas based on cost, maintenance cycles and environmental conditions. The play area surface requirements in the ADA standards reference three standards from the American Society for Testing and Materials (ASTM):

The **first** is the Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment, ASTM F1951-99 ⁴. This is a laboratory test to determine how firm and stable the surface is for wheelchair accessibility.

The **second** is ASTM F 1292-99 or 04 Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment. ASTM F 1292 establishes a uniform means to measure and compare characteristics of surfacing materials to determine whether materials provide a safe surface under and around playground equipment.

And the **third** is ASTM F 1487-01 Standard Consumer Safety Performance Specification for Playground Equipment for Public Use. ASTM F 1487 establishes a nationally recognized safety standard for public playground equipment to address injuries identified by the U.S. Consumer Product Safety Commission.

It is not good enough to just install an accessible surface within the play area. The ADA standards require that the accessible ground surfaces must be inspected and maintained regularly to ensure continued compliance with both the ASTM F 1951 and ASTM 1292 standards. The types of surface material selected and play area use levels will determine the frequency of inspection and maintenance activities needed.

Does an existing playground area need to be updated?

A state, county, city, public school district or special purpose park and recreation districts are required by Title II section 35.105 of ADA to evaluate the existing sites for compliance by conducting an access audit with the standard.

However, not every existing site may need to be made accessible. Play areas covered by Title II of the ADA are required to comply with the DOJ regulations for “Program Access.” When programs, services or activities are located in facilities that existed prior to January 26, 1992, the effective date of Title II of the ADA, communities

³ Summary of the guidelines at the US Access Board. access-board.gov/guidelines-and-standards/recreation-facilities/guides/play-areas

⁴ Ibid

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must make sure that they are also available to persons with disabilities. This should be completed unless to do so would fundamentally alter a program, service or activity or result in undue financial or administrative burdens. This requirement is called program accessibility. When a service, program or activity is located in a building that is not accessible, a community can achieve program accessibility in several ways, including:

- Relocate the program or activity to an accessible facility
- Provide the activity, service or benefit in another manner that meets ADA requirements, or;
- Make modifications to the building or facility itself to provide accessibility.

Thus, to achieve program accessibility, a community need not make every existing facility accessible. It can relocate some programs to accessible facilities and modify other facilities, avoiding expensive physical modifications of all town facilities. The community should identify the number of playgrounds that will, over time, be made accessible or maybe are already scheduled for replacement. After the evaluation, there may be a play area that is not made accessible simply because it is technically infeasible or the program is provided in another location.

The ADA requires businesses covered by Title III of the ADA (such as a daycare play area) to make existing play areas accessible only when it is "readily achievable" to do so. Readily achievable is defined as providing access is easily accomplishable without much difficulty or expense. The 2010 Standards provide the benchmark, or goal, for accessibility in existing play areas. However, owners of existing play areas need to comply with the 2010 Standards only to the extent that doing so is readily achievable for them.

Owners and operators of existing play areas that are altering or replacing the surface or play components should refer to the FAQ's provided on the [Access Board's website](#).

Conclusion

The 2010 ADA Standards for Accessible Design require public areas and facilities to be made accessible and usable by persons with disabilities. The aim of accessibility is that all users can share in the benefits of play and share in the enjoyment of play areas.

When considering altering an existing play area or constructing a new play area, be sure to discuss the issue of accessibility with a recreation or playground committee, playground consultant and the community being served. The integration of children and persons with disabilities should be a priority from the design stages through the final construction as well as throughout the lifespan of the play area.

Strive to provide more than the minimum number of ground and elevated accessible play components. Ensure that the surface chosen is one that can be maintained and will be inspected frequently to ensure access.

For more information, refer to the links provided within the references or contact either the Access Board or Department of Justice.

References:

1. *Summary of the guidelines at the US Access Board*
[access-board.gov/guidelines-and-standards/recreation-facilities/guides/play-areas](https://www.access-board.gov/guidelines-and-standards/recreation-facilities/guides/play-areas)

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2. *"Surfacing the Accessible Playground: 7 Things Every Playground Owner Should Know About the Accessibility of Their Playground Surfaces";*
access-board.gov/guidelines-and-standards/recreation-facilities/guides/surfacing-the-accessible-playground
3. *Consumer Product Safety Commission "Public Playground Safety Handbook" – Pg. 3*
cpsc.gov/PageFiles/122149/325.pdf

Resources:

US Access Board

2010 Accessibility standards for new construction and alterations
800.872.2253 (voice)
800.993.2822 (TTY)
202.272.0081 (FAX)
ta@access-board.gov
access-board.gov

Department of Justice (DOJ)/Americans with Disabilities Act (ADA)

Implementing regulation and additional requirements
Requirements for existing facilities – Title II & III
800.514.0301 (voice)
800.514.0383 (TTY)
ada.gov