



Happy Camper:

Making Summer Camps Accessible

A Guide for Parents

d+cv disABILITY
LAW CENTER
OF VIRGINIA
Protection & Advocacy for Virginians with Disabilities

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HIGHLIGHTS

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Introduction

This guide will help parents understand their child's right to reasonable modifications and auxiliary aids and services, and it will provide parents with tools to effectively work with their child's summer camp to plan for a fun-filled summer!

2

The Law

The Americans with Disabilities Act (ADA) prohibits discriminations against people with disabilities and promises people with disabilities an equal opportunity to participate in community life, including in summer camp programs.

3

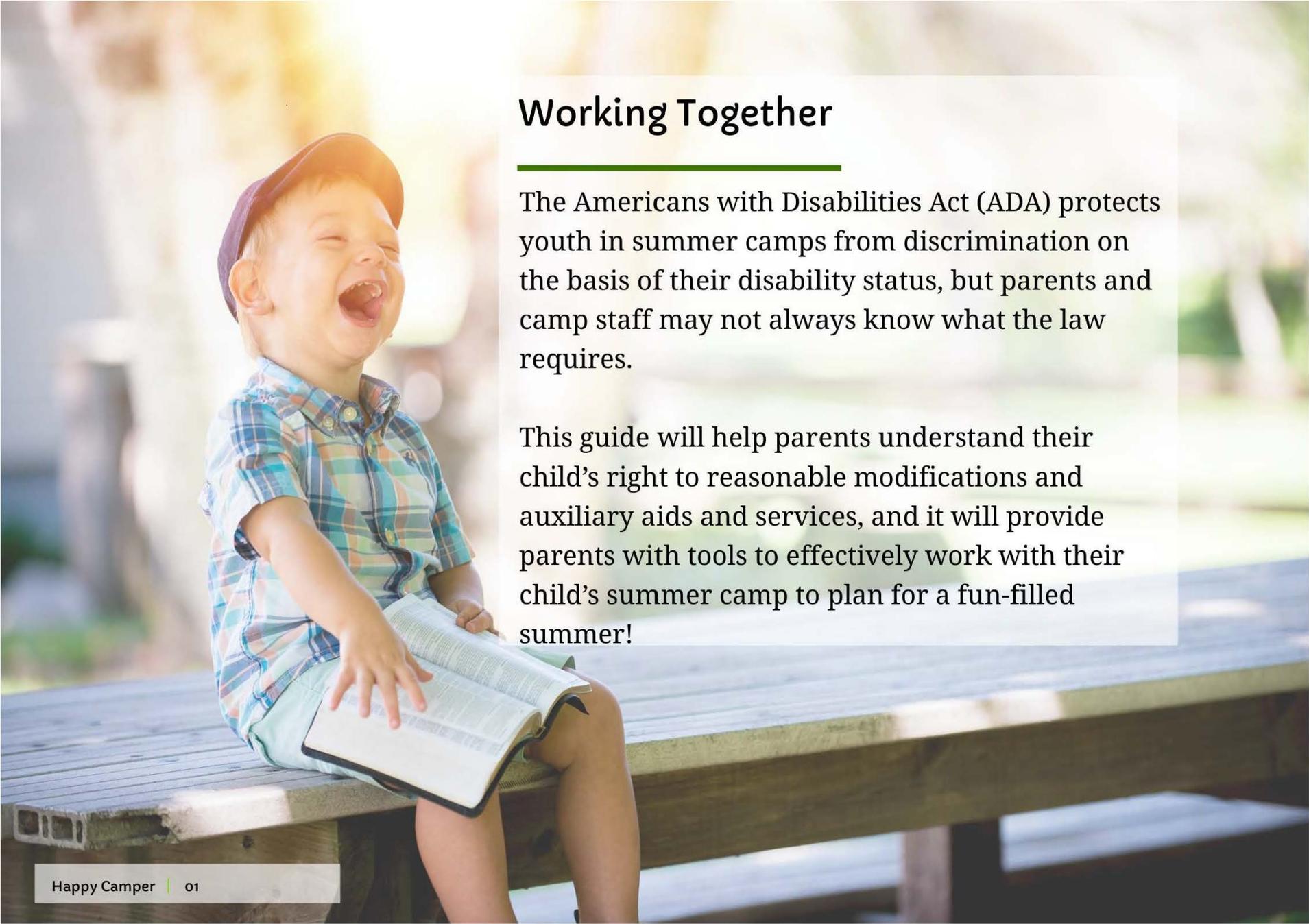
Accommodations

Together, the reasonable modification and auxiliary aids and services provisions of Titles II and III of the ADA protect campers with disabilities by requiring camp programs to accommodate their disability-related needs.

4

Advocacy Tips

With the right approach and sufficient preparation, you and your child's summer camp program can partner to provide your child with the fun-filled summer that your child deserves.



Working Together

The Americans with Disabilities Act (ADA) protects youth in summer camps from discrimination on the basis of their disability status, but parents and camp staff may not always know what the law requires.

This guide will help parents understand their child's right to reasonable modifications and auxiliary aids and services, and it will provide parents with tools to effectively work with their child's summer camp to plan for a fun-filled summer!

ADA Basics

The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities and promises people with disabilities an equal opportunity to participate in community life, including in summer camp programs.

Some summer camp programs are run by public schools or other functions of local government. Others are run by private organizations. The former are subject to the provisions of Title II of the ADA, and the latter are generally places of public accommodation subject to the provisions of Title III of the ADA. Summer camps that are run by religious organizations, however, are exempt from the requirements of Title III; but they may be subject to Section 504 of the Rehabilitation Act if they receive any federal funding, the provisions of which closely track those of the ADA.

Titles II and III of the ADA both require summer camps to accommodate campers with disabilities by removing discriminatory eligibility criteria; providing reasonable modifications to policies, practices, or procedures to enable campers with disabilities to participate fully in camp programs and activities; and providing auxiliary aids or services when necessary to ensure effective communication. Summer camps are responsible for any costs associated with providing these accommodations and may not charge campers with disabilities more than they charge campers without disabilities. Summer camps do not have to provide an accommodation that would create a undue financial or administrative burden, however, or that would fundamentally alter the nature of the program.



Summer camps cannot refuse to enroll a child simply because the child has a disability, and cannot impose program eligibility requirements that tend to unnecessarily screen out children with disabilities.

Every child must be looked at individually to determine whether they can participate in the program with or without reasonable modifications and auxiliary aids and services. Summer camps also cannot ask whether a child has a disability, except as needed to make sure children are safe when participating in camp activities.

Summer camps should train their staff on the requirements of the ADA, and when necessary, on how to implement accommodations, such as on the administration of insulin or other medications.

Reasonable Modifications

Summer camps must make **reasonable modifications** to their policies, practices and procedures when such modifications are necessary to enable campers with disabilities to fully and equally participate in and benefit from their programs, unless such modifications would **fundamentally alter** the nature of their programs. A fundamental alteration is a change so significant that it constitutes a change to the essential nature of the summer camp program.

The ADA has special provisions pertaining to **service animals**. Summer camps must modify their policies to allow a camper with a disability to bring a service animal to camp unless doing so would result in a fundamental alteration or jeopardize the safety of others. The service animal must be under the care and control of the camper, however, and usually must be leashed or tethered. Camps may not charge extra for campers who require the assistance of a service animal.

Auxiliary Aids and Services

Summer camps must provide **auxiliary aids and services** that are necessary to ensure that individuals with physical or mental disabilities that substantially limit their ability to communicate can enjoy equal access to camp programs. Auxiliary aids and services are accommodations that enable a child to communicate effectively with staff and peers.

Summer camps may not charge a camper with a disability a surcharge for the costs of reasonable modifications or auxiliary aids or services. Summer camps do not need to provide auxiliary aids and services, however, if they would constitute an **undue financial burden**.



Reasonable Modifications

A reasonable modification is a change in policy or practice to enables a person with a disability to participate in and benefit from camp programs



Fundamental Alteration

A fundamental alteration is a change that is so significant that it constitutes a change to the essential nature of the summer camp program



Service Animal

A service animal is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability



Auxiliary Aids and Services

Auxiliary aids and services enable persons with impairments to participate in and benefit from the camp program



Undue burden

An undue burden is one that poses significant difficulty or expense relative to the resources of the entity in question.

Accommodation Examples

Together, the reasonable modification and auxiliary aids and services provisions of Titles II and III of the ADA (which we refer to collectively as "accommodations" hereinafter) protect campers with disabilities by requiring camp programs to accommodate their disability-related needs. There is no limit to the accommodations that a summer camp can offer. Accommodations should be provided based on what is reasonable and necessary for the child to fully participate in the program.

To the right are some examples of accommodations, broken down by category. to give your family and your child's summer camp some ideas about what may work for your child!

Your child's providers, such as their doctor or therapist, may also be able to recommend accommodations.

01

Behavioral

Preferential seating, alternative schedule for transitioning activities, permission to leave an activity when frustrated, additional adult support, scheduled breaks, assignment of a "job" or responsibility.

02

Physical

Alternate route of travel to activities, alternative seating, assistive technology to aid in writing or completion of crafts.

03

Medical

Administration of insulin, administration of emergency seizure medication, alternative food choices.

04

Communication

Interpreter services, repetition of directions, providing one-step instructions, timer to communicate when a transition will occur, providing written instructions in braille, large print, or other modified format.

05

Sensory

Noise canceling headphones, fidget devices, permission to chew gum, access to music, alterations to food preparation.

Helpful Tips

Knowing the law may help you understand what to ask for, but sometimes it can be overwhelming and intimidating to ask for what your child needs. But with the right approach and sufficient preparation, you and your child's summer camp program can partner to provide your child with the fun-filled summer that your child deserves.



Advocacy TIPS

- ✓ **Start Early**
Starting early gives the summer camp time to order materials, train staff, and make any adjustments needed for your child's accommodations.
- ✓ **Preparation is Key**
Have a list of your child's needs, requested accommodations, and questions ready when you speak to the summer camp. Your child's IEP and a letter of need from their doctor is also helpful to have on hand.
- ✓ **Listen and Ask Questions**
Listen to what accommodations your child's camp offers you. Ask follow questions to make sure you know exactly how the accommodation will be provided.
- ✓ **Think Outside the Box**
The summer camp may not be able to provide the exact accommodations you ask for. If possible, be flexible and work with the camp to brainstorm workable solutions.
- ✓ **Know Your Options**
Some camps have an ADA coordinator that you can speak with. Know what advocacy and informational resources are available in your area, and when you should reach out to them.
- ✓ **Put Your Concerns in Writing**
If disagreements are not easily resolved, it is important to have a written record of your concerns. It can also be helpful if you are able to get the camp to put their position in writing, such as in an email.

What if we Can't Agree?

If you are unable to resolve a disagreement with your child's summer camp about a requested reasonable modification or auxiliary aid or service, there are several avenues available to you, including:

- Department of Justice (DOJ) Complaint: The DOJ may recommend **mediation**, **investigate** the complaint, or pursue litigation. In some cases, however, the DOJ may choose to not take any action;
- Department of Education, Office of Civil Rights (OCR) Complaint: OCR complaints are an option if the camp received federal financial assistance, or is run by a public school or public library;
- Private Litigation: Families should consult with an attorney when considering legal dispute resolution options.

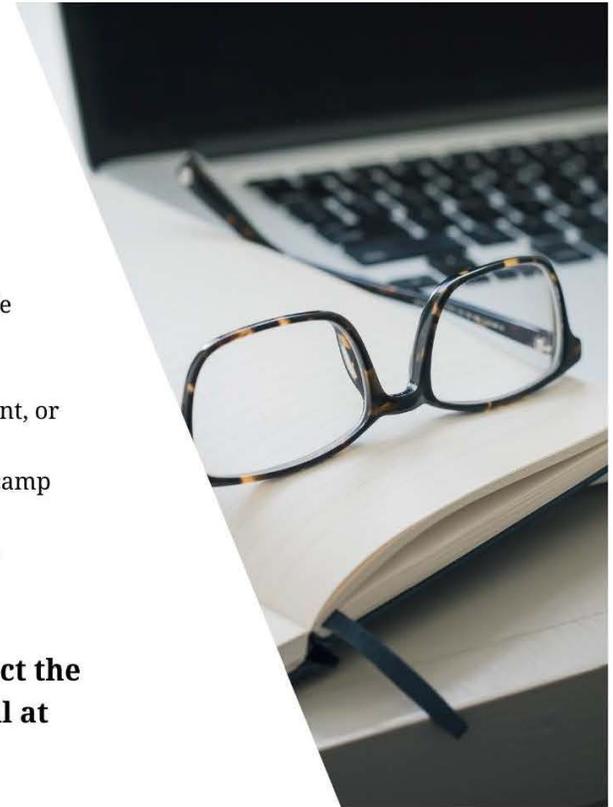
If you have questions or wish to speak with someone about your rights, contact the Disability Law Center of Virginia by telephone at 1-800-552-3969; or by email at info@dLCV.org

Or contact your local Center for Independent Living (CIL): visit vacil.org for a listing.

You can find additional information on how to file a Department of Justice Complaint at: ada.gov/filing_complaint.htm

You can find additional information on how to file a complaint with the Department of Education, Office of Civil Rights at: www2.ed.gov/about/offices/list/ocr/docs/howto.html

You can find additional information about your rights under the Americans with Disabilities Act by visiting adata.org, or by contacting the Mid-Atlantic ADA regional Center by phone: 301-217-0124; or by email: adainfo@transcen.org





Protection & Advocacy for Virginians with Disabilities

We hope that you have found the information in Happy Camper useful.

In addition to working to inform people with disabilities and their families of their rights, the disAbility Law Center of Virginia provides limited advocacy services. If you would like to request our services please call our office or submit a request on our website.

CONTACT US



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