

APPENDIX II

AMERICANS WITH DISABILITIES ACT (ADA) (in conjunction with U.S. sites only)

Title III of the Americans with Disabilities Act prohibits discrimination against disabled individuals by those who operate places of "public accommodations" such as hotels, restaurants, retail stores, arenas and other places where the public is likely to enter or congregate.

The Department of Justice has stated that entities such as Sweet Adelines International become subject to the Act when they lease space for a meeting or convention at a hotel, convention center or similar facility. As a "public accommodation," the sponsoring organization is responsible for compliance with the Act and must take steps to assure that all displays and/or meeting functions are accessible to individuals with disabilities. Additionally, the sponsoring organization must provide what the regulations call "auxiliary aids" (such as qualified interpreters, Braille programs, assistive listening devices, closed caption decoders, etc.) for meeting participants who need them.

The legal responsibility for compliance rests with the sponsoring organization, however, the practical compliance burden may be shifted, in whole or in part, to the meeting facility. In order to do that, you must have a clause in the contract stating the facility complies in all respects with the Act as well as an indemnification clause by which the facility holds the sponsoring organization harmless from ADA violations within the scope of the facilities activities. The outcome is that you must book only facilities that comply because you can't make structural changes to the facility.

It is imperative to include language on both the registration and housing forms requesting information on special needs that disabled attendees might have (be sure to include transportation needs such as a van or bus with a lift if you are providing transportation between a hotel and competition site). If you have asked for that information and it was not supplied, you are not responsible to have the "auxiliary aids." The facility or the local Convention and Visitors Bureau should be able to provide you with a list of organizations or individuals which can provide the auxiliary aids and services required by the ADA.

Contact the Meetings and Corporate Services Department at international headquarters for sample contract clauses if the facility does not have one.