

## **Q&A: The Right to Physical Accessibility in Schools**

### **What laws protect my right to physical accessibility in schools<sup>1</sup>?**

Section 504 of the Rehabilitation Act prohibits discrimination based on disability in any program or activity operated by recipients of federal funds. Title II of the ADA prohibits discrimination based on disability in places of public accommodation.

### **What happens if I cannot access programs or activities because of physically inaccessible facilities?**

Schools **must** ensure that students and others with disabilities, including parents, are not denied access to programs or activities because of physically inaccessible facilities, including academic buildings, walkways, restrooms, athletic facilities, and parking spaces.

The precise requirements that schools must meet to ensure physical accessibility depend on the date a building (or facility) was initially built or altered. While a building does not have to be made fully physically accessible because of its age, Section 504 and Title II **require that every program or activity of the school is accessible**. This may mean relocating the program or activity to an accessible portion of the building or another building altogether.

### **Examples of elements that have accessibility standards:**

- Parking
- Signage
- Ground and floor surfaces
- Bathrooms and water fountains
- Stairs, ramps, elevators, lifts, etc.
- Accessible routes and doors
- Space or maneuverability allowances
- Surface composition, width, and incline

### **What can I do if a program or activity isn't accessible?**

If you need help or have questions about your rights, you can contact [Disability Law Colorado](#). You also have a right to file a complaint with the [U.S. Department of Education's Office for Civil Rights](#) (within 180 days of the alleged discrimination) or the [U.S. Department of Justice](#).

### **Where can I go for more information?**

- [34 Code of Federal Regulations \(C.F.R.\) Part 104, Subpart C](#);
- [28 C.F.R. Part 35, Subpart D](#); and
- [The Americans with Disabilities Act Title II Technical Assistance Manual](#)

\*\*\* DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. \*\*\*

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<sup>1</sup> In this document, "school" is a term used to describe recipients of federal funding from the U.S. Department of Education. This includes entities such as public schools, charter schools, colleges, and universities.