

FAQ and Guidance for ADA Accommodations in Youth Programs

VCU Protection of Minors office

Q: What legal responsibilities does a youth program have to provide accommodations to individuals with disabilities?

Youth programs on university campuses are legally required to comply with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. These laws mandate that reasonable accommodations be provided to individuals with disabilities, ensuring they have equal access to programs and activities. Institutions must make necessary adjustments, such as modifications and providing auxiliary aids, to prevent discrimination and facilitate participation.

Q: Are there any requested accommodations that are not required to be granted under the Americans with Disabilities Act?

Yes. Under ADA Title II, public entities must make reasonable accommodations. However, they are not required to grant accommodations that fundamentally alter a program, service, or activity; create an undue financial or administrative burden; pose a direct threat to health or safety; or represent a request for a personal device or service.

Q: How and from whom should a participant request accommodations?

A participant should request accommodations from the Program Supervisor, using the process outlined in the Program's Communication and Notification Plan or other Program documents.

Q: What should a youth program's process be for agreeing to a requested accommodation? Is the Program Supervisor required to discuss the requested accommodation with the ADA Office or SAEO?

A youth program may approve a requested accommodation through an individualized, documented process. The Program Supervisor is not required to discuss the requested accommodation with the ADA Office or SAEO. A summary of a best practice should include a process that provides participants an opportunity to request accommodations, engage in an individualized assessment, have an established procedure to make accommodation decisions and how to implement them, document the decision (*which may include the request, notes from conversations with participant, how accommodation decision was made [approved or denied], when it was communicated to the participant, and how the accommodation will be implemented*), and consult when questions or concerns arise.



Q: What documentation is a youth program required or allowed to request from a participant? Are there any questions or documentation that a program should not ask of a participant requesting an accommodation?

A youth program operating under ADA Title II may request only the minimum documentation necessary to verify (1) that the participant has a disability and (2) that the requested accommodation is needed. The documentation should confirm a disability – only when the disability is not obvious and aid in understanding the barrier(s) the participant is experiencing.

Q: Is there a specific time period during which the participant must request accommodations, after which the program is not required to grant the requested accommodation?

No, there is not a specific time period during which the participant can request an accommodation. The program can ask participants to request accommodations “x” weeks prior to the program to ensure time to process and prepare for implementation of the accommodations. Delays in the request may cause delays in getting the accommodation in place for the participant.

Q: Is there a specific process the youth program should use to document the accommodations given and when they are used?

As noted above, the accommodation request process should be documented from start to finish. Documenting the decision may include the request, notes from conversations with the participant, how accommodation decision was made (approved or denied), when it was communicated to the participant, and how the accommodation will be implemented. If any accommodation requested is denied, a reason should be provided along with alternative accommodations approved.

Q: Who is responsible for any charge associated with an accommodation?

The Program is responsible for any charges associated with providing an accommodation. Under most circumstances, VCU (as a state entity) cannot charge the individual to provide the accommodation.

Q: Who should the Program Supervisor contact if they have questions regarding a participant’s accommodation request?

Program supervisors should contact the Protection of Minors Office at youth@vcu.edu with questions. Guidance will be provided with support from ADA and Accessibility Services.

