

ARTS ACCESSIBILITY

ACCESSIBILITY CHECKLIST

PRIORITIES

At the *South Dakota Arts Council*, we appreciate and work to support the arts across our state.

We believe in our purpose to serve South Dakotans and their communities through the arts.

We are ready to serve our constituents, support your enthusiasm, recognize your challenges, and work alongside you to transform South Dakota's communities and people through the arts.

NEED HELP? HAVE QUESTIONS? Contact:

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TODAY'S SESSION

1. Accessibility Laws and Regulations
2. Disability Estimates – Nationwide and in South Dakota
3. Accessibility checklist
4. Share Resources



ACCESSIBILITY LAWS AND REGULATIONS

South Dakota Arts Council

South Dakota Arts Council grant support is provided with funds from the State of South Dakota, through the Department of Tourism, and the **National Endowment for the Arts (NEA)**.

ALL SDAC grant recipients agree to follow laws and regulations prohibiting discrimination, including but not limited to: **Section 504 of the Rehabilitation Act of 1973** (29 USC 794) and the **Americans with Disabilities Act of 1990** (ADA), as amended (42 USC 12101-12213).



ACCESSIBILITY LAWS AND REGULATIONS

Rehabilitation Act of 1973

Section 504: Prohibits discrimination on the basis of disability in any program or activity **receiving Federal financial assistance.**

Forbids organizations and employers from excluding or denying individuals with disabilities **an equal opportunity** to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.



ACCESSIBILITY LAWS AND REGULATIONS

Americans with Disabilities Act of 1990 (ADA)

Prohibits discrimination on the basis of **disability** and broadly protects the rights of individuals with disabilities.

Ensuring access to state and local government services

Ensuring access to **places of public accommodation**, transportation, and other important areas of American life

- Including private organizations, commercial facilities, museums, theaters, galleries, arts centers, etc.



DEFINITIONS

Americans with Disabilities Act (ADA): designed to make sure that people with disabilities have equal access to work, education, and their community. The ADA also makes it unlawful to discriminate against a person based on that person's association with a person with a disability.

Disability: according to the ADA, having a “physical or mental impairment that substantially limits a major life activity” means a person has a disability.

Places of public accommodation: like restaurants, hotels, theaters, arenas, and museums must be physically accessible to individuals with disabilities. They must also provide “reasonable modifications of policies, practices, or procedures” when requested, so long as it is not an undue burden to the business.

Definitions from <https://adata.org/factsheet/aging-and-ada>



DISABILITY ESTIMATES

NATIONWIDE

Up to 1 in 4 (27 percent) adults in the United States have some type of disability.

<https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html>

SOUTH DAKOTA

167,318 adults have a disability.

- 11% have a **cognition disability** with serious difficulty concentrating, remembering, or making decisions.
- 10% have a **mobility disability** with serious difficulty walking or climbing stairs.
- 6% are deaf or have serious **difficulty hearing**.
- 3% have a vision disability with blindness or serious **difficulty seeing** even when wearing glasses.

<https://www.cdc.gov/ncbddd/disabilityandhealth/impacts/south-dakota.html>



YOUR COMMUNITY

How many of us serve people or provide services to a community that is mostly over 65?

How many of us serve people over 75?

As people age, many start to develop problems with hearing, seeing, or getting around.

- **Over 30%** of Americans over age 65 have some kind of disability.
- **Over 50%** of Americans over age 75 have some kind of disability.

If you serve people over 65, are you meeting their needs?

Are you welcoming the people from your community with a disability?

Data from <https://adata.org/factsheet/aging-and-ada>



ACCESSIBILITY CHECKLIST

SDAC funded projects must be accessible to people with disabilities.

***NEW REQUEST* Arts Challenge Grant Applicants**

To ensure the largest arts organizations are inclusive and available to everyone, Arts Challenge Applicants are **requested to complete and submit** a Brief Accessibility Checklist (*requested for upcoming FY2025 Applications*).

***NEW REQUEST* All Project Grant Applicants**

To ensure all SDAC funded projects are inclusive and available to everyone, Project Grant Applications will be **requested to complete and submit** a Brief Accessibility Checklist.



ACCESSIBILITY CHECKLIST

The **SDAC's Accessibility Checklist** is inspired by and adopted from the National Endowment for the Arts' (NEA) Brief Accessibility Checklist. The **SDAC's Accessibility Checklist** asks a series of questions related to **Physical** and **Program Access**. We ask that you answer these questions regarding your organization/project.

This is a tool that **will assist** you in making your organization and project inclusive and available to everyone. Your responses **will not** exclude you from grant funding.

SDAC Accessibility Checklist ([DRAFT COPY available for download](#))



ACCESSIBILITY CHECKLIST

Physical Access – Examples

Accessible parking

Ground-level/No-step/Ramped Access Entry

Elevators to all display, performance, and meeting/public spaces

Accessible box office, stage/backstage, dressing/meeting rooms

Wheelchair-accessible display cases, exhibit areas, integrated seating

Accessible restrooms and drinking fountains

Accessible emergency exits and audio/visual emergency alarms



ACCESSIBILITY CHECKLIST

General/Program Access

Is there a designated staff member responsible for overseeing accessibility and fielding requests for accommodations?

Do you have a policy or mission statement regarding accessibility?

Do you have any committees that include people with various disabilities to advise on access issues?

Do you offer more than one way for visitors/participants to receive information/program content?



PUBLICATIONS

SDAC Accessibility Checklist ([DRAFT COPY available for download](#))

“DESIGN FOR ACCESSIBILITY: A CULTURAL ADMINISTRATOR'S HANDBOOK”

The NEA’s “Design for Accessibility: A Cultural Administrator's Handbook” is designed to help you comply with Section 504 and ADA. The handbook will also help you integrate accessibility into your organization’s planning, programs, budget, and staffing. ([Available for download](#))



RESOURCES

NATIONAL ENDOWMENT FOR THE ARTS– OFFICE OF ACCESSIBILITY

<https://www.arts.gov/impact/accessibility>

ROCKY MOUNTAIN ADA CENTER <https://rockymountainada.org/>

SOUTH DAKOTA DEPARTMENT OF HUMAN SERVICES <https://dhs.sd.gov/>

UNIVERSITY OF SOUTH DAKOTA– CENTER FOR DISABILITIES [[linked here](#)]



QUICK LINKS

Arts South Dakota hosted a series of accessibility webinars, find links to watch online at <https://artssouthdakota.org/webinars/>

To read all of Section 504 of the Rehabilitation Act of 1973, visit <https://www.govinfo.gov/content/pkg/CFR-2010-title45-vol3/xml/CFR-2010-title45-vol3-part1151.xml>

For guidance on the Americans with Disabilities Act of 1990 (ADA), visit <https://www.ada.gov/resources/disability-rights-guide/>

Aging and the ADA fact sheet, <https://adata.org/factsheet/aging-and-ada>

CDC Disability Data:

National <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html>

State <https://www.cdc.gov/ncbddd/disabilityandhealth/impacts/south-dakota.html>



QUICK LINKS

SDAC Accessibility Checklist https://artscouncil.sd.gov/grants/DRAFT_Accessibility_Check_List_SDAC.pdf

Design for Accessibility: A Cultural Administrator's Handbook

<https://www.arts.gov/about/publications/design-accessibility-cultural-administrators-handbook>

Rocky Mountain ADA Center's Guide to the 2010 ADA Standards for Accessible Design

<https://rockymountainada.org/news/blog/your-guide-2010-ada-standards-accessible-design>

Arts Endowment's Office of Accessibility <https://www.arts.gov/impact/accessibility>

Rocky Mountain ADA Center <https://rockymountainada.org/>

South Dakota Department of Human Services <https://dhs.sd.gov/>

University of South Dakota's Center for Disabilities <https://www.usd.edu/Academics/Colleges-and-Schools/sanford-school-of-medicine/Research-and-Outreach-Centers/Center-for-Disabilities>

