

Disability Rights of West Virginia (DRWV) is the federally mandated protection and advocacy system for people with disabilities in West Virginia. One of DRWV's grants is Protection and Advocacy for Voting Access (PAVA). The PAVA grant program allows DRWV to ensure that individuals with disabilities can access full participation in the election process.

Title II of the Americans with Disabilities Act (ADA) requires state and local governments (public entities) to ensure that people with disabilities have a full and equal opportunity to vote. The ADA's provisions apply to all aspects of voting, including polling places. People with disabilities must have the opportunity to be full participants in an integrated civic event.

From January 8-9, 2020, we completed exterior accessibility monitoring of all precincts in Jackson County. The majority of the polling sites in the county are accessible or can easily be made temporarily accessible designating accessible parking, hanging appropriate signage, and/or keeping doors opened. As such, the following ADA codes have been referenced below.

206.2.1 Site Arrival Points. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

216.6 Where not all entrances comply with 404 (Doors, Doorways, and Gates), entrances complying with 404 shall be identified by the International Symbol of Accessibility complying

with 703.7.2.1. Directional signs complying with 703.5 that indicate the location of the nearest entrance complying with 404 shall be provided at entrances that do not comply with 404.

309.4 Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum.

502.2 Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3. EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.

502.6 Identification. Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation “van accessible.” Signs shall be 60 inches (1525 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

The **2010 ADA Standards for Accessible Designs** referenced in this report can be found online at:

https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf

Before further review, please take time to browse the Standards to gain a better understanding of the issues addressed. The tables on the following pages list the ADA Standards and ADA Title II regulations, if applicable, for each area we monitored, the issues noted at each site, if any, and suggestions for meeting ADA compliance on election days.

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Kentuck Community Building	
Issue	Debris between parking facility and entrance route makes route potentially inaccessible.
2010 ADA Standards for Accessible Design Requirements	<p>302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.</p> <p>Advisory 302.1 General. A stable surface is one that remains unchanged by contaminants or applied force, so that when the contaminant or force is removed, the surface returns to its original condition. A firm surface resists deformation by either indentations or particles moving on its surface. A slip-resistant surface provides sufficient frictional counterforce to the forces exerted in walking to permit safe ambulation.</p>
Suggestions for ADA Compliance	Grass and broken pavement connecting parking facility to entrance route should be cleared and paved over. Otherwise, mobility mat should be placed over debris to connect parking facility to entrance route.

Coleman Chapel Church Activities Building	
Issue	Unstable gravel parking facility surface.
2010 ADA Standards for Accessible Design Requirements	302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302. Advisory 302.1 General. A stable surface is one that remains unchanged by contaminants or applied force, so that when the contaminant or force is removed, the surface returns to its original condition. A firm surface resists deformation by either indentations or particles moving on its surface. A slip-resistant surface provides sufficient frictional counterforce to the forces exerted in walking to permit safe ambulation.
Suggestions for ADA Compliance	Parking facility should be paved, or a mobility mat should be temporarily installed on election day at designated accessible parking locations, connecting directly to accessible entrance route.

Cottageville Grade School

Issue	Lack of exterior handrail system on route to entrance, and incomplete interior handrail system.
2010 ADA Standards for Accessible Design Requirements	<p>405.9.2 Curb or Barrier. A curb or barrier shall be provided that prevents the passage of a 4 inch (100 mm) diameter sphere, where any portion of the sphere is within 4 inches (100 mm) of the finish floor or ground surface. 505.2 Where Required. Handrails shall be provided on both sides of stairs and ramps.</p> <p>505.10 Handrail Extensions. Handrail gripping surfaces shall extend beyond and in the same direction of stair flights and ramp runs in accordance with 505.10.</p> <p>505.10.1 Top and Bottom Extension at Ramps. Ramp handrails shall extend horizontally above the landing for 12 inches (305 mm) minimum beyond the top and bottom of ramp runs. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent ramp run.</p> <p>505.10.3 Bottom Extension at Stairs. At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance at least equal to one tread depth beyond the last riser nosing. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight.</p>

Suggestions for ADA Compliance	An exterior handrail system should be installed to provide accommodation for individuals with ambulatory and dexterity issues that cannot be served by interior rail only. Interior handrail should receive barrier and extensions.
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Little Sandy Community Building	
Issue	Unstable gravel parking facility surface and lack of ramp from entrance route to landing.
2010 ADA Standards for Accessible Design Requirements	<p>302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.</p> <p>Advisory 302.1 General. A stable surface is one that remains unchanged by contaminants or applied force, so that when the contaminant or force is removed, the surface returns to its original condition. A firm surface resists deformation by either indentations or particles moving on its surface. A slip-resistant surface provides sufficient frictional counterforce to the forces exerted in walking to permit safe ambulation.</p> <p>303.4 Changes in level greater than ½ inch (13 mm) high shall be ramped and shall comply with 405 or 406.</p> <p>404.2.4.4 Floor or Ground Surface. Floor or ground surface within required maneuvering clearances shall comply with 302. Changes in level are not permitted.</p>
Suggestions for ADA Compliance	Parking facility should be paved, or a mobility mat should be temporarily installed on election day at designated accessible parking locations, connecting directly to accessible entrance route. Ramp should be built connecting entrance route to landing.

Ripley High School	
Issue	Lack of handrail system on route to entrance. Informed by receptionist that main entrance beyond ramp is used on election day.
2010 ADA Standards for Accessible Design Requirements	<p>Advisory 505.1 General. Handrails are required on ramp runs with a rise greater than 6 inches (150 mm) (see 405.8) and on certain stairways (see 504). Handrails are not required on walking surfaces with running slopes less than 1:20. However, handrails are required to comply with 505 when they are provided on walking surfaces with running slopes less than 1:20 (see 403.6). Sections 505.2, 505.3, and 505.10 do not apply to handrails provided on walking surfaces with running slopes less than 1:20 as these sections only reference requirements for ramps and stairs.</p> <p>505.2 Where Required. Handrails shall be provided on both sides of stairs and ramps.</p>
Suggestions for ADA Compliance	If main entrance is used on election day, a handrail system should be constructed to ADA standards on both sides of ramp.

Several temporary solutions have been offered for making polling sites across Jackson County accessible, and many of these solutions can easily be found online or at your local hardware store. An additional resource is West Virginia University’s Center for Excellence in Disabilities WVATS (West Virginia Assistive Technology System) program. This program has portable ramps to loan for free, although pick-up and drop-off of the ramps are

required. Enclosed is a brochure with information for contacting WVATS.

The **2010 ADA Standards for Accessible Designs** referenced in this report can be found online at:

https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf

Four other valuable resources have been included for your reference:

- ADA Checklist for Polling Places
- The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities
- Solutions for Five Common ADA Access Problems at Polling Places
- ADA Quick Tips Tax Incentives

The ADA requires that public entities ensure that people with disabilities can access and use all voting facilities. Because a mix of public and private facilities are used as polling places, public entities may ensure Election Day accessibility of a polling place by using low-cost, temporary measures, such as portable ramps or door stops, rather than making permanent modifications to a building. If temporary measures will not fix a barrier, and public entities are unable to make a permanent modification to fix the barrier, then the public entity must look for an alternative, accessible polling place.