



Center for
Children's
Advocacy

Protecting Children With Disabilities

A Guide to the Camp Experience for Children with
Developmental Disabilities

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Federal Law and Camp Access

Americans with Disabilities Act



Federal Law

Americans with Disabilities Act

Title II - State and Local Governments

- Equal opportunity for persons with disabilities to access all programs, services and activities
- Applies to all municipalities, regardless of size

Federal Law

Americans with Disabilities Act

Title III - Public Accommodations

- Applies to private entities in the public sector (restaurants, movie theaters, zoos, private schools)
- Facilities are required to provide persons with disabilities full and equal access to their goods and services

Camps and the ADA

Title II

Camps operated by government agencies
(town camps, summer programs run by schools, etc)

Title III

Camps as “public accommodations”
(operated by private entities)

Camp for Amy?

- 6 years old
- Down Syndrome
- High functioning
- Mainstream programming at school
- Special education services, no other supports
- Requires reminders for toileting



Camp for Edward?

- 9 years old
- Non-verbal
- Unspecified genetic disorder
- Attends therapeutic school
- School supports
1:1 paraprofessional
- Extremely aggressive behaviors



Reasonable Modification for Camps

ADA requires ***reasonable modification*** to policies, practices and procedures

Objective

Avoid denial of access to programs and services to children with disabilities

Obligation

Integrate children, parents and guardians with disabilities into programs

Reasonable Modification

Individualized Assessment

- Disability unique to each child
- Impact unique to each child
- Modification based on specific needs of child



Camp Participation

Children with Developmental Disabilities

Individualized Assessment

- talk to parents
- talk to educators
- talk to other caregivers

Diagnosis does not determine participation

Participation . . . not Exclusion

Campers with Cognitive Delays

Cognitive delay does not equate with exclusion from camp or particular camp activity

Modification Requirement

Reasonable steps to integrate child into all camp activities



Campers with Speech, Other Delays

- No “sanctioning” of children based on delay
- Appropriate placement is with peers



Toileting Assistance for Older Camper

If Existing Service

- Available as modification, particularly if available to younger campers
- Reasonable modification if supplies and protocol exist

Toileting Assistance

If No Existing Service

Individual assessment

- Do younger campers require periodic assistance?
- Is there staffing?
- Is equipment required?



Behaviors and Disabilities

Camp must make reasonable efforts to positively impact behavior

- naps
- time out
- diet
- medication



Not the Right Camp

Limited Exceptions to ADA

- Fundamental alteration of program
- Undue burden
- Direct threat to health and safety of others

Fundamental Alteration

**No requirement to abandon mission
or offer fundamentally different program**

Examples

- Specific training programs
- Contact sports programs



Undue Burden

Significant difficulty or expense

Nature and cost

- financial resources of camp
- financial resource of parent company
- number of employees
- impact on total operation

Undue Burden

Parental Expense

Example

Camp not required to cover expense for one-to-one care or personal assistant

If parent covers expense, camp cannot exclude child if result is successful integration into camp program

Direct Threat to Health and Safety of Others

Individual Determination

- **Ascertain nature, duration and severity of risk, probability that injury will occur**
 - current medical knowledge
 - objective evidence
- **Consider particular activity**
- **Consider abilities and disabilities of child**

Camp for Amy?

- 6 years old
- Down Syndrome
- High functioning
- Mainstream programming at school
- Special education services,
no other supports
- Requires reminders for toileting



Camp for Edward?

Altering nature of program

- No speech, extremely limited cognitively

Undue burden

- Requires small adult ratio and one-to-one supervision

Threat to health and safety

- Extremely aggressive behaviors



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