

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.

On May 14, 2019, we completed exterior accessibility monitoring of all precincts in Lincoln 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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Big Ugly Community Center	
Issue	Unstable surface between parking facility and accessible route, and along accessible route.
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. 302.3 Openings. Openings in floor or ground surfaces shall not allow passage of a sphere more than ½ inch (13 mm) diameter except as allowed in 407.4.3, 409.4.3, 410.4, 810.5.3 and 810.10. Elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel.
Suggestions for ADA Compliance	Debris should be cleared along parking facility edge and accessible route and gaps should be repaved to create stable surface.

Garretts Bend Community Center	
Issue	Gravel parking facility provides unstable surface for accessibility.
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. 302.3 Openings. Openings in floor or ground surfaces shall not allow passage of a sphere more than ½ inch (13 mm) diameter except as allowed in 407.4.3, 409.4.3, 410.4, 810.5.3 and 810.10. Elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel.
Suggestions for ADA Compliance	Parking facility should be paved to edge of doorway landing, or temporary parking mats and mobility mats should be laid to create stable surface from facility to doorway landing.

Guyan Valley Middle School	
Issue	Lack of proper accessible parking despite designation, and debris causing unstable surface on entry route.
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. 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.
Suggestions for ADA Compliance	Parking barriers should be removed, and all debris should be cleared to create stable surface of parking facility and entry route.

McCorkle Community Center	
Issue	Debris along accessible route creates potentially unstable surface.
2010 ADA Standards for Accessible Design Requirements	302.3 Openings. Openings in floor or ground surfaces shall not allow passage of a sphere more than ½ inch (13 mm) diameter except as allowed in 407.4.3, 409.4.3, 410.4, 810.5.3 and 810.10. Elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel.
Suggestions for ADA Compliance	Remove and keep clear all debris along accessible route to entry.

Morrisvale VFD	
Issue	Threshold rise renders door noncompliant.
2010 ADA Standards for Accessible Design Requirements	303.4 Changes in level greater than ½ inch (13 mm) high shall be ramped and shall comply with 405 or 406. 404.2.5 Thresholds. Thresholds, if provided at doorways, shall be ½ inch (13 mm) high maximum. Raised thresholds and changes in level at doorways shall comply with 302 and 303.
Suggestions for ADA Compliance	Installation of a wedge ramp at threshold would make entrance accessible.

West Hamlin Grade School	
Issue	Unstable surface and debris between parking facility and entry route.
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. 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.
Suggestions for ADA Compliance	Debris should be removed from transition area, and grass-filled gap between parking facility and entry route should be paved.

Several temporary solutions have been offered for making polling sites across Lincoln 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:

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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.