

THE LAW

Title III of the Americans with Disabilities Act (ADA)

- Prohibits discrimination on the basis of disability in places of public accommodation, including daycare and child care facilities
- Ensures that children with disabilities have equal access to goods and services

Tennessee Department of Human Services Licensure Rules

- Sets out requirements for child care agency licensure in Tennessee*

WHAT'S REQUIRED

Equal Access/Opportunity

- **MUST** make reasonable modifications to policies & practices to include and integrate children with disabilities into programs

Effective Communication

- **MUST** provide appropriate auxiliary aids & services

Physical Accessibility

- **MUST** make facilities accessible to children with disabilities



EXAMPLES OF MODIFICATIONS & AUXILIARY AIDS AND SERVICES

- Educating staff as to caring for and the inclusion of children with disabilities
- Providing appropriate auxiliary aids and services, such as qualified American Sign Language (ASL) interpreters, FM hearing systems, & qualified readers, to both children and parents who are blind, deaf, or hard of hearing
- Providing quiet, private areas for children to have a sensory break
- Adapting snack and meal preparation & schedules to meet the child's disability-related dietary requirements
- Providing adaptive games, puzzles, & toys
- Providing accessible playground equipment
- Providing equal access to transportation services
- Installing ramps, handrails, widened doors, etc.
- Administering medication per the Tennessee Licensure Rules for Child Care Agencies, 1240-04-01-.12(13)

HELPFUL RESOURCES

- ADA Checklist: <https://www.adachecklist.org/doc/fullchecklist/ada-checklist.pdf>
- ADA Frequently Asked Questions: <https://www.ada.gov/childqanda.htm>
- ADA Title III Regulations: https://www.ada.gov/ada_title_III.htm
- *Rules of the Tennessee Department of Human Services: Licensure Rules for Child Care Agencies: <https://publications.tnsosfiles.com/rules/1240/1240-04/1240-04.htm>