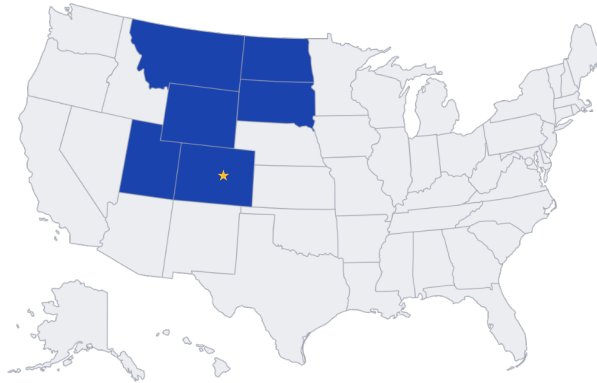


What does Title III require of child care centers?

1. Child care centers must take necessary steps to ensure children with disabilities are integrated into the usual routine at the center and its programs to the greatest extent possible in accordance with the ADA.
2. Child care centers cannot assume a child's disability is too severe for the child to be accepted and integrated into its programs. Assessments must be made on an individual basis to determine if they can meet the particular needs of the child without fundamentally altering their programs.
3. Child care centers may not charge the family of a child with a disability a higher tuition if costs associated with ADA compliance are incurred. Costs associated with ADA compliance are considered general operating costs and can be shared by all families. Centers can also utilize tax credits and deductions to offset ADA compliance costs. Child care centers also cannot exclude a child with a disability based on higher insurance rates.
4. Child care centers have an ongoing obligation to make their facilities accessible to people with disabilities and to remove barriers to accessibility – whether or not the center currently has children with disabilities enrolled in its programs.



PROUDLY SERVING

Colorado | Montana | North Dakota
South Dakota | Utah | Wyoming

For more information visit the RMADAC website

www.RockyMountainADA.org

VP: (719) 358-2460
V/TTY: (800) 949-4232



The RMADAC is operated by the University of Northern Colorado in Greeley, Colorado. NIDILRR grant number 90DPAD0014

WHAT ARE YOUR RIGHTS?

A Resource for Parents of Children with Disabilities in Child Care



**ROCKY MOUNTAIN
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How does Title III of the ADA protect my child?

Under Title III, the ADA prohibits a public accommodation, such as a child care center, from discriminating against an individual on the basis of disability by denying them the right of full and equal access of its goods and services. Child care centers must comply with Title III of the ADA regardless of its size or number of employees. Even small, home-based centers that may not have to follow some state laws are covered by Title III.

Under Title III, "disability" can include any disorder, disease or impairment ranging from diabetes, to allergies, physical/mobility or developmental/learning challenges, as well as epilepsy, cerebral palsy, asthma and HIV/AIDS, among others.



What rights do parents of children with disabilities have under Title III?

Children with disabilities are automatically protected by the ADA. Parents of children with disabilities are protected if they are discriminated against because of their association with a child with a disability or if they have a disability. If a child care center does not meet the Title III requirements, parents of children with disabilities and people with disabilities can file a formal complaint. A civil action case may be brought against the center in federal court and the Department of Justice can implement a fine of up to \$50,000 for a first violation.

What is the ADA Center and how can they help you?

The Rocky Mountain ADA Center (RMADAC) provides information, guidance, and training on the Americans with Disabilities Act (ADA) tailored to meet the needs of individuals and organizations in our region. The RMADAC is operated by the University of Northern Colorado in Greeley, Colorado.

The RMADAC serves individuals and organizations within a six-state region including Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

For more information, visit the RMADAC website at <https://RockyMountainADA.org>, or call (800) 949-4232.

As a parent of a child with disabilities you are protected under Title III of the ADA.

While many parents struggle to find affordable, quality child care, the parents of a child with a disability struggle to find any program that will accept their child. The 1990 passage of the Americans with Disabilities Act (ADA) opened a new and exciting world for families and children with disabilities. Prior to ADA passage, care for many children with disabilities was limited to family, friends, or special disability-only child care centers. Now child care centers and home daycare providers are required to open their doors wide to welcome all children.